



**ECONOMIC AND SOCIAL COUNCIL**

Forty-second Session  
OFFICIAL RECORDS

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*President: Mr. Milan KLUSÁK*  
(Czechoslovakia).

**Present:**

Representatives of the following States, members of the Council: Belgium, Cameroon, Canada, Czechoslovakia, Dahomey, France, Gabon, Guatemala, India, Iran, Kuwait, Libya, Mexico, Pakistan, Panama, Peru, Philippines, Romania, Sierra Leone, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Observers for the following Member States: Brazil, Cuba, Indonesia, Israel, Netherlands, Ukrainian Soviet Socialist Republic, Yugoslavia.

Representatives of the following specialized agencies: United Nations Educational, Scientific and Cultural Organization, World Health Organization.

AGENDA ITEM 11

Report of the Commission on Human Rights (E/4322 and Corr.1, E/L.1164)

REPORT OF THE SOCIAL COMMITTEE (E/4387)

1. Mr. NASINOVSKY (Union of Soviet Socialist Republics) pointed out that there was a mistake in paragraph 2 of the report of the Social Committee

(E/4387), which did not mention the corrigendum to the English text of the report of the Commission on Human Rights (E/4322). The fact was that the English text of the Commission's report had referred to the observers for the Federal Republic of Germany, although the Commission had taken a decision to delete that reference, as had been done in all the other texts of the report. The corrigendum to the English text (E/4322/Corr.1) should therefore be mentioned whenever a reference was made to the report of the Commission on Human Rights.

2. The PRESIDENT stated that the Secretariat would take account of that comment and issue a corrigendum to the English text of the report of the Social Committee.\*

3. Sir Samuel HOARE (United Kingdom) asked for further particulars of the corrigendum to the English text of the report of the Commission on Human Rights, the reason for that corrigendum was not very clear to him.

4. Mrs. BRUCE (Secretariat) said that, when the Commission on Human Rights had been considering the draft of its report at the last meeting of its twenty-third session, a discussion had taken place concerning the reference to the observers for the Federal Republic of Germany in the section relating to attendance. The Commission had then decided, with the agreement of the Rapporteur, to delete that reference, and as it had been retained by mistake in the English text of the report, a corrigendum in English only (E/4322/Corr.1) had been issued.

5. The President invited the Council to vote on the draft resolutions contained in paragraph 55 of the report of the Social Committee (E/4387).

A. PERIODIC REPORTS ON HUMAN RIGHTS

*Draft resolution A was adopted unanimously.*

B. AMENDMENT OF RULES 15, 17 AND 18 OF THE RULES OF PROCEDURE OF THE FUNCTIONAL COMMISSIONS OF THE ECONOMIC AND SOCIAL COUNCIL

*Draft resolution B was adopted unanimously.*

C. QUESTION OF SLAVERY AND THE SLAVE TRADE IN ALL THEIR PRACTICES AND MANIFESTATIONS, INCLUDING THE SLAVERY-LIKE PRACTICES OF APARTHEID AND COLONIALISM

*Draft resolution C was adopted by 22 votes to none, with 1 abstention.*

6. Mr. BEFFEYTE (France), speaking in explanation of his vote, said that in the Social Committee his delegation had made a number of reservations with regard to draft resolution C; its reservations had

\*Subsequently circulated as document E/4387/Corr.1.

been stated clearly when a vote was being taken by division.

7. Subject to those reservations, his delegation had now voted in favour of the draft resolution because of its belief that, in drawing the attention of a number of organs and agencies to the report of the Special Rapporteur on Slavery,<sup>1/</sup> that text was a useful step in the effort to eradicate slavery.

8. Sir Samuel HOARE (United Kingdom) said that he had abstained from voting, as he had done in the Social Committee, because his delegation had reservations concerning several paragraphs of the resolution and because it believed that it was inappropriate to mingle together, in one text, slavery and other practices which were the subject of separate studies. Moreover, his delegation could not accept the reference to the racist policies of colonialism, since the United Kingdom did not practise any such policy in the territories under its administration.


*D. DRAFT INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE*

9. Mr. JHA (India) said that he would vote in favour of draft resolution D. He wished to state, however, with respect to the future application of the convention on the elimination of all forms of religious intolerance, that his delegation interpreted the convention as being without prejudice to the sovereign right of a State to make a distinction between its own nationals and other persons.

