



## ECONOMIC AND SOCIAL COUNCIL

Resumed Forty-eighth Session

OFFICIAL RECORDS

Wednesday, 27 May 1970,  
at 3.35 p.m.

NEW YORK

President: Mr. J. B. P. MARAMIS (Indonesia).

## AGENDA ITEM 4

Allegations regarding infringements of trade-union rights  
(continued)\* (E/4791, E/4819, E/4838; E/L.1324,  
E/L.1325)

1. Mr. JHA (India) said that Kenya should be added to the list of sponsors of draft resolution E/L.1324. After informal consultations the sponsors had agreed upon a number of changes in the text. In operative paragraph 4, the words "South Africa, Southern Rhodesia and Namibia" should be deleted and replaced by the words: "southern Africa and calls for an end to this suppression and the immediate and unconditional release of all persons imprisoned for their trade union activities". In operative paragraphs 5 and 6 the words "trade unions" should be replaced by the words "international trade-union organizations". In operative paragraph 5 the word "working" before the word "conditions" should be deleted. In operative paragraph 6 the word "latter's" should be replaced by the words "International Labour Organisation", and the words "ethnic, racial and colour factors present in the situation relating to the sectors of labour mentioned" should be replaced by the words "factors leading to discrimination in the social field in the areas specified".

2. Mr. SHAHEED (International Labour Organisation) noted that the criticism had been made that the Committee on Freedom of Association of the Governing Body of the ILO had merely taken note of most of the allegations brought to its attention. He pointed out that paragraph 170 of the Committee's report (E/4819, annex I) contained a number of specific recommendations to the Governing Body of the ILO. In that connexion he drew the Council's attention to the statement by the Chairman of the Committee on Freedom of Association annex II of document E/4819, in which he stressed that, although the language used in the Committee's report was, of course, the objective and courteous language which it had to use in all cases which it considered, the underlying tone of firmness was unmistakable. The Committee had dealt with some 600 cases of violations of trade-union rights, affecting at one time or another nearly all States members of the ILO. A certain uniformity of presentation had to be maintained.

3. The representative character of the Committee on Freedom of Association had been questioned. The fact was that the Committee had a very small membership and that the need for continuity and efficiency and the limited funds available must be taken into account. It was possible that the composition of the Committee might be changed as a result of the findings of the committee of the ILO

Governing Body which was currently investigating the structure of the ILO.

4. The ILO solidly supported the United Nations efforts to achieve decolonization. Although that was primarily the responsibility of the United Nations, the ILO would continue to give all the assistance it could. The ILO did not feel satisfied with what it had been able to do in the past, and it would do its best to rectify the situation.

5. He welcomed the changes which had been made in draft resolution E/L.1324. If the sponsors had insisted on retaining the original wording, he would have been obliged to reserve the position of the ILO Governing Body, particularly with regard to operative paragraphs 5 and 6. If the word "working" before the word "conditions" had been retained the effect would have been to entrust the *Ad Hoc* Working Group of Experts with a task going beyond its present terms of reference. He interpreted the revised wording to mean that the *Ad Hoc* Working Group would consider the general living conditions of the sectors of the population listed. It might perhaps be wise to include in that paragraph a reference to other specialized agencies besides the ILO. With regard to operative paragraph 6 he said he was not sure whether it was correct to say that the ILO had "primary responsibility" in the context of the paragraph as revised. However, the ILO would do its best to give effect to the Council's recommendations on matters within its competence.

6. He welcomed the addition made to paragraph 4. The ILO had long been involved in the struggle for the relief of persons imprisoned for their trade union activities and the present resolution would strengthen its hand.

7. Mr. HASSAN (Sudan) commended the work done by the ILO in defence of trade union rights. However, his delegation had a number of reservations concerning the report in annex I of document E/4819. The assumption in the report that the legislation applying in metropolitan Portugal also applied in the Portuguese "overseas provinces" was totally erroneous. There was a marked difference in the legislation applying in the two areas. The Portuguese Government always claimed that there was no discrimination in the African Territories under its administration. Although there might not be racial discrimination, there was considerable economic discrimination, which was the main cause of the deplorable conditions in which the African population of those territories lived. The white minorities in the Portuguese "overseas provinces" exploited the African population on behalf of certain foreign monopolies, and it was the activities of those foreign monopolies which were impeding effective United Nations action against the intransigent racist Governments in southern Africa. That aspect of the question should have been highlighted in the report of the ILO Committee, and

