

preferred to see UNESCO and the United Nations Secretariat combine their efforts in the preparation of the report. In any event, he hoped that the special rapporteur would draw on the specialized knowledge of UNESCO in that field and would take into account the necessity of giving coverage in the report to all the different groups in various countries and regions and not simply base the report on the experience of the particular group to which the special rapporteur belonged.

65. Miss BALOGUN (Nigeria), referring to paragraph 8 of draft resolution VI, said that her delegation had already expressed doubts in the general debate as to whether it would be appropriate to appoint a special rapporteur. In any event, it interpreted the amendments introduced in the Social Committee as meaning that the special rapporteur not only had to gather information but must also conduct broad and original research on the subject, including an analysis of the roots of the problem, and that in so doing he should discard the prejudices to be found in the studies carried out in various countries, whose account of the situation of women in developing countries was in many cases ill-balanced.

66. Mrs. MAIR (Jamaica) associated herself with the comments of preceding speakers and stressed that her delegation would have preferred to entrust the preparation of the study to UNESCO.

67. The PRESIDENT said that, if there were no objection, he would take it that the Council adopted draft resolution VI without a vote.

Draft resolution VI was adopted (resolution 2063 (LXII)).

68. Miss RICHTER (Argentina), speaking on a point of order, asked whether a vote on draft decision A had been requested.

69. Mr. ALFONSO MARTINEZ (Cuba), speaking on a point of order, said that there had been no request for a vote and that a vote should be avoided lest, by reason of a negative decision of the Council, the Social Committee might be required to embark on a fresh consideration of draft resolutions VII and X in the report of the Commission on the Status of Women.

70. The PRESIDENT informed the Council that a vote had been requested.

Draft decision A was adopted by 30 votes to 13, with 4 abstentions (decision 223 (LXII), para. 1).

71. The PRESIDENT said that, if there were no objection, he would take it that the Council adopted draft decision B without a vote.

Draft decision B was adopted (decision 223 (LXII), para. 2).

72. Miss BALOGUN (Nigeria), referring to paragraph 3 of draft resolution V, said that the preparatory committee of the 1980 World Conference of the United Nations Decade for Women should consider the appointment of a Secretary-General of the Conference, with the rank of Assistant Secretary-General.

The meeting rose at 6.05 p.m.

2059th meeting

Friday, 13 May 1977, at 11.10 a.m.

President: Mr. Ladislav ŠMÍD (Czechoslovakia).

E/SR.2059

AGENDA ITEM 13

Narcotic drugs (E/5912, E/5933 and Corr. 1 and 2)

REPORT OF THE SOCIAL COMMITTEE (E/5966)

1. Miss RICHTER (Argentina) informed the Council that the South American Agreement on Narcotic Drugs and Psychotropic Substances and the Additional Protocols thereto, which had been signed by representatives of the Governments of Venezuela, Uruguay, Paraguay, Ecuador, Colombia, Brazil, Bolivia and Argentina, had entered into force on 30 March 1977 and had been registered with the Secretariat in accordance with Article 102 of the Charter of the United Nations.

2. The PRESIDENT invited the Council to consider the report of the Social Committee on agenda item 13 (E/5966). He suggested that the Council should proceed to vote on the six draft resolutions and one draft decision recommended for adoption in paragraph 14 of the Committee's report, and that any members wishing to explain their votes should do so later.

It was so decided.

Draft resolution I was adopted by 42 votes to none, with 5 abstentions (resolution 2064 (LXII)).

3. Mr. LAVAU (Director of the Budget Division) said that the Secretary-General would experience a number of

difficulties in implementing draft resolution II, entitled "Above-average priority for international drug control", if it was adopted. The instruction in operative paragraph 2 relating to the 1978-1979 budget was in direct conflict with General Assembly resolution 31/93, paragraph 4, in which the Assembly endorsed the recommendations made by the Committee for Programme and Co-ordination in the report on its sixteenth session.¹ In those recommendations, which had also been endorsed by the Economic and Social Council in its resolution 2019 (LXI), a "below-average" growth rate had been recommended for the international drug control programme. It was on the basis of that legislative authority, which still stood, that the Secretary-General had prepared the proposed programme budget for the biennium 1978-1979. In the absence of any explicit amendment of General Assembly resolution 31/93 and Council resolution 2019 (LXI), the Secretary-General must continue to base his budget proposals on the relative growth rates endorsed by those resolutions. In any case, in practical terms it was too late to alter the 1978-1979 budget, which had already been prepared and submitted to CPC and the Advisory Committee on Administrative and Budgetary Questions. Similarly, in view of the provisions of General Assembly resolution 31/93, paragraph 3, the Secretary-General would be unable to take draft resolution II into account unless and until it was endorsed by CPC and the General Assembly. It would be recalled in that connexion that in resolution 31/93, paragraph 7, the General Assembly had requested the Secretary-General to ensure compliance with the planning and programme budgeting procedure established in that resolution.