10. Although his delegation would not propose any amendment to the draft resolution, it considered that there was no need for the additional article submitted by the Jamaican delegation, the text of which appeared in paragraph 125 of the report of the Commission on Human Rights (E/4322 and Corr.1), since none of the provisions of the draft convention seemed to require any derogation from the provisions of the International Covenants on Human Rights.

11. Mr. NASINOVSKY (Union of Soviet Socialist Republics) observed that, if the Council adopted the draft resolution, it would be transmitting to the General Assembly an incomplete draft which the Commission on Human Rights had not even had time to consider in its entirety; his delegation regarded that procedure as irregular. Moreover, as a result of the decisions taken by the Social Committee, it had not been possible during the Committee's debate to amend the draft convention in order to eliminate a provision which was discriminatory, in that it referred to one religion (only anti-Semitism was mentioned in the draft convention).

12. In the circumstances, his delegation, while not formally opposing the transmittal of the relevant documentation to the General Assembly, had abstained from voting on the draft resolution in the Social Committee because it believed that the draft had not been given sufficient study.

13. M. TTIGA (Libya) said that his delegation had voted in favour of the draft resolution in the Social Committee because it merely involved the transmittal

to the General Assembly of the draft convention and the amendments which had been proposed; it had not passed any judgement on the substance of those texts.

*Draft resolution D was adopted by 20 votes to none, with 3 abstentions.*

*E. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES*

14. Mr. VARELA (Panama) said that he wished to propose an amendment which would bring the text of the draft resolution into line with those of the other draft resolutions submitted in the report of the Social Committee. He would like the words "and illegally occupied by the Government of South Africa" to be inserted after the words "responsibility of the United Nations" in operative paragraph 2, since otherwise the resolution would appear by implication to accuse the United Nations of tolerating practices detrimental to human dignity.

15. Although he had not taken part in the debate in the Social Committee, he assumed that it was for precisely the same reason that the Committee, at the suggestion of India and Pakistan, had similarly amended draft resolution C, paragraph 3. Such an amendment, which would indicate why violations of human rights were still going on in the Territory of South West Africa, would thus be equally justified in draft resolution E, and for that matter in draft resolution F.

16. Mr. ZOLLNER (Dahomey) pointed out that an amendment similar to that now proposed by the representative of Panama had been discussed at length in the Social Committee. Such a proposal would be fully justified if draft resolution E was giving a description of the situation. That was not so, however; draft resolution E was simply taking note of a definition which had already been adopted by the General Assembly in resolution 2145 (XXI) and which could not, therefore, be changed.

17. In the case of resolution C, the situation was different because operative paragraph 3 called upon the Government of South Africa to take certain action, and it had been necessary to provide a basis for the call to that Government by stating that it was illegally occupying the Territory of South West Africa, under the direct responsibility of the United Nations. A distinction must be made between the general definition, which must be used in any reference to the Territory of South West Africa, and special cases—such as resolution C—where something might have to be added to that definition.

18. In any event, while it was perhaps unfortunate that the definition should contain an implied criticism of the United Nations, there was nevertheless some truth in it; the fact that the definition might expose the shortcomings of the United Nations in the matter to the gaze of public opinion, far from justifying an amendment of the definition, actually told in favour of it.

<sup>1/</sup> United Nations publication, Sales No.: 67.XIV.2.

19. Mr. JHA (India) said that the representative of Panama had correctly interpreted the motives of India and Pakistan in submitting an amendment to draft resolution C, paragraph 3; where draft resolution E was concerned, however, he agreed with the representative of Dahomey. Nevertheless, he suggested—if such an amendment could satisfy the representative of Panama—that the words "under the terms of the aforementioned resolution" should be inserted before the word "wherever" in operative paragraph 2.

20. Mr. FORSHELL (Sweden) agreed with the representative of Dahomey that the definition given in paragraph 2 must concord strictly with the definition set out in General Assembly resolution 2145 (XXI). However, the amendment proposed by the representative of India would hardly clarify the text, which mentioned not only the General Assembly resolution but also a resolution 5 (XXIII) of the Commission on Human Rights.

21. Sir Samuel HOARE (United Kingdom) said that he would be unable to support draft resolution E, since his delegation did not agree with the provisions of resolution 5 (XXIII) of the Commission on Human Rights. He could endorse operative paragraphs 2 and 3, subject to the position taken by his delegation on the occasion of the vote on resolution 2145 (XXI) in the General Assembly.