\* Resumed from the 1690th meeting.

he regretted that the report dealt with the whole question in a purely technical manner. His delegation tended to agree with the view expressed by Mr. Benseddik in the ILO Governing Body and reproduced in annex II of document E/4819, that the Committee's report was an internal ILO document of a technical nature which did not appear to constitute a proper basis for a reply to the formal request of the Economic and Social Council. He hoped that if draft resolution E/L.1324 was adopted, the *Ad Hoc* Working Group would focus attention on the deplorable effect of the activities of foreign monopolies on labour conditions in southern Africa. Only when an end was put to the exploitation for which the monopolies were responsible would Africans have full enjoyment of trade union rights.

8. Mr. AKRAM (Pakistan) said that he was glad to note that some States which had not ratified the ILO Convention on Freedom of Association were included among the sponsors of draft resolution E/L.1324. He welcomed the great interest which the *Ad Hoc* Working Group of Experts had shown in its investigation of allegations regarding infringement of trade-union rights in the Portuguese colonies in Africa. However, he questioned the practice whereby the same delegations which composed the Working Group submitted draft resolutions for the extension of the Group's mandate. Furthermore, it was questionable whether the Working Group would be allowed to enter the Portuguese colonies to investigate the situation.

9. The sectors of the labour force listed in operative paragraph 5 enjoyed no trade union rights because they enjoyed no human rights in general. Now that the word "working" had been omitted, he did not see how operative paragraph 5 related to the item under consideration. The investigation recommended in operative paragraph 5 should be carried out by a United Nations committee, but the question should preferably be considered under the general heading of human rights. While his delegation fully sympathized with the aims which had prompted the submission of the draft resolution, it did not feel that, from a technical point of view, it was strictly related to the question of trade-union rights.

10. Mr. LISOV (Union of Soviet Socialist Republics) said that the basic objectives of draft resolution E/L.1324 were largely in line with his own delegation's views concerning the urgent need to take further steps to unmask the racist and colonialist suppression of the trade union movement in southern Africa. However, his delegation found it difficult to support operative paragraph 2, since it had some reservations concerning the ILO report contained in annex I of document E/4819. As his delegation had said in the Social Committee, it was not satisfied with the work being done by the ILO Committee on Freedom of Association; its composition was not balanced, since it included no representative of a socialist country or of the World Federation of Trade Unions. The omission in the report of certain important political conclusions detracted considerably from its value. His delegation would find it easier to support operative paragraph 2 if it merely stated that the Council had taken note of the ILO report.

11. Operative paragraph 4 should contain a direct reference to the Governments of South Africa, Southern Rhodesia and Portugal, which were responsible for the

suppression of trade-union rights in southern Africa. He also agreed with the Sudanese representative concerning the need to focus attention on the part played by foreign monopolies.

12. The draft resolution incorrectly placed on the ILO the main responsibility for rectifying the situation. The Council should not divest itself of its primary responsibility for ensuring respect for human rights.

13. He requested that the vote on draft resolution E/L.1324 should be deferred until the following day in order to allow delegations to consider it with the attention that the importance of the item warranted and to make additional proposals if they so wished.

14. Mr. BRECKENRIDGE (Ceylon) welcomed the amendments announced by the Indian representative, in particular those relating to operative paragraphs 5 and 6. His delegation recognized the leading role which fell to the ILO regarding cases of violations of trade-union rights in general and sympathized with the difficulties which the ILO, because of its size and structure, would have in broadening the scope of its investigation or proceeding at a faster pace. On technical grounds, the Pakistan representative's concern regarding the mandate given to the *Ad Hoc* Working Group of Experts was to some extent justified. However, in view of the need for the Council to take action to focus attention on violations of human rights in southern Africa, including the Portuguese colonies, his delegation could support the draft resolution, subject to reservations concerning that mandate.