4. Mr. BYKOV (Union of Soviet Socialist Republics) said it was clear from the statement made by the Director of the Budget Division that draft resolution II ran counter to decisions already taken by CPC and the General Assembly; obviously, therefore, it could not be adopted by the Economic and Social Council. In the circumstances, the Council should apply the provisions of rule 67, paragraph 2, of the rules of procedure and defer its decision on the draft resolution, the text of which should be referred back to the Commission on Narcotic Drugs for further consideration.

5. It was regrettable that the Commission on Narcotic Drugs had not been informed that its proposal ran counter to a decision already taken by the General Assembly.

6. Mr. MERKEL (Federal Republic of Germany) said it was also regrettable that the Council's attention had not been drawn earlier in the session to the legal difficulties posed by draft resolution II. In view of the situation described by the Director of the Budget Division, he proposed that in operative paragraph 2 the words "the Secretary-General . . . 1978-1979 and" should be replaced by the words "the Committee for Programme and Co-ordination and the General Assembly to continue".

7. Mr. CORDOVEZ (Secretary of the Council) drew attention to the summary record of the 831st meeting of the Commission on Narcotic Drugs (E/CN.7/SR.831), which showed that the Commission had been informed of the decisions of CPC and the General Assembly.

8. Mr. KEMAL (Pakistan) said that, as the representative of the USSR had proposed, the proper procedure would be to refer the draft resolution back to the Commission on Narcotic Drugs for further consideration. If, however, the Council felt that it should take a decision on the draft resolution at its current meeting, it would have to amend paragraph 2 in such a way as to request the Secretary-General to consider the possibility of giving due priority to international drug control.

9. Mr. MERKEL (Federal Republic of Germany), observing that the draft resolution had been approved by the Commission on Narcotic Drugs and the Social Committee, suggested that the Council should take some action on it. He asked whether, from the legal point of view, a formulation such as that suggested by the representative of Pakistan would be acceptable to the Secretariat.

10. Mr. DE FARIA (Portugal) suggested that the proper procedure would be to refer the draft resolution back to the Commission on Narcotic Drugs, which would then be able, at its twenty-eighth session, to take a decision on the matter in full knowledge of the legal and administrative implications.

11. Miss RICHTER (Argentina) said that, according to the Spanish text of the draft resolution, the Secretary-General had been requested to give "special" priority to international drug control. There was a difference between special priority and above-average priority; the Spanish text did not, therefore, run counter to the decision of the General Assembly. If the text in the other languages did run counter to the General Assembly's decision, her delegation could agree that action on the draft resolution should be postponed. Alternatively, it would be able to accept an amendment in the other languages replacing the word "above-average" by the word "special".

12. Miss BALOGUN (Nigeria) said that, in terms of resources provided, CPC was already giving priority to international drug control. She therefore agreed with the suggestion of the representative of the Federal Republic of Germany that paragraph 2 should be amended so as to request CPC and the General Assembly to continue to give priority to international drug control. The word "above-average" would thus be deleted from the text, and it should also, of course, be deleted from the title of the draft resolution. If, however, the majority of the Council wished to defer taking a decision on the matter, her delegation would have no objection.

13. Mr. STOFORPOULOS (Greece) suggested that the Council might request the General Assembly to re-examine the priority allocated to international drug control. Accordingly, he proposed that paragraph 2 of draft resolution II should be amended to read:

"Recommends that the General Assembly, in approving the biennial programme budget 1978-1979 and in future medium-term plans, should ensure . . ."