22. With respect to the point raised by the representative of Panama, he agreed with the arguments advanced by the representative of Dahomey, although he himself was not directly involved in the wording of paragraph 2. The amendment proposed by the representative of India would add nothing to a text which was intended simply to note the effects of resolution 2145 (XXI) on the wording of the documents of the Commission on Human Rights; in addition, it might be interpreted to mean that the General Assembly had expressly requested that that definition should be used in the resolutions and the report of the Commission on Human Rights, which was not so. He therefore believed that it would be better to leave the text of paragraph 2 as it stood.

23. Mr. NAVA CARRILLO (Venezuela) associated himself with the comments made by the representative of Dahomey, since nothing but a question of definition was involved in draft resolution E. He hoped that the representatives of Panama and India would not press their proposals.

24. Mr. VARELA (Panama) and Mr. JHA (India) withdrew their proposals.

*Draft resolution E was adopted by 20 votes to none, with 4 abstentions.*

25. Mr. FORSHELL (Sweden) said that he had abstained from voting in the Social Committee, but had now voted in favour of the draft resolution because of the extreme importance of the question.

26. However, his delegation had voted against resolution 5 (XXII) of the Commission on Human Rights, and it therefore maintained its reservations with respect to resolution E, paragraph 1.

27. Mr. BAL (Belgium) said that he had abstained from voting because his delegation could not endorse resolution 5 (XXIII) of the Commission on Human

Rights; the latter contained provisions concerning the division of responsibilities among the organs of the United Nations to which his delegation was opposed.

*F. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES*

28. Mr. VARELA (Panama) said that he would not propose any amendments to the draft resolution and would vote in favour of paragraph 3; he wished, however, to indicate clearly what interpretation should, in his view, be placed on the text of that paragraph, especially as concerned the phrase "under the direct responsibility of the United Nations".

29. Obviously, the United Nations had no responsibility for the practices of apartheid in South Africa and in the Territory of South West Africa, which constituted a violation of human dignity. The reason why he stressed that point was that paragraph 3 recommended a thorough study of situations which revealed a consistent pattern of violations of human rights. That was a call to action, and not simply a definition, and the United Nations might one day be accused, on the basis of that text, of having failed in its duty. History abounded in such lessons.

30. Mr. LOPEZ (Philippines) stated that the amendment to draft resolution E, paragraph 2, proposed by the representative of Panama was not only appropriate but necessary in the case of draft resolution F.

31. The terminology employed made paragraphs 2 and 3 read very strangely. The wording used in draft resolution C, paragraph 3, should be adopted, as follows: "under the direct responsibility of the United Nations and now illegally occupied by the Government of the Republic of South Africa".

32. Mr. ZOLLNER (Dahomey) said that he entirely agreed with the Philippine representative's proposal. He was grateful to the representative of Panama for having drawn attention to the particular case under discussion, to which his comments on draft resolution E exactly applied.

33. Mr. JHA (India) explained that the amendment proposed by his delegation was that the words "the communications listed by the Secretary-General pursuant to Economic and Social Council resolution 728 F (XXVIII)" in draft resolution F, paragraph 2, should be replaced by the words "all sources of information available to the United Nations".

34. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that his delegation had no difficulty with draft resolution F, except with respect to the last phrase of paragraph 2 concerning the information contained in the communications. Economic and Social Council resolution 728 F (XXVIII) was adequate to meet every need, and he saw no reason for amending it.

35. If the Indian amendment was rejected, he would be forced to vote against the draft resolution as a whole, although he agreed with most of it.