15. Mr. JHA (India) said that the deletion of the word "working" before the word "conditions" in operative paragraph 5 would not enlarge the terms of reference of the *Ad Hoc* Working Group of Experts. The word "conditions" would be interpreted as it had been in the past, when the *Ad Hoc* Working Group of Experts had considered, in connexion with violations of trade-union rights, such social factors as disparity in access to higher education and technical and vocational training and wage structures. With regard to the sectors of the population listed in operative paragraph 5, he pointed out that in chapter VI of the report of the *Ad Hoc* Working Group of Experts (E/4791) the conditions of unorganized farm labour and small landowners had already been dealt with under the heading "related matters". The word "conditions" should not be interpreted too widely. In reply to the Pakistan representative, he pointed out that the *Ad Hoc* Working Group of Experts had been commended for its impartiality and the reservations of the Pakistan delegation on this score should have been expressed in the Commission on Human Rights and the Council when it had been engaged in capitalizing on the support it had extended to the Working Groups in both those organs. He drew attention also to the value of the *Ad Hoc* Working Group's effort to publicize the inhumane conditions prevailing in southern Africa. The witnesses heard by the *Ad Hoc* Working Group had expressed considerable appreciation of the publicity given to their situation and of United Nations efforts to remedy it. He could agree to the USSR representative's proposal that the vote on the draft resolution should be deferred until the following day, provided that that was not interpreted as an opportunity to reopen the general debate on the item.

## AGENDA ITEM 5

**Report of the Committee on Housing, Building and Planning (E/4865 and Corr.1; E/L.1323)**

16. Mr. AKRAM (Pakistan), introducing draft resolution E/L.1323 on behalf of the sponsors, said that Peru, the Sudan and Uruguay had asked to be added to the list of sponsors. He recalled that the Committee on Housing, Building and Planning had not had sufficient time to consider draft resolution VI, submitted to it by the Ghanaian delegation, and had therefore included it in its report (E/4758 and Corr.1 and 2) for further consideration in the Council. The Social Committee had felt that certain radical changes would have to be made before that draft resolution could be adopted by the Council. After intensive consultations, therefore, a new draft resolution had been submitted to the Social Committee in document E/AC.7/L.577, but it had been produced too late for full consideration in that body. A revised version of draft resolution E/AC.7/L.577 was now before the Council in document E/L.1323. However, the sponsors wished to make two more revisions. Operative paragraph 1 of draft resolution E/L.1323 should be amended to read:

*"Approves in principle the work programme for 1970-1975 for the Centre for Housing, Building and Planning contained in the report of the Committee on Housing, Building and Planning on its sixth session."*

Operative paragraph 6 should be deleted; the Council could take a decision at a later stage concerning the draft resolution recommended for consideration by the General Assembly.

17. Mrs. GAVRILOVA (Bulgaria) said that the item under consideration was extremely important and had far-reaching consequences for all States Members of the United Nations. Lengthy and serious consideration was needed before any final decision was taken. Accordingly, her delegation had proposed in the Social Committee that the Committee should recommend to the Council that it should defer, until its fiftieth session consideration of the draft resolution on the item in order to give Member States more time to study the text and to express their views on it. The Social Committee had adopted that proposal. She now proposed, therefore, that the Council should endorse the Social Committee's recommendation.

18. Mr. LEGNANI (Uruguay) said that his delegation had joined in sponsoring draft resolution E/L.1323 because it believed that its adoption would contribute to a solution of the problem of the lack of adequate housing, which affected vast sectors of the world population and which would intensify unless prompt action was taken to remedy the situation. The multiple causes of the problem included the low level of capital investment in housing, the lack of adequate national institutions for mobilizing savings, misguided credit policies, the lack of housing programmes in national development plans and a lack of knowledge of non-traditional techniques and methods for the construction or improvement of housing.

19. The draft resolution stated the problem clearly, indicating its causes and proposing specific ways of reme-

dying the situation. As his delegation had pointed out in the Social Committee, investment in housing was one of the most profitable forms of economic investment because it acted as a direct economic stimulus and raised the living standards of the people, thereby increasing the effectiveness of the labour force.

20. International co-operation should not be confined to the transfer of know-how and experience and the provision of advisory services but should provide financial support for national housing programmes within the framework of international development plans. The objectives of the United Nations Development Programme might be extended to include the financing of housing and urban development on an international scale, or perhaps a new United Nations programme could be established for that purpose.

21. While not underestimating the value of comprehensive planning on a world scale for the purpose of promoting through international co-operation economic and social development in all aspects of human life, his delegation believed that intensified action in the specific area of housing and urbanization would have a decisive influence on all other aspects of development.