14. Ms. MATTESON (United States of America) said her delegation agreed with the representatives of Nigeria and Greece, whose suggestions would preserve intact many parts

¹ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 38.*

of the draft resolution instead of returning it to the Commission on Narcotic Drugs.

15. Mr. KEMAL (Pakistan) supported the Greek amendment and suggested that the Council should adopt it forthwith.

16. Mr. FAURIS (France) said his delegation understood the motivations of the expert members of the Commission on Narcotic Drugs; however, they had not been fully aware of the budgetary requirements and the need for co-ordination with other bodies. He therefore proposed the following amendment, which should allow maximum flexibility:

"Decides to draw the attention of the competent bodies, in the preparation of future medium-term plans, to the importance of the role of international drug control."

17. Mr. BARCELO (Mexico) thanked those delegations which had tried to maintain the fundamental element of the draft resolution, namely, the need for special priority to be given to providing funds for the Commission. He suggested that the Greek amendment should be changed to include the words "special priority" in order to preserve that concept.

18. Mr. LINDENBERG SETTE (Brazil) said that he supported the French proposal. While he sympathized with the Greek representative's viewpoint, he felt it was important to remember that the Fifth Committee would be taking up the programme budget for 1978-1979 under the usual difficult conditions. It would be hard for it to make changes in the budget that favoured one sector over others without even the advice of CPC. The French amendment was the most flexible that had been proposed so far.

19. Mr. BYKOV (Union of Soviet Socialist Republics) said that in view of the limited time available to the Council, and in order not to depart from the established practice under the rules of procedure, it would be more reasonable to take no decision on the draft resolution and to return it to the Commission. Of the amendments proposed, that of France was the most flexible.

20. Mr. BROAD (United Kingdom) said his delegation endorsed the French amendment and hoped that it would provide the basis for a consensus in the Council.

21. Mr. STOFOROPOULOS (Greece) said that his delegation had nothing against the French amendment, but felt that it did not go far enough because it precluded the possibility of allowing the General Assembly to reconsider the matter. He himself had served in the Fifth Committee and was well aware of the constraints mentioned by the representative of Brazil. However, the Council should not rule out in advance the possibility of a re-examination.

22. The PRESIDENT suggested that the sponsors of the various amendments should hold consultations in order to submit a formula that would be acceptable to all.

It was so decided.

23. Mr. STOFOROPOULOS (Greece) said that, following consultations between interested delegations, the following agreed text for operative paragraph 2 had been worked out:

"2. Recommends that the Committee for Programme and Co-ordination and the General Assembly should ensure that the necessary resources shall be allocated under the regular budget of the United Nations for international drug control, bearing in mind the importance of this programme."

24. The title of the draft resolution would be changed to read: "Resources for international drug control".

Draft resolution II, as orally amended, was adopted (resolution 2081 (LXII)).

Draft resolution III was adopted by 41 votes to none, with 5 abstentions (resolution 2065 (LXII)).

Draft resolution IV was adopted by 44 votes to none, with 5 abstentions (resolution 2066 (LXII)).

Draft resolution V was adopted by 45 votes to none, with 5 abstentions (resolution 2067 (LXII)).

Draft resolution VI was adopted (resolution 2068 (LXII)).

The draft decision was adopted (decision 224 (LXII)).

25. The PRESIDENT drew attention to paragraph 12 of the report of the Social Committee (E/5966) regarding the recommendation made by the Commission for Narcotic Drugs in chapter I of its report (E/5933 and Corr.1 and 2) concerning the calendar of conferences for 1978 and 1979, and said that the matter would be considered at the sixty-third session in the context of the approval of the biennial calendar of meetings.

AGENDA ITEM 10

Social development questions (E/5915, E/CN.5/516, E/CN.5/527 and Corr.1, E/CN.5/534, E/CN.5/536)

REPORT OF THE SOCIAL COMMITTEE (E/5964 AND CORR.1)

26. The PRESIDENT invited the Council to consider the report of the Social Committee on agenda item 10 (E/5964 and Corr.1) and drew attention to paragraph 42 of the report, in which the Committee recommended the adoption of 12 draft resolutions and two draft decisions. The reference in draft resolution X, operative paragraph 4, should be to the thirty-fourth session of the Commission on Human Rights, not the thirty-third session.

Draft resolutions I to X were adopted (resolutions 2069 (LXII) to 2078 (LXII)).