36. Mr. LOPEZ (Philippines) recalled that, after much discussion and many proposals and counter-proposals in the Social Committee, it had finally decided that Economic and Social Council resolution 728 F (XXVIII) should be mentioned in paragraph 2 of the draft resolution. The effect of the Indian amendment would be to delete the mention of that resolution—a proposal to which he could hardly agree, since it would deprive the paragraph of all meaning.
37. The Commission on Human Rights had a duty to assist the General Assembly in finding effective means of combating violations of human rights. In order to do so, however, it must be allowed to see the information contained in the communications. It had been suggested that the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be authorized to consider cases of violations of human rights, but such an authorization would add nothing to their powers, since it was already implied. He therefore suggested that paragraph 2 should be retained in its existing form, with the addition of the following words: "and in all sources of information available to the United Nations".
38. Mr. ZOLLNER (Dahomey) pointed out that the Commission on Human Rights could already use all sources of information, except the communications. He therefore believed that it would be best to ask for a separate vote on the following words in paragraph 2 of the draft: "contained in the communications listed by the Secretary-General pursuant to Economic and Social Council resolution 728 F (XXVIII)"; that was exactly what had been done in the Social Committee, and those words had been adopted. He could not support the Indian amendment; for, in his view, the Commission on Human Rights, which was one of the major organs responsible for the implementation of human rights, should have access to the information contained in the communications.
39. Mr. ATTIGA (Libya) said that he agreed with the basic principles enunciated in draft resolution F, but expressed the same reservation as the representative of India with respect to the last phrase of paragraph 2.
40. After a careful study of the provisions of resolution 728 F (XXVIII), particularly paragraph 2, sub-paragraphs (a) and (b), he was somewhat perturbed about the consequences of applying them. It seemed to him that they constituted a double-edged weapon; for if a complaint against a State was anonymous it might distort the facts or be defamatory, and the State to which it referred could not even seek an explanation from the author of the complaint. In addition, an accusation of that kind might damage the relations between certain delegations and the Commission on Human Rights. His preference would therefore be for the adoption of the Indian amendment, which merely asked that the Commission on Human Rights should have access to all sources, without restriction.
41. Mr. MASINOVSKY (Union of Soviet Socialist Republics) said that, while he regretted that the debate on draft resolution F was being reopened, he nevertheless wished to say a few words about the allegations concerning human rights which were the subject of Economic and Social Council resolution 728 F (XXVIII).
42. The allegations in question were complaints—or rather slanders—emanating from individuals who were, not victims of discrimination, but outside parties acting for propaganda purposes. The account of the situation given by such persons could not be objective, since they were very far removed from the events and could not know exactly what they amounted to. The United Nations should only consider serious, first-hand documents—a description which, as the representative of Libya had pointed out, could certainly not be applied to mere anonymous letters. Such allegations were not worthy of credence, and the Economic and Social Council had quite rightly laid down a special procedure for dealing with them.
43. Sir Samuel HOARE (United Kingdom) said that he too had pondered the meaning of resolution 728 F (XXVIII) and could perhaps offer some elucidation of it.
44. In his view, a very clear distinction must be made between sub-paragraphs (a) and (b) of paragraph 2 of that resolution. Sub-paragraph (a) was concerned with communications which dealt with the principles involved in the promotion of respect for human rights. The identity of the authors of communications could be divulged, because of the quite general nature of the complaints. Sub-paragraph (b) was concerned with "other" communications, namely, communications involving specific complaints by individuals. The Commission merely received a list containing a brief indication of all those communications, in private meeting, and the identity of the authors was not divulged, except with their consent.
45. The question of the identity of the authors of complaints was not mentioned in the draft resolution now before the Council. The Commission would have to determine what attitude it should adopt in that respect when acting under the resolution.
46. Mr. ATTIGA (Libya) said that he wished to clarify one specific point. As he had said previously, resolution 728 F (XXVIII) was a double-edged weapon, since States might be subjected to defamation. Signed allegations did not raise any difficulty, of course, but the author usually refused to reveal his identity. When that occurred, the accused State had no way of defending itself. That was an irregular situation. There was no country where the law permitted a person to be accused unless the author of the accusation was identified.
47. In his view, such eventualities should be prevented, and he requested that the vote on draft resolution F should be taken paragraph by paragraph.
48. Mr. JHA (India) said that the provisions of Economic and Social Council resolution 728 F (XXVIII), paragraph 2 (a), constituted interference in the domestic affairs of States. However, his comments related to paragraph 2 (b). He believed that the importance of the communications had been exaggerated. In his view, the main concern of the sponsors of draft resolution F had been to ensure that the Commission on Human Rights acted with absolute impartiality. In order to do so, it must have access to all sources of information, but the list of communications, was, by its very nature, tendentious. In many cases, moreover, the members of the Commission who would have to consider the complaints would have no knowledge of

the question and would therefore be unable to take an informed decision. For instance, a member of the Commission of Indian nationality having to deal with a violation of human rights in a Latin American country would certainly not be competent to do so. In addition, it was physically impossible for the Commission to consider all the complaints that were received. Moreover, if the Commission wanted to make an on-the-spot investigation, it might be that the country concerned would object, even if it considered itself innocent. That would be an additional source of difficulties for the Commission. For all those reasons, he hoped that his amendment would be adopted.

49. The PRESIDENT recalled that the representative of Libya had requested a vote by division on draft resolution F. He invited the Council to vote on the preamble and on operative paragraph 1 of the draft resolution.

*The preamble of draft resolution F was adopted unanimously.*

*Operative paragraph 1 was adopted by 24 votes to none, with 2 abstentions.*

50. The PRESIDENT recalled that two oral amendments had been submitted to operative paragraph 2, one by the Philippines and the other by India.