22. Mr. HJELDE (Norway) said that, although he appreciated the concern expressed by delegations that the Social Committee had had so little time to consider a question of such great complexity, he hoped that they would realize the urgent need for the Council to take action on the question of housing, building and planning. The Secretary-General's report on the campaign to focus world-wide attention on housing (E/C.6/92 and Add.1) showed that seventy-three out of seventy-eight Governments had supported the idea of a campaign but that they shared some uncertainty about what would actually be involved. In paragraph 4 of draft resolution E/L.1323, the Secretary-General was asked to submit to the Council at its fiftieth session reformulated proposals for such a campaign, so that Governments would have a sounder basis for taking a decision concerning that ambitious undertaking. The main reason why his delegation had sponsored the draft resolution was that it felt that its adoption would facilitate the Council's consideration of the question at its fiftieth session.

23. Mr. PAOLINI (France) said that his delegation supported the Bulgarian proposal to defer consideration of draft resolution E/L.1323 until the Council's fiftieth session.

24. Mr. ALLEN (United Kingdom) said he shared the Bulgarian representative's view that the Council would be acting too hastily if it decided to consider draft resolution E/L.1323 at the present meeting. His delegation did not underestimate the importance of housing, building and planning; it felt, however, that it would be unwise to take so late in the session a draft resolution which had been forwarded by the Committee on Housing, Building and Planning to the Social Committee and thence to the Council without being duly considered at either of those earlier stages.

25. Mr. OUEDRAOGO (Upper Volta) said that, although his delegation would not object if the Council decided to

consider draft resolution E/L.1323, he thought it would be better to consider the report of the Social Committee as such (E/4865 and Corr.1); if the Council did not accept the report itself it could then consider the draft resolution. The procedure proposed in the draft resolution would raise difficulties for his delegation because it would imply that no great importance was attached to a matter which, in the Upper Volta's view, was vitally important for the developing countries.

26. Mr. AKRAM (Pakistan) said that, because of the unfortunate way in which the draft resolution had been dealt with in the Social Committee, it had been proposed, without dissent, that it should be considered in the Council. The sponsors, in deference to informally expressed reservations and objections, had agreed to omit operative paragraph 6; in view of that gesture of compromise, and the fact that the draft resolution was straightforward, his delegation saw no reason why the Council could not discuss it now.

27. Mr. PIPARSANIA (India) agreed with the representative of Pakistan. The Council, as a responsible body, should take speedy action on any matter which required urgent attention. Since General Assembly resolution 2598 (XXIV) had stressed the priority to be given to housing, building and planning, and the Centre for Housing, Building and Planning had hitherto received no specific proposals regarding the campaign to focus world-wide attention on housing, he hoped that the Council would, in the interests of the developing countries, take prompt action.

28. Mr. DRISS (Tunisia) said that in the Social Committee his delegation had abstained in the vote on the proposal to defer consideration of the draft resolution in question. It was difficult to understand how the Council could refuse to consider an item which had the support of ten out of twenty-seven members. Perhaps the best solution might be to refer the matter to the General Assembly with a recommendation.

29. Mr. LISOV (Union of Soviet Socialist Republics) said that the haste shown by certain of the sponsors of the draft resolution was hard to understand. Some of the most important aspects of housing, building and planning had been fruitfully discussed in the Social Committee, in an atmosphere of co-operation, and it had been agreed to continue work in that field. The appeal to the sponsors not to be too hasty—an appeal made when the draft resolution had been submitted to the Social Committee—was in his view a judicious one and it was therefore surprising that, following the decision adopted in the Social Committee, the sponsors should now put the draft resolution before the Council. Since the text had not been discussed even in the Social Committee, the wisest course at that late stage would be to defer consideration of it to the Council's fiftieth session.

30. The PRESIDENT invited the Council to vote on the Bulgarian representative's proposal to defer consideration of draft resolution E/L.1323 to the fiftieth session.

*The proposal was rejected by 13 votes to 9, with 5 abstentions.*

31. Mr. AKRAM (Pakistan) said that, since the efforts of the sponsors of draft resolution E/L.1323 to reach a

compromise had not been reciprocated, they would restore operative paragraph 6.

