

## 2087th meeting

Monday, 17 October 1977, at 10.50 a.m.

President: Mr. Ladislav ŠMÍD (Czechoslovakia).

E/SR.2087

### AGENDA ITEM 33

#### United Nations Conference on Desertification (A/32/257 and Corr.1, A/CONF.74/36)

1. Mr. TOLBA (Executive Director of the United Nations Environment Programme and Secretary-General of the United Nations Conference on Desertification), introducing the report of the Secretary-General on the Conference (A/32/257 and Corr.1), said that all participants in the Conference had agreed that the problem of desertification was global, serious and urgent and that immediate action was required, particularly since advances in science and technology had made it possible to solve the problem. The Conference had adopted an integrated global programme for solving, by the year 2000, the problem of desertification, a menace to human welfare. The Plan of Action to Combat Desertification, which had been adopted by consensus except for two items dealing with financing, was based on the principle that man was the primary agent of desertification and also its victim, and that the key to combating desertification was proper land use through a broad range of corrective practices, including water conservation. The Plan of Action emphasized the need for an information programme to increase public awareness of the magnitude of the problem and of the need to monitor any actions which were likely to induce or accelerate desertification.

2. As to proposed institutional arrangements, the Plan of Action called for the establishment of specialized national machinery to formulate and execute programmes to combat desertification in accordance with national development plans. At the international level, the Conference invited the General Assembly to request the Secretary-General of the United Nations and the governing bodies of appropriate United Nations organs to provide support, including financial support, for action to combat desertification. Interested intergovernmental and non-governmental organizations would also be invited to participate in the implementation of the Plan of Action.

3. Within the United Nations system, the Environment Co-ordination Board, assisted by a working group on desertification, would ensure co-ordination and co-operation among all United Nations bodies and agencies involved in the implementation of the Plan of Action. The regional commissions, in accordance with their terms of reference, were requested to participate actively in co-ordinating, catalysing and executing intraregional anti-desertification programmes adopted by the Member States concerned. The Conference had recommended that over-all supervision of the implementation of the Plan of Action should be entrusted to the Governing Council of the United Nations Environment Programme (UNEP) and that a small number of highly qualified staff, clearly identifiable within the UNEP secretariat, should be made available to the Executive Director.

4. On the financing of the Plan of Action, participants had agreed on the need for accelerated action at the bilateral, subregional, multilateral and multi-bilateral levels. The Conference had also invited the General Assembly to request the Governing Council of UNEP to carry out a study of possible alternative sources of financing, since there had been a divergence of opinion on that question, with some participants favouring a special fund and others a consortium approach. The General Assembly had also been requested to create a special account within the United Nations to finance the Plan of Action.

5. In addition to the Plan of Action, the Conference had adopted eight resolutions on, *inter alia*, the implementation of General Assembly resolution 3337 (XXIX), financial and technical assistance to the least developed countries, drought in the Sahelian countries, the effect of weapons of mass destruction on ecosystems and colonial desertification practices.

6. The Secretary-General's report on the Conference (A/32/257 and Corr.1) indicated the action required from the Economic and Social Council and the General Assembly on

the recommendations of the Conference. He drew attention, in particular, to the recommendations calling for immediate initial action.

7. Action by Governments had already begun. Immediately following the Conference, a workshop had been held at Nairobi, which had been attended by 102 specialists representing 49 countries and by consultants and representatives of various United Nations bodies. The basic purpose of the workshop had been to design scientific programmes in accordance with the general prescriptions laid down in the Plan of Action. Representatives of the Conference secretariat had given detailed consideration to six transnational projects designed to serve as models for the preparation of anti-desertification programmes.

8. The results achieved by the Conference augured well for fruitful co-operation in the international community and throughout the United Nations system. It was to be hoped that, once adopted by the General Assembly, the Plan of Action would be fully implemented, since desertification was one problem to which there were feasible solutions.

9. Mr. SMIRNOV (Union of Soviet Socialist Republics) reaffirmed his delegation's position, as explained at the Conference and reflected in the report (A/CONF.74/36).

10. The PRESIDENT invited the Council to take note of the report of the Secretary-General on the results of the United Nations Conference on Desertification (A/32/257 and Corr.1) and to transmit it to the General Assembly at its thirty-second session.