51. Mr. BEFFEYTE (France) and Sir Samuel HOARE (United Kingdom) said that they would abstain on the Philippine amendment to operative paragraph 2, since their delegations had abstained from voting on General Assembly resolution 2145 (XXI), from which that amendment derived.

*The Philippine amendment was adopted by 20 votes to none, with 2 abstentions.*

*At the request of the Indian representative, the vote on the Indian amendment was taken by roll-call.*

*France, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* France, India, Kuwait, Libya, Morocco, Romania, Turkey, Union of Soviet Socialist Republics, Czechoslovakia.

*Against:* Guatemala, Pakistan, Panama, Peru, Philippines, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Belgium, Canada, Dahomey.

*Abstaining:* Gabon, Iran, Mexico, Sierra Leone, Venezuela, Cameroon.

*The Indian amendment was rejected by 11 votes to 9, with 6 abstentions.*

*Operative paragraph 2, as amended, was adopted by 16 votes to 4, with 6 abstentions.*

52. The PRESIDENT put to the vote the Philippine amendment to operative paragraph 3 of the draft resolution.

*The amendment was adopted by 23 votes to none, with 2 abstentions.*

*Operative paragraph 3, as amended, was adopted by 19 votes to 3, with 3 abstentions.*

*Operative paragraph 4 was adopted by 23 votes to none, with 3 abstentions.*

*Operative paragraph 5 was adopted unanimously.*

*Operative paragraph 6 was adopted unanimously.*

*Draft resolution F as a whole, as amended, was adopted by 20 votes to 4, with 2 abstentions.*

**G. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES**

53. The PRESIDENT recalled that the Social Committee had adopted draft resolution G by 20 votes to none, with 3 abstentions.

*Draft resolution G was adopted by 24 votes to none, with 2 abstentions.*

54. Mr. BAL (Belgium), speaking in explanation of his vote, referred to the explanation of vote given by his delegation (1473rd meeting) when the question of the violation of trade union rights in South Africa had been under discussion. His delegation, which had already expressed its views on draft resolution G in the Social Committee, had voted for it in the light of the special factors of the situation created by apartheid in South Africa and of the fact that the question had been the subject of a number of General Assembly resolutions.

**H. QUESTION CONCERNING THE IMPLEMENTATION OF HUMAN RIGHTS THROUGH A UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS OR SOME OTHER APPROPRIATE INTERNATIONAL MACHINERY**

55. The PRESIDENT recalled that the Social Committee had adopted draft resolution H by 15 votes to 4, with 8 abstentions.

56. Mr. COX (Sierra Leone) said that his delegation had abstained from voting on the draft resolution in the Social Committee. However, it would now be able to vote in favour of it, in view of the further discussions which had taken place.

57. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that his delegation would vote against draft resolution H, as it had done in the Social Committee, since it believed that the draft resolution, in setting up a single organ for the implementation of human rights, contravened the Charter of the United Nations. In the view of his delegation, any action to implement resolutions on human rights must be the subject of relevant juridical documents. Owing to the diversity of ideologies, no individual was capable of the necessary impartiality, and the organ envisaged could not be anything but a collective body. Moreover, the question had not been given sufficient study, since it had been considered only by a working group and on the basis of papers by experts, all of whom had advocated the creation of a post of High Commissioner for Human Rights. In the view of his delegation, such a post could not serve the cause of human rights.

58. His delegation would always vote in favour of measures to promote the implementation of international conventions. In the present case, however, it felt that if States themselves did not implement conventions and declarations on human rights it was unlikely, to say the least, that a High Commissioner could do so. That being so, it would appear that the proposed post was intended as camouflage for an unsatisfactory situation which allowed States to evade their international obligations.

59. In any event, his delegation reserved the right to submit specific proposals when the question came before the General Assembly.

60. Mr. LOPEZ (Philippines) felt that, since draft resolution H had been adopted by the Social Committee, it should not raise any insuperable difficulties for the Council. Moreover, in the view of his delegation, draft resolution H must be considered jointly with draft resolution I, which the Social Committee had adopted unanimously. The latter resolution guaranteed that all delegations which had reservations as to the need for a post of High Commissioner for Human Rights would have an opportunity to submit proposals when the question came before the General Assembly. It also gave any Governments which wished to take advantage of it an opportunity to present their views to the Secretary-General, who was asked to submit them to the Assembly. Thus, resolution I gave the delegations concerned an assurance that they would be able to state their views, and there seemed to be no need to reconsider the substance of draft resolution H.