27. Mr. CORDOVEZ (Secretary of the Council) said that, since draft resolution XI, operative paragraph 2, might be open to different interpretations, he wished to make clear to the Council the understanding of the Secretary-General with regard to the sequence of events envisaged. It was his

understanding that the working group would have to meet after the thirty-second session of the General Assembly, since it had to take into account the decision of the Assembly at that session on the subject of preparations for the new international development strategy. The report of the working group would be sent by mail to members of the Commission for Social Development, which was to meet in 1979, and the comments of members would be submitted to the Economic and Social Council with the report, as they were received by the Secretary-General.

28. Miss HOLZER (Austria) suggested that, in view of the Secretary's explanation, the words "at its sixty-fourth session" should be deleted from the paragraph.

29. Mr. CORDOVEZ (Secretary of the Council) said that, if it was agreed that the consultation with members of the Commission for Social Development was to be by mail and that their comments would be submitted as they were received, it would still be possible to submit them to the Council at its sixty-fourth session.

Draft resolution XI was adopted (resolution 2079 (I.XII)).

Draft resolution XII was adopted (resolution 2080 (I.XII)).

Draft decisions A and B were adopted (decisions 225 (I.XII) and 226 (I.XII)).

30. Mr. BROAD (United Kingdom) said that his delegation wished to express its appreciation to the delegation of Portugal for having submitted draft resolution VIII, concerning the range of application of the *Standard Minimum Rules for the Treatment of Prisoners*.²

31. The United Kingdom accepted that it was right that the underlying spirit of humane treatment which characterized the Standard Minimum Rules should, consistent with the proper administration of justice, be applied to persons who had been deprived of their freedom but who had not been charged with any offence. At the same time, his Government had made it clear in reports to the Secretary-General as well as in statements in a number of committees of the United Nations that the Standard Minimum Rules were designed first and foremost for persons held in prison following the order of a court and in terms of the facilities and amenities likely to be available were not considered applicable to persons held, usually very briefly, in police custody.

32. For that reason, his Government had urged that a body of experts should be commissioned to draw up a set of commentaries on the Rules which would enable them to be seen in a modern context and afford greater flexibility in their application. A study of that kind might well be able to consider how the Rules might most appropriately be applied to persons held without charge, particularly when, as was the case in the United Kingdom, the period involved was normally an extremely short one.

AGENDA ITEM 14

Non-governmental organizations (E/5934)

REPORT OF THE SOCIAL COMMITTEE (E/5965)

33. The PRESIDENT invited the Council to consider the report of the Social Committee on agenda item 14 (E/5965).

34. Mr. CORDOVEZ (Secretary of the Council) recalled that in its resolution 1770 (LIV) the Council had decided that, before any resolution or decision involving the preparation of documentation for submission by specific dates was adopted by the Council or any of its subsidiary bodies, the Secretary-General should indicate to that body whether he would be able to comply with the deadline. When the Committee on Non-Governmental Organizations had met early in 1977, the necessary documentation had been circulated only at the beginning of the session. The reasons for the delay included the amount of documentation involved, the fact that the General Assembly had just concluded its session, and the fact that priority had been assigned to preparing the programme of work of the Council. As a result, it had not been possible to circulate the documentation for the Committee's session sufficiently in advance.

35. Implementation of the draft decision on non-governmental organizations recommended by the Social Committee (E/5965, para. 12) would involve similar and probably more serious difficulties. The review of the activities of the non-governmental organizations called for in the draft decision would probably result in a document of at least 1,000 pages. The Secretary-General wished to inform the Council that it would not be possible to submit the document in compliance with the six-week rule for the next scheduled session of the Committee on Non-Governmental Organizations, nor could he assure the Council that the document would be ready if another session of the Committee were scheduled for the purpose of carrying out the review before the sixty-fourth session of the Council, in order to comply with the draft decision. A special effort could be made to have the document ready by the time the Committee began its session, tentatively scheduled for the beginning of March 1978, but even in that case it would not be possible to have the document ready six weeks in advance of the session.