*It was so decided* (decision 285 (LXIII)).

### AGENDA ITEM 35

#### **International Covenant on Civil and Political Rights: report of the Human Rights Committee (A/32/44 and Corr.1)**

11. Mr. VAN BOVEN (Director of the Division of Human Rights) introduced the report of the Human Rights Committee (A/32/44 and Corr.1). He pointed out that in accordance with the mandate entrusted to it under the Charter of the United Nations, respect for and promotion of human rights held a central position and were interrelated with all other activities of the Council. Furthermore, the international community was realizing more and more that there was an interrelationship between human rights and economic, social, cultural and humanitarian issues. Development endeavours, whether economic, social or cultural, increasingly stressed the human element. That tendency was reflected *inter alia* in the basic needs strategy and the integrated approach to development.

12. It was also being realized that respect for human rights was an integral part of the development process in that it could lead to the elimination of unjust structures which impeded development. For example, at the thirty-third session of the Commission on Human Rights several representatives had stressed that assistance for the economic and social development of the developing countries was a moral and legal obligation of the international community, by virtue of the fundamental principle of solidarity between nations; they had deduced from that the existence of a right to development which the United Nations had a duty to promote. The international covenants on human rights provided the Economic and Social Council with a unique opportunity to promote greater realization of and give practical effect to the interrelationship between human rights and economic, social and cultural problems.

13. The entry into force of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights, with its Optional Protocol,<sup>1</sup> marked the culmination of efforts begun at

the San Francisco Conference to draw up a binding bill of rights with implementation provisions. Under article 2 of the International Covenant on Economic, Social and Cultural Rights, each State party undertook to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant by all appropriate means, including particularly the adoption of legislative measures. Similarly, under article 23, the States parties agreed that international action for the achievement of the rights recognized in the Covenant included such methods as the conclusion of conventions, the adoption of recommendations, the furnishing of technical assistance and the holding of regional meetings and technical meetings, organized in conjunction with the Governments concerned, for the purpose of consultation and study. Furthermore, at its sixtieth session, the Council had adopted procedures for the implementation of the Covenant (resolution 1988 (LX)).

14. Again, under article 2 of the International Covenant on Civil and Political Rights, each State party undertook to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant, without distinction of any kind.

15. The Council was, in fact, the main link between the two Covenants. Indeed, article 21 of the International Covenant on Economic, Social and Cultural Rights provided that the Council might submit from time to time to the General Assembly reports with recommendations of a general nature on the general observance of the Covenant, and article 45 of the International Covenant on Civil and Political Rights provided that the Human Rights Committee should submit to the General Assembly, through the Economic and Social Council, an annual report on its activities. Consequently, the Council had an important co-ordinating role in the implementation of the two Covenants. Indeed, the need for such co-ordination was already being felt, as was apparent from paragraph 109 of the report of the Committee (A/32/44 and Corr.1). The Council should also do its best to ensure that the same patterns and standards were adopted in the consideration of reports under the two Covenants. It should also co-ordinate its duties under the two Covenants with its related activities in the human rights field and with those of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

16. With regard to the implementation of the International Covenant on Civil and Political Rights, article 28 provided for the establishment of a Human Rights Committee composed of 18 members, nationals of the States parties, who should be persons of high moral character and of recognized competence in the field of human rights. The Committee had three main functions, namely, the consideration of reports submitted by the States parties under article 40, the consideration of communications in which a State party claimed that another State party was not fulfilling its obligations under the Covenant and the consideration of communications submitted under the Optional Protocol to the Covenant.

17. Following the entry into force of the Covenant on 23 March 1976, the States parties had met for the purpose of the initial election of the 18 members of the Human Rights Committee, whose names were listed in paragraph 2 of the Committee's report. At its first two sessions, held respectively in New York, from 21 March to 1 April 1977, and at Geneva, from 11 to 31 August 1977, the Committee had considered and adopted its rules of procedure, the text of which appeared in annex II to the Committee's report. At its second session the Committee had considered the reports submitted by the States parties under article 40 of the Cove-

<sup>1</sup>General Assembly resolution 2200A (XXI), annex.

nant, a duty it had discharged with dedication and seriousness; with regard to practically every report considered, several specific questions had been put to the representative of the Government concerned, who had been requested in some cases to provide additional information. The Committee had also considered in private meetings communications received under the Protocol. It had declared two communications inadmissible and transmitted others to the States parties concerned, requesting information and observations on the question of admissibility. In some cases the Committee had also decided to request additional information from the authors of the communications.

