

2073rd meeting

Friday, 25 October 1974, at 3.15 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2073

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (continued) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2110/Rev.1, 2111, 2113/Rev.1, 2115 and 2116)

1. The CHAIRMAN said that Turkey had become a sponsor of draft resolution A/C.3/L.2110/Rev.1 and that Chad, Italy, Niger, Sudan, Tunisia and the United Republic of Cameroon had become sponsors of draft resolution A/C.3/L.2113/Rev.1.

2. Mr. GRAEFRATH (German Democratic Republic), introducing his delegation's amendments (A/C.3/L.2116) to draft resolution A/C.3/L.2110, said that the general purpose of the amendments was to stress the humanitarian nature of resolution V, adopted by the twenty-second International Conference of the Red Cross¹ held at Teheran from 28 October to 15 November 1973, of which his delegation had been a sponsor. The subject had been dealt with efficiently by the Red Cross and his delegation doubted whether anything was gained by introducing it in the Committee. In any case, it was not helpful to politicize the subject.

3. The proposed amendment to the first preambular paragraph was intended to bring the wording of draft resolution A/C.3/L.2110 into line with Article 1 of the Charter of the United Nations. His delegation proposed that the third preambular paragraph should be reworded so as to refer not only to the lack of information on missing persons, but also to widespread human suffering, loss of human lives and devastation of property. In the fourth preambular paragraph, his delegation proposed that the words "with approval" should be deleted because it considered that it was not the Committee's task to approve a resolution already adopted by the International Conference of the Red Cross, an independent body with specific tasks of its own.

4. His delegation had some difficulties with regard to the sixth preambular paragraph, which gave higher priority to information on missing persons than to other important issues. Information on missing persons was in many cases regulated by international treaties, and the Committee could not interfere in treaty relations between countries by requesting priority for one party to a conflict. Moreover, no Red Cross convention or resolution gave higher priority to any one humanitarian objective than to others. For

example, his delegation could not agree that information on missing persons should be given higher priority than the obligation to care for the victims of aerial bombardment. It was therefore proposing that the sixth preambular paragraph should be deleted.

5. With regard to operative paragraph 3, his delegation considered that it would be useful to refer to the Geneva Conventions of 1949,² because they provided the legal background for what the draft resolution under consideration requested from the parties to conflicts. Exchanges of information had been carried out very efficiently with the assistance of the International Committee of the Red Cross (ICRC), and his delegation was of the opinion that the ICRC should co-operate with other bodies in that work. It was questionable whether the United Nations should ask parties to armed conflicts to co-operate with unspecified agencies which were not States or bodies accepted by the Geneva Conventions. His delegation therefore proposed that the words "with protecting powers, with the ICRC and with such other agencies as may be appropriate for this purpose" in operative paragraph 3 should be replaced by "in accordance with the Geneva Conventions of 1949 with protecting powers and with the ICRC".

6. His delegation hoped that the sponsors of draft resolution A/C.3/L.2110 would agree to its amendments and that the draft resolution, as amended, would be adopted by consensus.

7. Mr. BAKER (United States of America), introducing draft resolution A/C.3/L.2110/Rev.1, said that the sponsors had taken account of amendments suggested earlier by the representative of the German Democratic Republic when preparing the revised text. The title and the first and fourth preambular paragraphs had been revised accordingly. In the second preambular paragraph the words "in violation of the principles of the United Nations Charter the resort to force has continued to occur, causing loss of human lives, widespread devastation, and other forms of human suffering" had been added in order to reflect the sponsors' concern to show that they were not giving higher priority to the question of persons missing or dead in action than to the problem of human suffering. The sponsors had revised the sixth preambular paragraph in an attempt to deal with a problem of semantics and to show that they agreed with the delegation of the German Democratic Republic that the concern for persons missing or dead in armed conflicts should not be exclusive.

8. Operative paragraph 3 had been amended in order to bring it into line with the Geneva Conventions of 1949. Finally, the words "and with such other agencies as may be appropriate for this purpose", which had been used in the

¹ See *International Review of the Red Cross*, No. 154 (January 1974).

² United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

original version, had been replaced by “or any organ presenting satisfactory guarantee of impartiality, such as envisaged in the Fourth Geneva Convention”.

9. The sponsors of the draft resolution under consideration differed from the delegation of the German Democratic Republic in that they attached great importance to the expression of humanitarian concern, and they hoped that the revised draft resolution would be adopted by consensus.