61. In conclusion, he felt that, by respecting the rights of the Commission on Human Rights and the General Assembly in resolutions H and I, the Council was meeting its responsibilities in respect to co-ordination.

62. Mr. HANDL (Czechoslovakia) said that his delegation would vote against draft resolution H for the reasons it had stated in the Social Committee. It considered that the question of the implementation of human rights required much more serious study, with a view to other and more appropriate methods of implementation.

63. Mr. BAL (Belgium) said that his delegation, which had endorsed draft resolution IV of the Commission on Human Rights (E/4322 and Corr.1, chap. XVII), would also vote for draft resolution H. It would like to recall, however, the reservations made by Belgium in the Social Committee, particularly with respect to the absence of precise provisions concerning the relationship between the High Commissioner and other organs having the same spheres of competence, as well as operative paragraph 2 (d) concerning the publication of reports. However, the General Assembly would have an opportunity to review the question.

64. Mr. ZOLLNER (Dahomey) said that his delegation would vote for draft resolution H. It favoured any measure which could contribute to the implementation of human rights, and it believed that the creation of a post of High Commissioner would serve that cause. Moreover, the functions of the High Commissioner had been clearly defined in draft resolution H, which also safeguarded the rights of Member States. In voting

for the adoption of the draft resolution, his delegation was fully aware of the objections put forward by a number of delegations; however, it felt that those objections could be considered when the General Assembly took up the question.

65. Mr. BEFFEYTE (France) stated that his delegation would vote for draft resolution H, as it had done in the Social Committee. It wished to make it clear, however, that it did not regard that text as inviolable; on the contrary, it believed that it could be improved. When the General Assembly took up the question, his delegation would be receptive to any suggestion for giving the new institution greater authority.

*Draft resolution H was adopted by 17 votes to 4, with 5 abstentions.*

**I. QUESTION CONCERNING THE IMPLEMENTATION OF HUMAN RIGHTS THROUGH A UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS OR SOME OTHER APPROPRIATE INTERNATIONAL MACHINERY**

66. The PRESIDENT commented that draft resolution I had been adopted unanimously by the Social Committee.

67. Mr. NASINOVSKY (Union of Soviet Socialist Republics) thought it surprising that, in operative paragraph 1 of the draft resolution, the views of Member States should be invited only on Council resolution H. The Soviet delegation had given its approval to the draft resolution in the Social Committee in the belief that States would be asked to give their views on the entire question. It would, therefore, like the words "on the resolution" in the English text to be deleted from operative paragraph 1.

68. After an exchange of views in which Sir Samuel HOARE (United Kingdom), Mr. VARELA (Panama), Mr. JHA (India), Mr. LOPEZ (Philippines) and Mr. HUDA (Pakistan) participated, the PRESIDENT put the USSR amendment to operative paragraph 1 to the vote.

*The amendment was adopted by 10 votes to 7, with 4 abstentions.*

69. Mr. BEFFEYTE (France) said that, since the French text was satisfactory, his delegation had had some difficulty in following the discussion. Accordingly, it had been obliged to abstain during the vote.

*Draft resolution I as a whole, as amended, was adopted by 19 votes to none, with 4 abstentions.*

**J. DURATION OF THE SESSION OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES**

*Draft resolution J was adopted unanimously.*

**K. REPORTS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES**

70. Sir Samuel HOARE (United Kingdom) said that in his opinion, it was not for the Economic and Social Council to recommend that the International Conference on Human Rights use the special study of racial discrimination in the political, economic, social and cultural spheres and the report of the seminar on racial discrimination to be held in 1968 as background

papers on the question of racial discrimination. That was a task for the General Assembly. He therefore suggested that the text of draft resolution K should be amended accordingly.

*It was so decided.*

*Draft resolution K, as amended, was adopted unanimously.*

#### L. REPORT OF THE COMMISSION ON HUMAN RIGHTS

71. Mrs. PAULOS (United States of America) said that she would not participate in the vote on draft resolution L for the reasons already stated by the United States delegation, namely, that the work programmes of subsidiary bodies of the Economic and Social Council should be approved by the Council.

72. Mr. NASINOVSKY (Union of Soviet Socialist Republics) requested that the words "and Corr.1" should be added to the symbol of the document E/4322, in the English text.

73. Mr. PARRY (Canada) stated that there was a work programme for the Commission on Human Rights (E/4331/Add.16) but that the Council had not considered it and had therefore not fulfilled its responsibility.