32. Mr. PAOLINI (France) said, with reference to subparagraph (c) of the first part of operative paragraph 4, that while he recognized the importance of drawing the attention of developed countries to the need for practical programmes in the field of housing, building and planning in developing countries, he felt that it was for those countries themselves to establish such programmes. With reference to paragraph 4 as a whole, he thought that it would not be to the advantage of either the developed or the developing countries to accentuate the gulf between them by enumerating separate objectives for each group; perhaps, therefore, the sponsors would be willing to condense the paragraph. The text of operative paragraph 5 had been altered since the consideration of the draft resolution by the Social Committee: Council resolution 1170 (XLI) contained no proposal for the establishment of a new international institution to support domestic savings and credit facilities. Other solutions were possible, such as specialized branches of IBRD for the financing of housing, building and planning. There might also be regional solutions, and the draft resolution recommended for consideration by the General Assembly in operative paragraph 6 of document E/L.1323 mentioned national solutions. Operative paragraph 3 of that draft resolution gave rise to the same difficulties as operative paragraph 4 of the Council's own draft resolution in that it called upon the developed countries to provide assistance to developing countries for the establishment of national and regional centres and the development of national institutions—matters which should be dealt with by the developing countries themselves. The meaning of the phrase "major contribution" was also unclear. If a large contribution was implied, the recipient countries might wish to have the power of deciding to which economic sector the contribution would be applied. His delegation, therefore, could not accept the text of operative paragraph 3 of the draft resolution proposed for consideration by the General Assembly, and reserved its position in regard to the whole of operative paragraph 4 of the Council's own draft resolution. If draft resolution E/L.1323 was to be acted upon, it would be better to withdraw the draft recommended to the General Assembly and to redraft operative paragraphs 4 and 5.

33. Mr. ROUAMBA (Upper Volta) said that, while the ideas underlying the draft resolution were commendable, the actual text raised certain problems. With regard to operative paragraph 4, it was difficult to understand how the Secretary-General could be asked to submit proposals for a campaign unless he had first been requested to seek views of Member States—which were essential to the effectiveness of any such campaign. Furthermore, it was hard to see how the Secretary-General could submit proposals unless he was given detailed guidelines as to the nature of the campaign. Was the Council in any position to give such guidelines? In addition, the distinction made between developed and developing countries was somewhat arbitrary. As to operative paragraph 6, he questioned the wisdom of recommending that the Assembly consider a resolution which was, in effect, a preliminary draft and he suggested that the sponsors should allow time for its more thorough formulation.



34. Mr. STILLMAN (United States of America) said that his delegation faced the same difficulties as did those of France and the Upper Volta. While not disagreeing with the idea of a resolution by the Council on the subject, it felt that the text under consideration had not had the thorough consideration which was necessary. It shared the concern expressed with regard to the distinction between developed and developing countries in operative paragraph 4. That distinction should not have been made; the objectives mentioned should be pursued by developed and developing countries alike. His delegation had already expressed its views on the timing of the campaign. It would be well to defer it until the middle of the Second United Nations Development Decade. The financial implications of the campaign were also a matter for concern. Obviously, it did not command the support of Governments to the extent necessary for a campaign of such magnitude.

35. With regard to the draft resolution recommended for consideration by the General Assembly, he felt that the sponsors would do well to reconsider it in the interval before the Assembly opened its session and he had therefore welcomed the Pakistan representative's statement that the sponsors would be willing to delete it from the text of E/L.1323 altogether. In particular, his delegation would have difficulty with regard to operative paragraph 3 of the draft resolution. His delegation was unable to support operative paragraph 5 because it would prefer to postpone the action proposed in that paragraph until the results of the current Secretariat manpower utilization survey were available.

36. Mr. LEGNANI (Uruguay) said that if the draft resolution appeared to have been prepared in haste, it was only because of the large amount of information which had had to be taken into account in the course of its preparation—a circumstance which attested to its considerable scope. He wished to draw attention to the fact that the reference to Council resolution 1170 (XLI) was not to be understood as a specific reference to financial solutions to be devised by the Secretary-General. The Committee on Housing, Building and Planning had taken that resolution into account in examining various ways of obtaining the financial support necessary to resolve housing problems, and the reference to it in the present context was merely a basis for suggestions.