10. Mr. NOTHOMB (Belgium) said that despite all the efforts made by the United Nations armed conflicts continued to occur, and it was with that fact in mind that his delegation had supported draft resolution A/C.3/L.2110, which had been submitted on purely humanitarian grounds. His delegation noted with satisfaction that Pakistan and Bangladesh were among the sponsors of the revised draft resolution, thus demonstrating their spirit of moderation and conciliation. It also noted that the list of sponsors included Cyprus, whose two communities were experiencing serious armed conflict. His delegation was a sponsor of the draft resolution because it considered that its application might alleviate the suffering of all countries involved in armed conflict.

11. Articles 16 and 17 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949,³ contained provisions relating to the dead and to an Official Graves Registration Service; one of the horrors of war was the resulting uncertainty as to the fate of the dead or the site of their graves. In that connexion, he paid tribute to the International Committee of the Red Cross, which was the depositary of the Geneva Conventions; he was glad that the draft resolution under consideration appealed to the ICRC for its co-operation. It was also fitting that the draft resolution should call for the co-operation of the protecting powers, in accordance with article 16 of the First Geneva Convention.

12. His delegation hoped that, as a result of the agreement reached by the sponsors of the draft resolution and the delegation of the German Democratic Republic, the Committee would be able to adopt by consensus draft resolution A/C.3/L.2110/Rev.1.

13. Mrs. HEANEY (Ireland) said that the timely presentation of documentation by the Secretariat was a factor in the efficiency of the Committee's work. Her delegation considered that, when necessary, the Committee should request the Secretary-General to prepare documentation in respect of particular items, as it had done in the case of General Assembly resolution 3059 (XXVIII), relating to torture. That documentation had formed the basis for draft resolution A/C.3/L.2106/Rev.1, which had been adopted by the Committee at its 2070th meeting.

14. It was in the same spirit that her delegation supported draft resolution A/C.3/L.2111. The Committee had a formidable task ahead of it at the thirtieth session of the General Assembly in implementing General Assembly resolution 3136 (XXVIII) and it would be immeasurably

assisted by having before it the fullest possible information on all the alternatives open to it, assembled from comprehensive sources in a systematic and orderly fashion. Draft resolution A/C.3/L.2111 would be extremely helpful in that respect. When resolution 3136 (XXVIII) had been adopted, it had been agreed that the substance of the item concerning the alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms would not be discussed until the thirtieth session. Her delegation intended to abide by that decision and appealed to all delegations to do likewise.

15. Mr. BAROODY (Saudi Arabia) said that his delegation considered draft resolution A/C.3/L.2110/Rev.1 to be most appropriate, particularly on account of the amendments submitted by the delegation of the German Democratic Republic. The draft resolution was of a humanitarian nature and his delegation would have no difficulty in supporting it.

16. Referring to draft resolution A/C.3/L.2113/Rev.1, on the International Women's Year, he said that his delegation found the text satisfactory, although it saw no need for the first preambular paragraph: it considered that women already had equality with men and that, in some cases, they had even more privileges than men. According to the Koran, men were responsible for the welfare of women, and he could not see what greater privilege women could have. Moreover, women in Moslem countries had the right to custody of their children during their formative years, when a child's character was determined for the rest of its life, and also had full control over their property. With regard to the promotion of equality in the political field, he pointed out that some countries still had tribal systems and that everyone, man or woman, could, for example, approach the Head of State. In such a case, equality of men and women had already been achieved. The Moslem countries had thousands of years of experience in such matters, but the Western countries were slow to learn that, although women had a great deal of influence, it could not be legislated into existence, as was being attempted in draft resolution A/C.3/L.2113/Rev.1.

17. Miss DIAROU MEYE (Niger), speaking on a point of order, said that, in accordance with the decision taken at the 2072nd meeting, the Committee had to conclude its discussion of draft resolution A/C.3/L.2110/Rev.1 before dealing with the question of the International Women's Year.

18. The CHAIRMAN confirmed that the Committee had at its 2072nd meeting decided to consider draft resolutions A/C.3/L.2110 and L.2111 as the first order of business at the current meeting so as to enable the Rapporteur, pursuant to the proposal made by the representative of the Upper Volta at the 2070th meeting, to submit as soon as possible for consideration by the plenary a report on the relevant aspects of the Committee's deliberations on the human rights questions dealt with in chapter V, section C, of the report of the Economic and Social Council (A/9603).

19. Mr. BAROODY (Saudi Arabia) appealed to the United Kingdom delegation to withdraw draft resolution A/C.3/

³ *Ibid.*, No. 970.

L.2111. His delegation did not believe that the Secretary-General and the Secretariat should be asked to prepare additional analytical and comparative studies, when a multiplicity of studies was already being carried out by experts within the United Nations under the auspices of the Third and other Committees. There was in any case the question of whom to entrust with the task of carrying out the study proposed in the draft resolution.