74. He was fully aware of the difficulties arising out of the frequent changes occurring in the work programme; however, it was essential to establish a scale of priorities in the field of human rights. The Committee for Programme and Co-ordination had itself recognized that need and, in its report (E/4383), had requested that the Commission on Human Rights should review its methods of work as soon as possible.

75. He therefore hoped that in future the Council would consider not merely the work programme of the Commission but also the report of the Committee for Programme and Co-ordination.

76. The PRESIDENT said that he too hoped that the comments made would be taken into consideration and he invited the Council to vote on draft resolution L.

*Draft resolution L was adopted unanimously.*

#### CAPITAL PUNISHMENT

77. Mr. FORSHELL (Sweden) recalled that the Swedish and Venezuelan delegations had already submitted to the Social Committee a draft resolution (E/AC.7/L.514/Rev.1) on the question of capital punishment. He thanked the representatives for the reception they had given it.

78. Some delegations had thought that the draft resolution merited careful consideration which could not be given immediately for want of time. A second difficulty had arisen in that it had not been possible to achieve agreement on the appropriate body to consider the question. It had therefore been agreed that no decision should be taken on its substance. The sponsors of the draft resolution had therefore felt that the General Assembly should be given the task of taking the appropriate decisions. That was the proposal contained in the present draft resolution (E/L.1164).

79. In the discussion of the draft resolution in the Social Committee, certain changes had been agreed upon. There had not been time to issue the new revised draft resolution but account would be taken of the suggested changes.

80. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that he had had occasion, in the Social Committee, to participate in the discussions of the draft resolution submitted by Sweden and Venezuela. He had warmly welcomed the ideas contained in the draft and had proposed that the Social Committee should adopt an effective draft resolution endorsing the ideas of the sponsors so that the question could be given priority consideration by the appropriate organ. Unfortunately, for procedural reasons, it had not been possible to vote on the draft resolution (E/AC.7/L.524 and Corr.1) and it had been agreed that no decision should be taken at that stage.

81. A new draft resolution (E/L.1164) had subsequently been submitted by the delegations of Sweden, United Republic of Tanzania and Venezuela. He was not satisfied with that draft but, out of sympathy for the sponsors and in order to show good will, he would abstain from voting rather than oppose its adoption.

82. The PRESIDENT invited the Council to vote on the draft resolution submitted by Sweden, the United Republic of Tanzania and Venezuela (E/L.1164).

*The draft resolution was adopted by 19 votes to none, with 5 abstentions.*

### AGENDA ITEM 3

Development of natural resources (concluded)\*

(c) Five-year survey programme (concluded)\*

#### COMPOSITION OF THE AD HOC COMMITTEE ON THE SURVEY PROGRAMME FOR THE DEVELOPMENT OF NATURAL RESOURCES

83. The PRESIDENT asked the Council to take a decision concerning the list of members of the Ad Hoc Committee established under Council resolution 1218 (XLII). After consultations with delegations, he had prepared the list in accordance with rule 27 of the rules of procedure. It comprised the following States: Algeria, Bulgaria, Cameroon, Canada, Czechoslovakia, France, Guatemala, India, Iraq, Italy, Mexico, Netherlands, Pakistan, Peru, Philippines, Sierra Leone, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Venezuela.

*The composition of the Ad Hoc Committee was approved.*

84. In reply to a question from Mr. CHAMFOR (Cameroon), the PRESIDENT said that the Secretariat would probably suggest a date for the first meeting of the Ad Hoc Committee when it transmitted the text of the Council's resolution to the members.

\*Resumed from the 1474th meeting.

## AGENDA ITEM 13

Advisory services in the field of human rights (E/4328)

REPORT OF THE SOCIAL COMMITTEE (E/4389)

85. Mr. UY (Philippines) said that his delegation approved of the request made in paragraph 3 of the Social Committee's report (E/4389) but considered that, for greater clarity, the words "of the United Nations Development Programme" should be added to the paragraph, after the words "Governing Council".

86. The PRESIDENT proposed that the Council should approve the report of the Social Committee, taking that change into account.

*It was so decided.*

## AGENDA ITEM 15

Measures taken in implementation of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (concluded)\* (E/4306 and Add.1-3, E/L.1165)

REPORT OF THE SOCIAL COMMITTEE (E/4373)

**B. MEASURES FOR THE SPEEDY IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS AGAINST RACIAL DISCRIMINATION**

87. The PRESIDENT reminded the members of the Council that they still had to take a decision on draft resolution B in the report of the Social Committee (E/4373) and on the amendments proposed by the United Republic of Tanzania (E/L.1165).