37. The distinction made between developed and developing countries was not prejudicial to the purposes of the text; such a distinction was commonly made in United Nations texts. The sponsors had endeavoured to propose a balanced course of action. The housing problem had to be met from latent national resources, but the possibility of obtaining international aid in the form of technical assistance, finance or advisory services, should not be overlooked.

38. Mr. PIPARSANIA (India) said that the sponsors had not prepared the draft resolution in haste, and while it might be the subject of compromise, it should not be rejected outright. Operative paragraph 4 reflected the feeling of the sponsors that the Secretary-General should be given guidelines so that the campaign would not take the same form in developed as in developing countries. The distinction was necessary if realistic proposals were to be made.

39. Operative paragraph 5 dealt with the financing of housing, a question to which the sponsors attached great significance and to which paragraphs 145 to 160 of the report of the Committee on Housing, Building and Planning (E/4758 and Corr.1 and 2) were devoted. With regard to the proposed new international institution to support domestic savings and credit facilities in housing and urban development, he drew particular attention to paragraphs 148 and 156 of that report. The draft resolution merely asked the Secretary-General to comment on the proposed institution; it did not attempt to introduce anything which was not in Council resolution 1170 (XLI).

40. Referring to comments on the draft resolution recommended to the General Assembly, he pointed out that the paper prepared by the Centre for Development Planning, Projections and Policies (A/AC.141/L.19), described areas in which the more advanced countries should be able to make a major contribution. Operative paragraph 3 of the draft resolution recommended to the General Assembly was based on that paper—a document prepared by experts and thus the more deserving of consideration.

41. Mr. AKRAM (Pakistan) noted that the reservations and objections which had been expressed referred only to operative paragraphs 4, 5 and 6. With regard to operative paragraph 4, it had been suggested that comments of Governments on the proposed campaign should be obtained; the report of the Secretary-General on the campaign (E/C.6/92 and Add.1), however, contained the replies of seventy-eight Governments, most of which were in favour of the proposal. A number of delegations had expressed reservations concerning expenditure and the lack of focus of such a campaign; the Secretary-General had accordingly been requested to try to reformulate the proposals for such a campaign in order to provide suitable guidelines. The sponsors of draft resolution E/L.1323 could not, therefore, be accused of disregarding other delegations' views; indeed, his own delegation had expressed reservations with regard to the proposed campaign. With regard to operative paragraph 5 he said that although, as the French representative had pointed out, Council resolution 1170 (XLI) did not call for the establishment of an international financial institution, such an institution was mentioned in the report of the Secretary-General on financing of housing and community facilities (E/C.6/98). His delegation, could agree, in a spirit of compromise, to withdraw operative paragraph 6 of the draft resolution if a mutual understanding could be arrived at in the Council.

42. Mr. LISOV (Union of Soviet Socialist Republics) said that his delegation could support many of the provisions of draft resolution E/L.1323. It fully agreed that there was a need for careful preparation of the proposed campaign to mobilize support for housing, building and planning policies and programmes. However, certain other provisions of the draft resolution were unacceptable, because many important factors had been neglected. He welcomed the Pakistan representative's expressed willingness to withdraw operative paragraph 6. The wording of the third preambular paragraph was not entirely satisfactory: it was not clear to his delegation what difficulties the paragraph referred to, for the Centre had been effectively implementing its programme, a programme which his delegation had always supported. With regard to operative paragraph 5, his delega-

tion feared that the establishment of a new international institution would lead only to increased bureaucratic formalities and that funds available for actual projects would be scarce. If the sponsors of the draft resolution could not agree to take account of his delegation's views on the wording of operative paragraph 5, his delegation would request separate votes on that paragraph and operative paragraph 3.

43. Miss CAO PINNA (Italy) said she found it difficult to accept the sponsors' contention that operative paragraph 4 of draft resolution E/L.1323 merely set forth guidelines for the Secretary-General. Her delegation felt that the Council, in adopting the text as it stood, would be taking a position not only on objectives but also on means. It would be unfortunate for the Council to adopt such a controversial resolution by only a slight majority, and she therefore urged the sponsors to consider the views of other delegations with a view to obtaining broader support. With reference to operative paragraph 4, she suggested that the entire text after the words "policies and programmes" should be deleted. Operative paragraph 5 should be re-drafted along the lines suggested by the French representative.

