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AGENDA ITEM 25

Report of the Commission on Human Rights (E/4024)  
(*concluded*)

REPORT OF THE SOCIAL COMMITTEE (E/4100 and Add.1)  
(*concluded*)

JOINT DRAFT RESOLUTION (E/L.1088) (*concluded*)

1. The PRESIDENT invited the Council to resume consideration of the Social Committee's report on agenda item 25 (E/4100 and Add.1) and of the joint draft resolution in document E/L.1088, in accordance with the procedural decision taken at the 1391st meeting.

2. Sir Samuel HOARE (United Kingdom) recalled that, as stated in paragraph 22 of the Social Committee's report, the Committee had taken no formal decision on the Costa Rican proposal for the appointment of a United Nations High Commissioner for Human Rights.

3. The United Kingdom Government thought that the time had come to redouble the efforts of the United Nations to further the progress of human rights. The Organization and the Council had not of course been idle, but it was time to get a clearer picture of the situation and to take more energetic measures. His Government had no preconceived ideas about the method to be adopted for the purpose, but welcomed the suggestion that further action should be taken.

4. Mrs. KASTALSKAYA (Union of Soviet Socialist Republics) said that if the point raised by the United Kingdom representative was recorded in the summary record the opposite view, which was held by the Soviet Union delegation, among others, should also be mentioned.

5. Mrs. AFNAN (Iraq) thought that, as other delegations had in mind measures other than the appointment of a high commissioner to ensure the implementation of human rights, their views should also be recorded together with those of the United Kingdom.

6. Mr. LUKOSE (India) said that his delegation was among those which had suggested the possibility of other solutions. There were organs—the Commission on Human Rights and the Council—which were responsible for dealing with questions relating to human rights; the matter should be considered in the first instance by the Commission on Human Rights rather than by the General Assembly. The Commission had in any case expressed a wish to deal with it.

*President* : Mr. A. MATSUI (Japan)

*Present* :

Representatives of the following States, members of the Council: Algeria, Argentina, Austria, Canada, Chile, Czechoslovakia, Ecuador, France, Gabon, Iraq, Japan, Luxembourg, Pakistan, Peru, Romania, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Representatives of the following States, additional members of the sessional committees: Denmark, Ghana, India, Iran, Mexico, United Republic of Tanzania.

Observers for the following Member States: Israel, Italy, Philippines, Sweden.

Observers for the following non-member States: Federal Republic of Germany, Holy See.

Representatives of the following specialized agencies: International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, International Bank for Reconstruction and Development, Universal Postal Union.

*In the absence of the President, Mr. Hajek (Czechoslovakia), Second Vice-President, took the Chair.*

7. The PRESIDENT said it was understood that all the views expressed by delegations would be recorded in the summary record.

8. Mr. KITTANI (Secretary of the Council) said that the Council's report to the General Assembly would be drawn up in accordance with the regular procedure: all points of view would be recorded on the basis of the summary records.

9. Sir Samuel HOARE (United Kingdom) said that he would be satisfied if the matter was settled according to the customary procedure.

10. The PRESIDENT invited the Council to vote on the seven draft resolutions in paragraph 27 of the report of the Social Committee.

A. REPORT OF THE COMMISSION ON HUMAN RIGHTS

*Draft resolution A was adopted unanimously.*

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

*Draft resolution B was adopted unanimously.*

C. PERIODIC REPORTS ON HUMAN RIGHTS AND REPORTS ON FREEDOM OF INFORMATION

*Draft resolution C was adopted by 14 votes to none, with 4 abstentions.*

D. THE QUESTION OF PUNISHMENT OF WAR CRIMINALS AND OF PERSONS WHO HAVE COMMITTED CRIMES AGAINST HUMANITY

*Draft resolution D was adopted unanimously.*

E. INTERNATIONAL YEAR FOR HUMAN RIGHTS

*Draft resolution E was adopted unanimously.*

F. INTERNATIONAL YEAR FOR HUMAN RIGHTS

*Draft resolution F was adopted unanimously.*

G. MEMBERSHIP OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

*Draft resolution G was adopted by 17 votes to none, with 1 abstention.*

11. The PRESIDENT said that the Social Committee recommended, in paragraph 28 of its report that the Council should draw the attention of the Commission on Human Rights to the draft resolution in document E/CN.4/L.767 which had been before the Commission at its twenty-first session.

*The recommendation was adopted.*

12. The PRESIDENT invited the Council to consider the joint draft resolution (E/L.1088) on the report of the Commission on Human Rights.