88. Mr. VARELA (Panama) said that he would be able to vote in favour of draft resolution B and the amendments of the United Republic of Tanzania on the understanding that the reference in the third pre-ambular paragraph, in paragraph 4 and, in the new paragraph 6, proposed by the United Republic of Tanzania, to the "Territory of South West Africa under the direct responsibility of the United Nations" should not on any account be interpreted as impairing the prestige of the United Nations, which had been unable to take measures to implement the principles of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the International Convention on the Elimination of All Forms of Racial Discrimination in that Territory.

89. Mr. UY (Philippines) proposed that, in view of the amendment which the Council had just made to resolution F in regard to agenda item 11, the words "and illegally occupied by the Republic of South Africa" should be inserted in the three paragraphs just referred to by the representative of Panama, after the words "of the United Nations".

90. With the consent of Mr. UY (Philippines), Mr. VARELA (Panama) changed that amendment to read "and now illegally occupied by the Government of the Republic of South Africa".

91. Mr. EFFEYTE (France) said that, while he would not ask for a separate vote on the Philippine amendment, he would like to make it clear that his delegation's position on the subject was similar to the

one it had adopted concerning the same amendment to resolution F.

92. The PRESIDENT said that he would call for a vote first on the oral amendment made by the representative of the Philippines, then on the amendments submitted by the United Republic of Tanzania (E/L.1165) and would then invite the Council to vote on draft resolution B as a whole.

*The Philippine amendment was adopted without objection.*

93. Sir Samuel HOARE (United Kingdom) said that, while his delegation had abstained in the Committee on a number of paragraphs in the draft resolution, it would vote for draft resolution B as a whole.

94. The PRESIDENT invited the Council to vote on the amendments proposed by the United Republic of Tanzania, as orally amended by the Philippines.

*The amendments as amended, were adopted by 20 votes to none, with 1 abstention.*

95. The PRESIDENT recalled that the words "through the Economic and Social Council" should be inserted at the end of operative paragraph 5 of resolution B.

*Draft resolution B, as amended, was adopted by 22 votes to none, with 1 abstention.*

## AGENDA ITEM 14

Allegations regarding infringements of trade union rights (concluded)\*

FINANCIAL IMPLICATIONS OF ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1216 (XLII)

96. Mr. SCHREIBER (Secretariat) recalled that he had promised the Council, when it had adopted the resolution on allegations regarding infringements of trade union rights (1473rd meeting), that he would provide further information on the cost of the additional studies that the Ad Hoc Working Group dealing with the question of political prisoners in South Africa would have to undertake as a result of that resolution.

97. The figures he had been given were not absolutely final and were based on the assumption that the Ad Hoc Working Group would hold a separate session to deal with the question of trade union rights, that the session would necessitate employing additional temporary staff and that verbatim records would have to be made of the testimony heard by the group. Taking into account the cost of such temporary staff and of documentation (estimated at 2,000 pages), and of the travel expenses and subsistence allowances of the members of the Ad Hoc Working Group, the additional session should entail and expenditure of \$129,300.

98. However, depending on such decisions as the Ad Hoc Working Group might take concerning its methods of work, it might be possible to hold the session without recruiting temporary staff or to cover some of the expenditure with the funds already allocated to the group. The figure indicated might subsequently be revised before being submitted to

\*Resumed from the 1470th meeting.

\*Resumed from the 1473rd meeting.



the Advisory Committee on Administrative and Budgetary Questions.

Closure of the session

99. Mr. ZOLLNER (Dahomey), on behalf of the delegations of African and Asian States, Mr. LAVALLE (Guatemala) on behalf of the delegations of Latin American States, Mr. PARRY (Canada) on behalf of the delegations of Western European and other States, and Mr. DIACONESCU (Romania) on behalf of the delegations of the Socialist States, paid a tribute to the great competence, firmness and impartiality with which the President had directed the proceedings of the forty-second session of the Council. They also thanked the Vice-Presidents, the representatives

of the Secretary-General, the Secretary of the Council and all the members of the Secretariat who had assisted the Council in its work.

100. The PRESIDENT thanked the Council for the words of praise that had been addressed to him. He wished to take the opportunity to express his deep appreciation to delegations for the spirit of co-operation they had shown. He also thanked the Vice-Presidents for their valuable co-operation and paid a tribute to the competence and dedication of the Council officers, of the representatives of the Secretary-General, of the Secretary of the Council and the Secretariat staff. He declared the forty-second session of the Council closed.

*The meeting rose at 7.40 p.m.*