44. Mr. ALLEN (United Kingdom) said that he too would welcome the withdrawal of operative paragraph 6. Operative paragraph 4, however, still presented some difficulties for his delegation; a campaign to focus world-wide attention on housing had already been considered by the Committee on Housing, Building and Planning, and he did not see how the proposed campaign to mobilize public and Government support for housing, building and planning policies and programmes could be an improvement. It was risky to speak of mobilizing support for policies and programmes which had not yet been formulated; moreover, to seek to mobilize support for matters which were within the purview of States' internal policies was questionable. He therefore hoped that the sponsors would revert to the formula "campaign to focus world-wide attention on housing" which appeared in the report of the Committee on Housing, Building and Planning.

45. His delegation agreed with those which objected to the distinction drawn in operative paragraph 4 between developed and developing countries. With regard to subparagraph (f) of the second part of paragraph 4, his delegation felt that it referred not to objectives but to means. With regard to operative paragraph 5, his delegation wondered, in the light of the comments made in the Committee, what possibility there would be of establishing the proposed new international institution to support domestic savings and credit facilities.

46. Mr. STILLMAN (United States of America) said that his delegation supported the Italian and United Kingdom representatives' observations, particularly the former's suggestion that the specific guidelines contained in operative paragraph 4 should be deleted. The priority to be given to housing was surely being sufficiently stressed already in both developed and developing countries. Moreover, his delegation was not sure whether the Council was at present in a position to recommend guidelines for the campaign in question; such a task would call for the services of experts. The Committee on Housing, Building and Planning, which could consider such guidelines in detail, would not meet for

another two years. If, however, the Council wished to deal with the campaign before that Committee's next session, perhaps, the Centre for Housing, Building and Planning could make more specific recommendations to the Council at its fiftieth session so that the latter would be in a better position to take a decision.

47. Mr. PAOLINI (France) said that he was grateful to the Pakistan delegation for its willingness to withdraw operative paragraph 6 of draft resolution E/L.1323. Operative paragraph 4, however, still presented certain difficulties for his delegation, particularly in so far as it touched upon matters which were within the competence of Governments. Moreover, that paragraph called on the Secretary-General to submit reformulated proposals to the Council at its fiftieth session; the Council could not be expected to take a position at the present time on something on which it would not receive a report until that session. He therefore shared the Italian representative's view that the enumeration of detailed guidelines in operative paragraph 4 should be deleted.

48. Operative paragraph 5 still gave rise to difficulties for his and certain other delegations, since the Committee on Housing, Building and Planning itself had not expressed its views on the desirability of a new international institution. His delegation therefore thought that the wording "the proposed new international institution to support" should be replaced by "the various international solutions which would make it possible to strengthen".

49. Mr. HJELDE (Norway) proposed that the Council should postpone its decision on the draft resolution until the next meeting. His delegation would be willing to participate in efforts to work out an acceptable text and thus avoid further conflict.

*That proposal was adopted.*

50. The PRESIDENT invited the Council to adopt draft resolutions I and II recommended for adoption by the Social Committee in paragraph 10 of its report (E/4865 and Corr.1).

*Draft resolutions I and II were adopted unanimously.*

51. Mr. ALLEN (United Kingdom) said that, since the Council had adopted the report of the Committee on Housing, Building and Planning, he hoped that the sponsors of draft resolution E/L.1323 would agree to delete operative paragraph 1 of that draft resolution, which was now superfluous.

## AGENDA ITEM 2

**Human rights (E/4868 and Corr.1 and 2):**

- (a) Report of the Commission on Human Rights;
- (b) Co-ordination of United Nations activities with regard to policies of *apartheid* and racial discrimination in southern Africa;
- (c) Respect for human rights in armed conflicts

52. The PRESIDENT drew attention to the draft recommendations of the Social Committee to the Council in paragraph 25 (a) to (f) of the report of the Social Committee (E/4868 and Corr.1 and 2).

53. Mr. TARASOV (Union of Soviet Socialist Republics), referring to the draft recommendation in paragraph 25 (f), said that his delegation had no objection to its adoption but proposed an amendment whereby the many comments made by delegations during the Council's forty-eighth session on the question of human rights in armed conflict would be transmitted to the Assembly together with the observations of members of the Social Committee on the same question.