13. Mr. CEAUSU (Romania) recalled that the Secretary-General, in pursuance of General Assembly resolution 1843 B (XVII), had already prepared and submitted to the Assembly a report (A/5411) bringing up to date his annotations on the texts of the draft international covenants on human rights. Chapter III of that report concerned the implementation of conventions and recommendations on human rights through a periodic reporting

system, and described the system of implementation of ILO and UNESCO recommendations and conventions. Consequently, the reports which the Council would be requesting under the proposed draft resolution would be redundant, and would be nothing but a waste of effort and money.

14. Mrs. KASTALSKAYA (Union of Soviet Socialist Republics) said that her delegation would be unable to vote for the joint draft resolution, not only because it had not first been submitted to the Social Committee, but also because it was defective both in form and substance. Firstly, it duplicated resolution C just adopted by the Council and, secondly, in the first preambular paragraph it referred to a programme in the field of human rights about which her delegation knew nothing. Moreover, in operative paragraph 1, there was a reference to "existing organizational and procedural arrangements" of which her delegation had never heard. Finally, the reports on their present and past experience which the specialized agencies would be asked to submit would entail a considerable amount of work for them, and they would not be in a position to comply with the request in time for the fortieth session of the Council.

15. Mr. WILLIAMS (United States of America) said he was afraid that the purpose of the joint draft resolution had been misunderstood. The Third Committee of the General Assembly would be studying the question of human rights and all decisions which it took would be referred back to the Commission on Human Rights. The Commission might or might not take a decision on the matter but, whatever it did, the Council would be apprised of the action at its 1966 summer session.

16. Realising that all members hoped that action would be taken to achieve greater progress in the field of human rights, the United States delegation and several others, seeing the time limit for the submission of draft resolutions to the Social Committee running out, had consulted the Director-General of the International Labour Office and the representatives of UNESCO and had invited several members of the sessional committees to be present at the meetings. The representatives of the ILO and UNESCO had said that their organizations were willing to prepare the reports referred to in the draft resolution, since they had not supplied information in that field so far.

17. Admittedly, the draft resolution should have been submitted in the first instance to the Social Committee. The sponsors regretted that they had been unable to do so for lack of time but that was surely not a controversial point. Why should the Council not ask the specialized agencies to share with it the experience they had acquired with respect to the implementation of conventions and recommendations in the field of human rights? The very observations made by the Soviet Union representative showed the need for the draft resolution: she herself had acknowledged that there was no effective international programme in the field of human rights. Some organizations in the United Nations family had gone further than the United Nations and it would be well for the Council to know what methods they had employed, in order to avoid possible mistakes.

18. Mrs. AFNAN (Iraq) thought there was a big difference between the joint draft resolution and resolution C which the Council had just adopted and which was addressed to governments, the specialized agencies and non-governmental organizations. While her delegation was extremely interested in the implementation of conventions and recommendations on human rights, it was not among those which advocated the appointment of a High Commissioner for Human Rights. She would like to know what other organizations had done in that respect. For instance, the Organization of American States and the Council of Europe had adopted the system of a court composed of representatives of States parties to one or other of the human rights instruments. It was nowhere stated that the Economic and Social Council would select the solution adopted by UNESCO or the ILO, but the draft resolution was none the less well-founded.

19. Mr. MORA BOWEN (Ecuador) said that the purpose of the joint draft resolution, of which his delegation was a co-sponsor, was stated in the first preambular paragraph. When the Social Committee at its 520th meeting had considered the Costa Rican proposal concerning the appointment of a United Nations High Commissioner for Human Rights (E/L.1080), his delegation had expressed the view that the idea had not been properly worked out and that the functions of the high commissioner had not been clearly specified. It was nevertheless of the opinion that the implementation of human rights conventions and recommendations should be made more effective and that, in seeking the appropriate machinery, advantage should be taken of the experience gained by organisations in the United Nations family. The provisions of the draft resolution would not impose too heavy a burden on them, particularly as operative paragraph 1 contained the words "as appropriate,"

20. He confirmed the explanations given by the representative of Iraq concerning the difference between the draft resolution and resolution C which the Council had just adopted: the two texts possibly had certain common features but that applied to nearly all the resolutions which the Council adopted on a given subject.

21. Mr. JACHEK (Czechoslovakia) pointed out that the problems dealt with in the draft resolution were on the agenda of the Third Committee of the General Assembly in connexion with the draft international covenants on human rights and were closely connected with the question of periodic reports on human rights which the Social Committee had considered. Hence, it was doubtful whether the Council could rightly deal with the problem at the current session.

22. The first preambular paragraph of the draft resolution referred to the importance of an effective international programme in the field of human rights. His delegation had stated that it was in favour of such a programme, but the draft resolution was in fact concerned with an entirely different question, that of reports which would be submitted by the ILO and UNESCO on their respective organizational and procedural arrangements for the implementation of conventions and recommendations in the field of human rights. In view of the

adoption of resolution C which dealt with periodic reports, the purpose of the new draft resolution was not very clear. The reporting system should serve not only as a source of information but also as a stimulus inciting governments to do their utmost to protect human rights and fundamental freedoms and to implement human rights instruments.