20. Referring to operative paragraph 2 of the draft resolution, he pointed out that the representatives of Member States in the Third Committee were themselves specialists in the field of human rights and could individually elicit the views of their Governments on any human rights matter. The proposal that the Secretary-General should solicit the views of Member States was therefore superfluous. There was likewise no need for the Secretary-General to consult the specialized agencies as if they were on an equal footing with the Governments of sovereign States; they could easily transmit their views to the Secretariat in the form of documents. Moreover, there was an imbalance among Member States with regard to non-governmental organizations. In some States there were no non-governmental organizations having consultative status with the Economic and Social Council, and such States would be placed at a disadvantage under the terms of the draft resolution. All of the activities proposed in paragraph 2 of the draft resolution would place an additional burden on Governments and demand much effort and expense on the part of the Secretariat in connexion with bureaucratic action of dubious value. He therefore proposed that the entire question should be left in abeyance until the thirtieth session.

21. No satisfactory system had yet been devised to deal with complaints of alleged violations of human rights. The section of the Division of Human Rights which had been dealing with such complaints in recent years had itself frequently complained about the paucity of replies from Governments to its inquiries. Alternatives to the existing system, such as the establishment of national committees, could be discussed at the thirtieth session.

22. If draft resolution A/C.3/L.2111 was not withdrawn, his delegation would ask for a statement of the financial implications of the proposals which it contained before it was put to the vote. It would also ask how many hours would be spent on the study proposed in operative paragraph 1 and how many States would be required to reply to the Secretary-General's inquiries under paragraph 2. His delegation was opposed to such activities, which appeared to have political overtones.

23. Mr. ALFONSO (Cuba) said that he had not yet had time to study draft resolution A/C.3/L.2110/Rev.1 in detail. He would therefore confine himself to making general remarks on draft resolution A/C.3/L.2110, and reserved the right to present his views on the revised document at a later stage.

24. His delegation had listened with great interest to the debate on human rights matters, and particularly to the introduction of draft resolution A/C.3/L.2110 by the representative of the United States at the 2069th meeting. The problems dealt with in the draft resolution were not unknown to Cuba, a small country which had experienced

armed conflict in its own territory as a result of armed aggression. The problem of persons missing in action should be analysed, not in isolation, but on the basis of an over-all study of all its factual, political, technical and legal aspects, especially as it related—either directly or indirectly—to the Charter of the United Nations.

25. At the first session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held in Geneva from 20 February to 29 March 1974, the United States delegation had advanced specific proposals similar to those contained in draft resolution A/C.3/L.2110. Circumstances had made it impossible to study the subject at the time. However, it had been clear that the proposals of the United States were based on its involvement in recent armed conflicts, in particular the conflict in Indo-China, and that many questions still remained to be answered in connexion with the plight of the people of Viet-Nam. His delegation therefore had serious reservations of a general nature with regard to draft resolution A/C.3/L.2110, during the discussion of which it should be borne in mind that one party to the conflict in Indo-China would have no opportunity to state its views on the experience of armed conflict of the people of that region. The voice of the Provisional Revolutionary Government of South Viet-Nam had not been heard at the Geneva Diplomatic Conference because of the efforts of one major Power—the United States—to prevent the admission of that Government to the Conference. Accordingly, any decision taken by the General Assembly on the subject-matter of the draft resolution would have far-reaching implications for the Diplomatic Conference, at its second session.

26. Another thorny problem raised by the draft resolution was that, in addition to dealing with persons missing in action, it raised constitutional questions in relation to the Charter. Article 51 and other provisions of the Charter were very clear on the question of the lawful or unlawful use of force. Consideration should always be given to the question whether the use of force was consistent with or in violation of the Charter. All armed conflicts since the Second World War had occurred in the under-developed world, which had been the scene of acts of aggression in violation of the principles of the Charter. Those facts could not be separated from the draft resolution.

27. His delegation also had reservations of a specific nature with regard to the draft resolution. As far as the first preambular paragraph was concerned, his delegation agreed that one of the purposes of the United Nations was the promotion of international co-operation to resolve humanitarian problems, but that purpose should not be divorced from or set above other purposes which, in the general context of the work of the United Nations, had greater priority. Aggression was a far greater problem than accounting for persons missing in action.