54. The PRESIDENT said that, if there was no objection, he would take it that the Council adopted the recommendations in paragraph 25 (a) to (e) and paragraph 25 (f) as amended by the USSR representative.

*It was so decided.*

55. Mr. PIPARSANIA (India) pointed out that neither the Commission on Human Rights nor the Social Committee had been able to take action on the draft resolution submitted by Ghana, Sweden, the United Republic of Tanzania and Yugoslavia (E/CN.4/L.1139) on the report of the *Ad Hoc* Working Group of Experts established under resolution 2 (XXIII) and 2 (XXIV) of the Commission on Human Rights. He proposed that it too should be transmitted to the General Assembly.

*It was so decided.*

56. The PRESIDENT drew attention to the eight draft resolutions recommended for adoption by the Council in paragraph 26 of the Social Committee's report.

*Draft resolution I was adopted unanimously.*

*Draft resolution II was adopted by 16 votes to 2, with 9 abstentions.*

57. Mr. ALLEN (United Kingdom), speaking in explanation of vote, said that his delegation had voted against the draft resolution because it did not believe that the Council was entitled to decide matters of international law. To attempt to redefine war crimes, as provided in operative paragraph 5, would be to exceed the Council's competence.

58. Mr. STILLMAN (United States of America), speaking in explanation of vote, said that his delegation had voted against the draft resolution because his Government did not accept the definition in article I of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity and had voted against General Assembly resolution 2391 (XXIII) adopting that Convention.

*Draft resolution III was adopted by 17 votes to none, with 10 abstentions.*

*Draft resolution IV was adopted by 26 votes to none, with 1 abstention.*

59. Mr. TARASOV (Union of Soviet Socialist Republics) said that, when draft resolution IV had been discussed in the Social Committee, a number of delegations had drawn attention to the considerable importance of the recent UNESCO symposium on Lenin and the Development of Science, Culture and Education, held at Tampere, Finland, from 6-10 April 1970. He requested that their remarks should be duly reflected in the Council's report.

60. Mr. ALLEN (United Kingdom) said that his delegation had abstained in the vote on the draft resolution not because of any lack of sympathy with its purposes but because it considered that the task imposed on the Special Rapporteur was beyond the powers of any human being.

61. Mr. AHMED (Secretary of the Council) said with reference to draft resolution V that, in operative paragraphs 1 and 5, the words "and reliably attested" should be inserted after "a consistent pattern of gross" and that, in operative paragraph 7 (d), the word "conciliatory" should be changed to "friendly".

62. Mr. PAOLINI (France) said that in that case the French version should be corrected accordingly.

63. Mrs. GAVRILOVA (Bulgaria) said that, in the debate in the Social Committee, her delegation had expressed strong objections to draft resolution V for reasons of principle and procedure. It was not appropriate for an international, intergovernmental organization to deal with matters which were wholly within the competence of national Governments and the relevant internal organizations. It had further objected to the procedure followed in the adoption of the resolution in the Commission on Human Rights and the Social Committee. No time had been allowed for all Member States to send their views to the Secretary-General; a majority, at least, should be enabled to do so when a change in procedures was involved. She reiterated her delegation's request that the whole question should be postponed until the Council's fiftieth session.

64. Mr. DE SOTO (Peru) said that his delegation had voted against draft resolution V in the Social Committee for the reasons which it had explained on that occasion. He supported the Bulgarian proposal to defer consideration of the whole question; however, that did not mean that he was prejudging the substance of the issue.

65. Mr. HASSAN (Sudan) said that he too felt that consideration of the question at the present stage would be premature.

66. The PRESIDENT invited the Council to vote on the Bulgarian motion to postpone consideration of draft resolution V to its fiftieth session.

*The Bulgarian motion was rejected by 14 votes to 10, with 3 abstentions.*

*Draft resolution V was adopted by 14 votes to 7, with 6 abstentions.*

67. Mr. BRECKENRIDGE (Ceylon), speaking in explanation of vote, said that his delegation, in voting against the draft resolution, did not question its underlying purpose but felt that such a matter called for near unanimous agreement in the Council.

*Draft resolution VI was adopted unanimously.*

*Draft resolution VII was adopted by 12 votes to none, with 14 abstentions.*

*Draft resolution VIII was adopted unanimously.*

*The meeting rose at 7.15 p.m.*