18. The level of expertise of the Committee members was very high, as had been reflected in the way in which it had handled several issues, particularly the general guidelines regarding the form and content of reports from the States parties (see A/32/44 and Corr.1, annex IV). With regard to its relationship with Governments, the Committee was confident that it would be able to develop a constructive dialogue with each State party in regard to the implementation of the Covenant and thereby to contribute to mutual understanding and peaceful and friendly relations among nations in accordance with the Charter of the United Nations (*ibid.*, para. 6).

19. It was encouraging to note that the Committee had recognized the need to keep in close touch with the public, since it had agreed that reports, formal decisions and all other official documents of the Committee and its subsidiary bodies should be given general distribution, unless it decided otherwise; the same ruling applied to reports and additional information submitted by States parties pursuant to article 40 of the Covenant (see A/32/44 and Corr.1, para. 46). The Committee had also been of the opinion that, although the principle of confidentiality should govern its deliberations when dealing with communications, a minimum of information should be made available in the reports of the Committee, since the general public had a legitimate interest in knowing the main trends in the approach of the Committee in its consideration of communications (*ibid.*, para. 170).

20. In conclusion, he pointed out that, in adopting article 45 of the Covenant, the Third Committee had envisaged an active role for the Economic and Social Council in the consideration of the report of the Human Rights Committee.

21. Miss RICHTER (Argentina) said that it was unfortunate that the report of the Human Rights Committee made no mention of the financial implications of its work. The Committee had already held two ordinary sessions and set up a working group; it could also organize special sessions. Moreover, rules 23 and 25 of its rules procedure laid it down that the Secretary-General should provide the Committee and its subsidiary bodies with the necessary services. She asked whether the expenditure incurred by the Committee would be financed by the States parties, as in the case of

the Committee on the Elimination of Racial Discrimination, or whether it would be covered by the United Nations regular budget. She hoped that a statement by the Secretary-General on the financial implications would be annexed to the Committee's report when it was submitted to the General Assembly. She therefore suggested that a sentence should be added to the decision which the Council was to adopt at the current session to the effect that a statement by the Secretary-General on the financial implications on the work of the Human Rights Committee would be submitted to the General Assembly together with its report.

22. Mr. MARSHALL (United Kingdom) supported the Argentine representative's proposal. Moreover, he did not think that the Council was in a position at the moment to discuss its responsibilities under the Covenants. The Council might consider that question at its organizational session in January 1978.

23. Mr. MERKEL (Federal Republic of Germany) asked the Director of the Division of Human Rights for information about the arrangements which would be made in connexion with paragraphs 178 to 180 of the report of the Human Rights Committee on Secretariat support services for the Committee and its subsidiary bodies.

24. Mr. VAN BOVEN (Director of the Division of Human Rights) said that when the International Covenants on human rights had been adopted by the General Assembly, the Secretary-General had stated that the financial implications of the Committee's work would be charged to the United Nations regular budget, in contradistinction to the procedure adopted for the costs of the Committee on the Elimination of Racial Discrimination, which were borne by the States parties to the International Convention on the Elimination of All Forms of Racial Discrimination. In practice, the financial implications, which stemmed mainly from articles 35 and 36 of the International Covenant on Civil and Political Rights, were subject to the normal procedure and were reviewed by the Advisory Committee on Administrative and Budgetary Questions and subsequently by the Fifth Committee. Furthermore, the Secretariat proposed to raise in the Third Committee the question of the financial implications of the proposal in paragraph 185 of the report of the Human Rights Committee.

25. With regard to support services for the Committee, the Secretariat had requested that two additional posts should be established for that purpose and that question also would be considered by the Fifth Committee.

26. The PRESIDENT suggested that the Council should take note of the report of the Human Rights Committee (A/32/44 and Corr.1) and transmit it to the General Assembly at its thirty-second session together with a report on the financial implications of the Committee's work.

*It was so decided (decision 286 (LXIII)).*

*The meeting rose at 11.50 a.m.*