28. The second preambular paragraph rightly stated that the Assembly regretted the suffering caused by armed conflicts, but nothing was said of the obligation of Member States to renounce the use of force. Similarly, the lack of information on persons who were missing in action or who had died in connexion with armed conflict could not be divorced from other problems caused by armed aggression,

particularly aggression against the third world by the major Powers, using all their technological might. In other words, while the international community should not be indifferent to the problem of persons missing in action, by far the most serious need in that sphere was to eliminate armed aggression and develop international humanitarian law applicable in armed conflicts, which was the goal of the Diplomatic Conference. Referring to the sixth preambular paragraph, he pointed out that all problems required over-all solutions and that one aspect of a problem could not be dealt with in isolation.

29. Operative paragraph 1 of the draft resolution appeared to envisage a situation in which a country which suffered armed aggression in violation of the principles of the Charter would, in addition to the enormous economic problems posed by the act of aggression itself, be required to compile a detailed list of enemy casualties and to provide information about persons missing in action to an international body to which it would be accountable under a resolution of the General Assembly. The provisions of that paragraph could be exploited in the international press as a means of condemning countries which, because of a manpower shortage, were unable to meet their obligations in respect of the provision of information.

30. Operative paragraph 3 of the draft resolution contained a series of ambiguities. He did not understand the reference to the International Committee of the Red Cross, whose duties were clearly laid down in the Geneva Conventions of 1949. He wondered whether the intention was to create machinery not provided for in the Geneva Conventions.

31. Operative paragraph 4 was superfluous. The Diplomatic Conference already had before it the United States proposal to which he had referred and had already begun to consider the subject.

32. Many of the amendments to the draft resolution submitted by the German Democratic Republic in document A/C.3/L.2116 would greatly improve the text. He understood that some of those amendments had been incorporated in the revised draft resolution. However, on the basis of its views on the original draft resolution, his delegation would have to vote against the revised draft.

33. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that hardly any people in history had suffered such great losses in war as had the people of the Soviet Union in the Second World War. It was well known that more than 20 million Soviet citizens had been lost in that war, and thousands of villages and towns had been destroyed. The material losses were incalculable, as were the personal losses, since hardly a family in the Soviet Union had not lost at least one of its members. It was clear, therefore, that the Soviet delegation shared the concern of others about the humanitarian problems to which armed conflicts gave rise. However, the humanitarian aspects could not be separated from the other aspects of armed conflicts, and it was on that basis that his delegation approached the draft resolution submitted by the United States.

34. His delegation wondered why the draft had been submitted in such an unusual manner, circumventing the

normal procedure for the introduction of new items in the General Assembly. It was clear that the matter had not previously been discussed in the Economic and Social Council.

35. He recalled that, out of concern for the humanitarian problems arising from armed conflicts, his delegation had, at the fifty-sixth session of the Economic and Social Council, submitted a draft resolution on the protection of women and children in emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence. The draft resolution, recommending to the General Assembly the adoption of a declaration on the subject, had been adopted by the Council (resolution 1861 (LVI)), but the matter had then been referred to the Sixth Committee, under agenda item 12, rather than the Third Committee. However, since the United States delegation had now raised a question relating to armed conflicts, his delegation would consider the possibility of formally requesting that the Council resolutions should be considered by the Third Committee.

36. His delegation endorsed the comments made by the representative of Cuba on draft resolution A/C.3/L.2110, and felt that it should be considered very carefully, bearing in mind not only the humanitarian aspects but all other aspects of the problem as well. The amendments put forward in document A/C.3/L.2116 by the German Democratic Republic, a country which was well acquainted with the problem, deserved attention, and draft resolution A/C.3/L.2110/Rev.1 also merited careful consideration although, even at first glance, his delegation had some doubts about it. The amendments submitted by the German Democratic Republic could be studied in the light of that revised text.

37. Turning to draft resolution A/C.3/L.2111, his delegation agreed with much of what had been said by the representative of Saudi Arabia, who had raised a number of valid points. With regard to operative paragraph 1, he wished to know what type of study was to be prepared, when it was to be carried out, and in accordance with which decisions of the United Nations. He agreed with the representative of Saudi Arabia that the studies which had been prepared by the United Nations in the past had not always been of great help to delegations in considering the questions to which they related. Recalling the Secretariat's statement that it did not have the capacity to take up all the items connected with the Decade for Action to Combat Racism and Racial Discrimination, he expressed doubt as to whether it would have sufficient capacity for the study envisaged in operative paragraph 1, particularly as the United Nations budget for 1975 had already been approved. With regard to operative paragraph 2, he considered that it was inappropriate to solicit the views of the specialized agencies and of non-governmental organizations, as that would be outside the scope of their links with the Economic and Social Council; it was for Member States alone to put forward views on the subject-matter of the study referred to in operative paragraph 1.