36. Miss RICHTER (Argentina) drew attention to paragraph 11 of the Social Committee's report (E/5965), in which it was stated that the Committee had agreed that the Council should defer action on the recommendation of the Committee of Non-Governmental Organizations regarding its future meetings until its sixty-third session, when it would consider the calendar of meetings for 1978 and 1979. The statement made by the Secretary of the Council might be helpful to delegations attending the sixty-third session in deciding when the next meeting of the Committee should be held. Her delegation, in agreeing that non-governmental organizations should be requested to submit their reports by 30 October 1977, had intended to co-operate with the Secretariat and had thought that that would enable it to complete its work in time. In any case, her delegation wished to stress that the Committee on

² *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

Non-Governmental Organizations should meet at the earliest opportunity and carry out, as a matter of priority, the mandate laid down in Council resolution 1296 (XLIV), a task which had been deferred for many years.

37. Mr. CORDOVEZ (Secretary of the Council) pointed out that, if the report of the Committee on Non-Governmental Organizations concerning its review of the organizations was required for the Council's sixty-fourth session, the reports submitted by non-governmental organizations would be required by the Committee six weeks before its own session; it was the latter deadline which, in the view of the Secretary-General, could not be met by the Secretariat.

38. Mr. BROAD (United Kingdom) said he fully understood the difficulties referred to by the Secretary of the Council. His delegation had had reservations with regard to fixing the Council's sixty-fourth session as the time-limit for the review of the activities of non-governmental organizations by the Committee on Non-Governmental Organizations, and felt that the sixty-sixth session might be a more practical target.

The draft decision recommended by the Social Committee was adopted (decision 227 (LXII)).

39. The PRESIDENT said that the matter referred to in paragraph 11 of the report (E/5965) would be considered at the sixty-third session in the context of the approval of the biennial calendar of meetings.

AGENDA ITEM 12

Human rights questions (E/5927-5932, E/CN.4/1222 and Corr.1, E/L.1768)

40. Miss BALOGUN (Nigeria), introducing draft resolution E/L.1768 on behalf of the sponsors, said that it was traditional for the Council to adopt a resolution on trade union rights of African workers in South Africa. The sponsors hoped that the draft resolution would be adopted by consensus.

The meeting rose at 12.55 p.m.

2060th meeting

Friday, 13 May 1977, at 3.40 p.m.

President: Mr. Ladislav ŠMÍD (Czechoslovakia).

E/SR.2060

AGENDA ITEM 12

Human rights questions (concluded) (E/5927-5932, E/CN.4/1222 and Corr.1, E/L.1768)

REPORT OF THE SOCIAL COMMITTEE (E/5967)

1. The PRESIDENT said that, in paragraph 29 of its report on agenda item 12 (E/5967), the Social Committee recommended four draft resolutions and 11 draft decisions to the Council for adoption.

2. Sections A and B of draft resolution I had been adopted by the Committee without a vote. If there were no objection, he would take it that the Council also wished to adopt them without a vote.

Sections A and B of draft resolution I were adopted.

Section C of draft resolution I was adopted by 36 votes to none, with 5 abstentions.

Draft resolution I, as a whole, was adopted (resolutions 2082 A (LXII), 2082 B (LXII) and 2082 C (LXII)).

Draft resolution II was adopted (resolution 2083 (LXII)).

Draft resolution III was adopted (resolution 2084 (LXII)).

Draft resolution IV was adopted by 35 votes to 2, with 11 abstentions (resolution 2085 (LXII)).

Draft decisions A to D were adopted (decisions 228 (LXII) to 231 (LXII)).

At the request of the representative of Cuba, a vote was taken by roll-call on draft decision E.

The Federal Republic of Germany, having been drawn by lot by the President, was called upon to vote first.

In favour: Afghanistan, Algeria, Argentina, Austria, Bolivia, Brazil, Bulgaria, China, Colombia, Cuba, Czechoslovakia, Denmark, Ecuador, Ethiopia, Gabon, Greece, Iran, Iraq, Jamaica, Malaysia, Mauritania, Mexico, Netherlands, New Zealand, Nigeria, Norway, Peru, Philippines, Poland, Portugal, Rwanda, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire.

Against: United States of America.

Abstaining: Canada, France, Germany, Federal Republic of, Italy, United Kingdom of Great Britain and Northern Ireland.

Draft decision E was adopted by 43 votes to 1, with 5 abstentions (decision 232 (LXII)).

Draft decisions F to K were adopted (decisions 233 (LXII) to 238 (LXII)).