23. The existing organizational and procedural arrangements applied by the ILO and UNESCO for the implementation of the conventions and recommendations on human rights, were sufficiently clear, since they were based on the statutes of those organizations and the provisions of the international conventions adopted by the General Conference of UNESCO and the International Labour Conference: it was therefore unnecessary to make special studies of them.

24. For those reasons and because the delegations of some Member States represented on the Social Committee but not on the Council were being deprived of the opportunity to vote on it, his delegation could not support the draft resolution.

25. The PRESIDENT put the joint draft resolution (E/L.1088) to the vote.

*The draft resolution was adopted by 14 votes to none, with 3 abstentions.*

#### AGENDA ITEM 26

#### Measures taken in implementation of the United Nations Declaration on the Elimination of all Forms of Racial Discrimination (E/4028)

##### REPORT OF THE SOCIAL COMMITTEE (E/4101)

26. The PRESIDENT invited the Council to vote on the draft resolution contained in paragraph 5 of the Social Committee's report (E/4101).

*The draft resolution was adopted unanimously.*

#### AGENDA ITEM 29

#### Slavery (E/4056 and Add.1-3)

##### REPORT OF THE SOCIAL COMMITTEE (E/4102)

27. The PRESIDENT invited the Council to consider the report of the Social Committee on agenda item 29 (E/4102).

28. Sir Samuel HOARE (United Kingdom) asked for an explanation of the square brackets in paragraph 4.

29. Mr. MENON (Secretary of the Social Committee) explained that the passage in paragraph 4 had been placed between square brackets because of the way in which the motion had been put to the Committee: the representative of Iraq had included the idea mentioned between the square brackets when she first put the motion, but she had later omitted it.

30. The PRESIDENT put to the vote the draft resolution contained in paragraph 10 of the report.

*The draft resolution was adopted unanimously.*

#### AGENDA ITEM 20

##### Progress in land reform (E/4020 and Add.1 and 2)

REPORT OF THE ECONOMIC COMMITTEE (E/4098 and Corr.1)

31. The PRESIDENT invited the Council to consider the report of the Economic Committee on agenda item 20 (E/4098 and Corr.1), and, in particular, the draft resolution contained in paragraph 5.

32. Mr. RENAUD (France) said that his delegation had helped to prepare the draft resolution in the Economic Committee (344th meeting) and had laid stress on the way in which assistance to countries wishing to undertake land reform was defined in General Assembly resolution 1932 (XVIII); but the text of operative paragraph 3(g) of the draft resolution differed quite considerably from the wording arrived at by the General Assembly after considerable discussion, to describe the conditions governing such assistance. Although his Government was prepared to give to countries wishing to undertake land reform the assistance which it considered suitable—which in most cases would mean technical assistance—and although financial assistance could also be given by the international financial agencies, land reform was essentially a problem for each country, and he would find it difficult to approve a text which suggested that there was an automatic link between land reform and foreign aid. Accordingly, his delegation would ask for a separate vote on operative paragraph 3(g) and would abstain in that vote.

33. Mr. WHYTE (United Kingdom) agreed that some confusion had arisen over operative paragraph 3(g). When its text had been adopted by the Economic Committee (364th meeting) his delegation had stated that in its view financial aid was not "appropriate" aid. For reasons similar to those given by the French represen-

tative, he would be unable to vote for the sub-paragraph as it stood and he therefore supported the request for a separate vote.

34. The PRESIDENT put to the vote operative paragraph 3(g) of the draft resolution.

*Paragraph 3(g) was adopted by 11 votes to none, with 6 abstentions.*

*The draft resolution as a whole was adopted unanimously.*

#### AGENDA ITEM 7

##### Economic planning and projections (E/4046 and Corr.1 and Add.1 and 2, Add.3 and Corr.1, Add.4-6, E/4051)

REPORT OF THE ECONOMIC COMMITTEE (E/4103)

35. The PRESIDENT invited the Council to vote on the draft resolution in paragraph 5 of the Economic Committee's report (E/4103). He noted that the Committee had unanimously approved the draft resolution, taking into consideration the statement of financial implications submitted by the Secretary-General (E/AC.6/L.320).

*The draft resolution was adopted unanimously.*

#### AGENDA ITEM 9

##### Inflation and economic development (E/4053 and Add.1 and 2)

REPORT OF THE ECONOMIC COMMITTEE (E/4104)

36. The PRESIDENT drew attention to the fact that, in paragraph 3 of its report (E/4104), the Economic Committee recommended that item 9 should be postponed until the fortieth session of the Council.

*The recommendation was adopted.*

The meeting rose at 10.55 a.m.