38. His delegation considered that the first preambular paragraph should clearly reflect the fact that the item mentioned in that paragraph had been included in the provisional agenda of the thirtieth session of the General

Assembly after the General Assembly had discussed the question of establishing a post of United Nations High Commissioner for Human Rights and represented an alternative approach to improving the effective enjoyment of human rights and fundamental freedoms.

39. His delegation would make specific suggestions about draft resolution A/C.3/L.2111 later, as it considered that the Secretariat should first provide information on the study and on its financial implications, unless the United Kingdom withdrew the draft in response to the appeal made to it by the representative of Saudi Arabia.

40. Mrs. BALDÉ (Guinea) said that her delegation welcomed and would vote in favour of draft resolution A/C.3/L.2110/Rev.1, which once again drew attention to the appalling consequences of armed conflicts. However, while regretting the lack of information on persons missing in armed conflicts, it considered that the first task of the Committee was to use all the means available to the international community to prevent conflicts from arising in the first place. In speaking of the problem, her delegation was thinking of the people of Viet-Nam who were struggling for their legitimate rights to independence, freedom and dignity and of all those who had fallen during that long and terrible war which had never had any justification. In that connexion, the Committee should consider the violations of the Paris Agreement on Ending War and Restoring Peace in Viet-Nam, of 27 January 1973, and the disastrous consequences of those violations, which compromised the aim of the draft resolution. She had referred to the Viet-nam conflict because it seemed the most topical and perhaps the most appropriate example. The international community should not lose sight of that aspect of the problem and the Committee should concern itself with it.

41. Mrs. YOTOPOULOS-MARANGOPOULOS (Greece) said that, unless the Committee was duplicating the work being done on the problem in Geneva by the Diplomatic Conference, she thought draft resolution A/C.3/L.2110/Rev.1 should be adopted because it was concerned with a humanitarian and not a political question. However, she felt that the words "in action" were out of place, since civilians as well as combatants were the object of humanitarian concern.

42. With regard to draft resolution A/C.3/L.2111, her delegation agreed that practical and effective measures needed to be taken to promote the improvement of the effective enjoyment of human rights and fundamental freedoms; she was only sorry to have heard so many remarks of a political nature in connexion with that draft resolution.

43. Mr. SPEEKENBRINK (Netherlands) said that his delegation would vote for draft resolution A/C.3/L.2111, as the purpose of the draft resolution was to facilitate the work of the Committee in dealing with a very complex item. Arduous discussions in the previous year and before had led to the adoption by the General Assembly of resolution 3136 (XXVIII), which had indicated the need for adequate preparation for the discussions at the thirtieth

session of the General Assembly. That preparation should not be left solely to Member States; they should draw on the Secretariat's store of knowledge and experience, and on the Secretary-General's own competence in the matter: he should be included in any work which was done. It was also essential that the non-governmental organizations should contribute to the study because of their familiarity with the subject matter and their understanding of the problems involved. He agreed with the representative of Ireland that the draft resolution in no way touched on the substance of the item to be discussed at the thirtieth session of the General Assembly but was purely procedural.

44. Mr. LAWSON (Deputy Director, Division of Human Rights) said that the purpose of the study referred to in operative paragraph 1 of draft resolution A/C.3/L.2111 would be to assist the General Assembly, at its thirtieth session, in considering the question. As members of the Committee would realize, that question might prove to be a controversial one on which there would be a wide range of divergent views.

45. The updated versions of the comprehensive studies prepared for the International Conference on Human Rights in 1968 mentioned in the third preambular paragraph of the draft resolution would be issued shortly under the title "United Nations Action in the Field of Human Rights" and would describe in detail the existing machinery and procedures for dealing with human rights matters by all elements of the United Nations system. Like most comprehensive studies of that nature, the updated versions would themselves be somewhat out of date by the time they were issued because of the time-lag entailed in translation and publication. However, the Secretary-General would endeavour to make them as timely as possible in connexion with the report which he was requested to present to the thirtieth session. In addition, the Secretary-General would comply with the request in operative paragraph 2 of the draft resolution, and would prepare the analytical and comparative study called for in operative paragraph 1 essentially on the basis of the views and information received from Member States, the specialized agencies and appropriate non-governmental organizations in consultative status with the Economic and Social Council. On that understanding, the study called for in the draft resolution could be carried out by the existing staff of the Division of Human Rights and without extra cost.

46. Mrs. WARZAZI (Morocco) said that, like the delegation of Guinea, her delegation was prepared to support draft resolution A/C.3/L.2110/Rev.1 for humanitarian reasons. She was pleased to note that it did not refer to a particular situation, for it must apply to all situations. However, as the Guinean representative had observed, the draft resolution did not attempt to solve the basic problem of the existence of armed conflicts. Her delegation therefore proposed that the third preambular paragraph should be reworded to read:

"Affirming, however, that it is one of the fundamental obligations of the international community to ensure and promote international peace and security by preventing or ending armed conflicts."

47. Mr. BAKER (United States of America) said that he would be prepared to discuss the amendment proposed by the representative of Morocco with her.

48. Mr. MACRAE (United Kingdom) said that he wished to answer some of the questions which had been raised during the discussion of draft resolution A/C.3/L.2111. As his delegation had explained when introducing the draft resolution, it had felt that two kinds of preparation were necessary before the item was discussed. First, it should be made clear that there would not be a repetition of the kind of discussion held at the twenty-eighth session of the General Assembly; secondly, if the objectives were to be achieved, it was vital to have the best kind of documentation. His delegation had therefore felt that some kind of report was necessary, and it had considered various precedents. One such precedent was General Assembly resolution 3026 A (XXVII), which in paragraph 2 had requested the views of the Director-General of UNESCO, who had responded by producing a useful report. At the same time it was clear—as had been confirmed by the representative of the Secretary-General—that because of the nature of the subject-matter it would not be possible to obtain the kind of report that was needed from the Secretary-General. His delegation had therefore considered the possibility of asking the Secretary-General to prepare a report with the help of experts; there were precedents for such a request, for example, the method of work envisaged in operative paragraph 1 of resolution 3093 B (XXVIII) concerning the reduction of military budgets of States permanent Members of the Security Council, and many delegations had been in favour of that approach. However, it was difficult to find experts in the field of human rights, and the financial implications might not be as acceptable in the present instance as they had been in that case. His delegation had therefore reverted to the idea of requesting Governments, specialized agencies and non-governmental organizations to submit their views on the subject. That would enable Member States and organizations with the requisite expertise to submit their views, which would provide a broad enough background to supply a flexible basis for a concise and analytical document.

49. Two main criticisms had been made so far. First, some representatives had questioned the value of preparing the study at all. However, the representative of the Secretary-General had stated that the study could be prepared without additional expenditure, and Governments would probably be only too ready to respond because of the importance of the subject, despite any costs involved for them. The money and man-hours devoted to the study by the Division of Human Rights would, in the view of his delegation, be well spent. Secondly, the idea of soliciting the views of the specialized agencies and appropriate non-governmental organizations had been criticized. A precedent could be found in draft resolution A/C.3/L.2114, operative paragraph 4 of which referred to resolution 8 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, a text which had requested the specialized agencies and other intergovernmental and non-governmental organizations to submit information. Resolution A/C.3/2114 had had wide sponsorship and had been passed by a considerable majority. Furthermore, during the discussion of that resolution information made available by non-governmental organizations had been widely quoted.

His delegation considered that it was worthwhile to include the widest possible spectrum of opinions put forward.

50. His delegation did not see why there should be any serious objection to draft resolution A/C.3/L.2111, as it contained no proposals, binding recommendations or suggestions. While fully understanding the reasons why the representative of Saudi Arabia had appealed to his delegation to withdraw the draft resolution, he did not feel able to respond to that appeal, but he would not object to postponing the vote if that would make it easier for some delegations. However, there might be some pressure if it was delayed for too long.

51. Mr. AL-QAYSI (Iraq) said that his delegation thought it would be easier for the Committee to reach a decision if the vote on draft resolution A/C.3/L.2111 was postponed. He also felt that the vote should be postponed on draft resolution A/C.3/L.2110/Rev.1, as the text had not been received until the beginning of the current meeting and delegations needed time to consider it. A precipitate vote might not lead to the best results.

52. Mr. EVANS (Australia) said that his delegation approved draft resolution A/C.3/L.2111 in the light of what the representative of the Secretary-General had said about the resources available for the proposed study.

53. The CHAIRMAN suggested that the Committee should postpone the vote on draft resolutions A/C.3/L.2110/Rev.1 and A/C.3/L.2111 until the next meeting.

It was so decided.

54. The CHAIRMAN reminded the Committee that the time-limit for the submission of amendments to the draft resolutions under consideration had been 23 October; the amendments contained in document A/C.3/L.2116 had been received on that day, but no amendments to draft resolution A/C.3/L.2111 had been received. Therefore, the amendment put forward by the representative of Morocco could be accepted only as a revised text.

55. Miss VOLLMAR (Federal Republic of Germany) said that her delegation had supported the resolutions adopted by the fifty-sixth session of the Economic and Social Council on matters relating to the attainment by women of equal rights and opportunities. The adoption of the Programme for the International Women's Year by the Council, in its resolution 1849 (LVI), had given rise to considerable activity within the Federal Republic of Germany. Her Government and the many non-governmental women's organizations and associations in the Federal Republic were making preparations for a national campaign during the Year. Although women in her country had already attained equality under the law, much remained to be done from the *de facto* point of view, particularly in making women aware of their rights and opportunities and making society willing to recognize those rights fully.

56. On 17 October 1974 the Federal Cabinet had discussed the International Women's Year. The Federal Minister for Youth, Family Affairs and Health had been made

responsible for co-ordinating plans for observance of the Year in the Federal Republic, assisted by a Committee of Parliamentary State Secretaries drawn largely from the ministries dealing with women's affairs. In order to solicit the participation of all major groups of society, the Ministry for Youth, Family Affairs and Health would form a board of some 45 representatives of the relevant organizations and associations, mainly women holding prominent positions in public life, with a view to promoting the aims of the International Women's Year and acquainting the public with them; making suggestions for the programme, approving it and submitting it officially; and suggesting action to be taken by the various organizations and providing information on such activities. The Committee of Parliamentary State Secretaries would co-ordinate the programme at the interdepartmental level. The programme was to be under the patronage of the President of the Federal Parliament, the woman holding the highest political office in the Federal Republic. Further plans included publicity work on a comprehensive scale to improve the legal and social status of women, publication of documentation on the implementation of equal rights for women, examination of the rating of jobs held by women, opinion polls on equal rights, panel discussions with journalists on the subject of equal status and the publication of a brochure by the Federal Press and Information Office. The Ministry for Youth, Family Affairs and Health also planned a campaign to combat prejudices concerning the roles of men and women in society and to encourage active participation of women in public life.

57. In January 1975 the Federal Government would sponsor an International Congress of the German Women's Council in Bonn and a Congress of the German Women's Association in Mainz. Both Congresses would be attended by the United Nations Assistant Secretary-General for Social Development and Humanitarian Affairs and would give a promising start to the activities planned for the International Women's Year in the Federal Republic.

58. Her delegation fully supported draft resolution A/C.3/L.2113/Rev.1 and had joined the list of sponsors.

59. Mr. KLEMOLA (Finland) said that his Government based its consideration of the status of women at the national and international level on the concept of equality among all human beings. Improvement in the status of women was an integral part of human development and should not be isolated from other political, economic and social issues or discussed by women alone, as was frequently the case. There was no reason to restrict the question of women to certain specific fields or to limit certain responsibilities to women alone. For instance, the concept of family planning was often associated with the status of women alone, although the right and responsibility to decide on the number and spacing of children belonged to both men and women. Reference was frequently made to the employment of women with family obligations. In his delegation's view, facilities should be established for both working parents, since both should share family responsibilities.

60. The United Nations had decided to launch yet another international year for one specific issue, the International

Women's Year. The Economic and Social Council had decided in May 1974, by its resolution 1851 (LVI), to highlight the year by convening an international conference in June 1975, leaving limited time for preparations for the conference. Unlike procedures for similar conferences on specific topics, an intergovernmental preparatory group had not been established to deal with the Conference under consideration. His delegation had already expressed its concern regarding the procedure adopted at the fifty-sixth session of the Council, but it had supported the resolution on the conference and therefore shared responsibility for it.

61. In view of the insufficient financial resources available for the implementation of the programme of the International Women's Year in the regular budget of the United Nations, his Government intended to contribute to the voluntary fund established by Council resolution 1850 (LVI). In Finland, a committee had been entrusted with the task of co-ordinating the implementation of the programme for the International Women's Year. It had outlined Finnish national goals and was in charge of mass information, educational programmes and other measures.

62. It would have been useful if the Secretariat had provided the Committee with more detailed information on, for instance, the substantive content of the conference, the agenda, the way in which Governments would be involved in preparations.

63. His delegation hoped that the conference would not become yet another occasion at which only women would talk about their status. It therefore welcomed Economic and Social Council resolution 1851 (LVI) which called for equal representation of women and men at the conference. It was to be hoped that Governments would bear that recommendation in mind when nominating their delegations and that they would prepare their delegations to express their position on the specific action to be taken both nationally and internationally to achieve equality between the sexes. His delegation believed that that was essential for the success of the conference and that the conference must produce some plan of action which would take full account of national differences regarding the required measures. The agenda should be drawn up so that the conference would not spend too much time on general topics but would concentrate on specific action to be taken in the future.

64. Miss BEAGLE (New Zealand) said that the decision to designate 1975 as International Women's Year showed that the international community recognized that in order to meet the demands of modern society and to improve the quality of national life, women must be able to exercise their capabilities in a much wider context than had hitherto been the case for the vast majority. During the International Women's Year, particular attention would be focused on the potential and the problems of women, but it was to be hoped that the interest generated by the activities would continue beyond 1975.

65. New Zealand was relatively free of discrimination on the grounds of sex. New Zealand women played an active part in all facets of national life. A more flexible approach to the sharing of roles and responsibilities was being evolved but the values of family life were being preserved. Long

overdue recognition was being given to the important contribution made by women in the home and voluntarily outside the home in assisting community and welfare services. New Zealand was also working to remove economic and social barriers which inhibited both initial employment opportunities and re-employment of women in satisfying jobs.

66. Considerable progress had been made. Equal pay was the rule throughout the Government service and legislation passed in 1973 required that it should be put into effect throughout the private sector by 1978. Rights granted by law, however, were not sufficient. There must also be acceptance of the need for fundamental changes in long-standing attitudes and practices. Although New Zealand had been the first nation in the world to give women the vote, in 1893, in the most recent general election 92 per cent of the candidates and 95 per cent of those elected had been men. It was therefore imperative that efforts during the International Women's Year should not be directed exclusively towards women: it was equally important that men should re-evaluate their traditional roles in the family and society.

67. In 1973 her Government had established a parliamentary select committee to look into all aspects of women's rights in New Zealand, and in 1975, that committee would report to Parliament on areas where administrative, legislative and other measures might be required. A national committee on women had also been set up on a permanent basis and, under the Cabinet Committee on Policy and Priorities, it would promote and co-ordinate activities in New Zealand to mark the International Women's Year. The Committee also had the task of monitoring the situation of women in New Zealand and advising the Government on a continuing basis. It would act as a link between the public and the private sectors and ensure that non-governmental organizations from every section of the community were involved in promoting the objectives of the Year.

68. Her delegation supported draft resolution A/C.3/L.2113/Rev.1. It looked forward to the International Women's Year conference, which related directly to the activities undertaken in connexion with the Second United Nations Development Decade and would provide an opportunity for every State to review its progress in implementing United Nations standards relating to women's rights. Her delegation felt that it was essential that the United Nations itself should set an example in that field and therefore fully supported Economic and Social Council resolution 1857 (LVI) on the employment of women by the secretariats of organizations within the United Nations system.

69. The time had come for all nations to look at the position of women in their societies seriously and objectively. It had become increasingly obvious that the complex problems facing the world could be solved only by utilizing to the full the potential of every citizen, male and female.

70. Miss HARELI (Israel) said that the real value of dedicating a single year to a subject as broad and complex as the position of women in society might well give rise to doubt. Therefore, the Year should not be a passing episode,

but rather an occasion to intensify past efforts which would, it was to be hoped, be continued at a higher level after 1975. In Israel it was intended to implement the International Women's Year by intensifying a process which had already been initiated. A national committee for International Women's Year had been formed representing all national women's organizations, voluntary agencies, universities and Government ministries. The highlight was to be a special day celebrating the Year, while intensive information and educational activities were being planned to take place throughout the Year.

71. Turning to the subject of equality of occupational and economic opportunity, she said that *de jure* equality was not sufficient to allow women to develop their full potential. Women would continue to fulfil their role as mothers in all societies and under all circumstances and therefore so-called "special privileges" were necessary to ensure effective equality as opposed to *de jure* equality. That was a fairly straightforward matter where special health regulations for working women or maternity leave and benefits were concerned. But in the professional and economic fields, effective equality was often impaired in subtle ways: for instance, many women who would like to work outside their homes were prevented from doing so by the absence of *crèches* and nursery schools for their small children. In many countries tax systems were another obstacle to married women seeking employment. Either the wife's earnings were added to her husband's income, placing both in a high income tax bracket, or, where their incomes were considered separately, the cost of help in the home was not recognized as a deductible expense. Some ministries of finance tended to be rather obtuse about matters of that kind and their policies sometimes ran counter to the national interest as perceived by other Government agencies. For example, the Ministry of Health might wish to see urgently needed married women doctors and nurses return to work while income tax regulations acted as deterrents to their doing so.

72. Such questions should receive systematic attention from national Governments and international organizations, including the competent organs within the United Nations system. Economic planning and policy-making with special reference to the utilization of "woman power" at all levels should be given priority consideration in the dual context of the International Women's Year and the International Development Strategy for the Second United Nations Development Decade (General Assembly resolution 2626 (XXV)). Of course, women should be full partners in the planning and policy-making process.

73. Although tradition, concepts and problems concerning women varied considerably from country to country, depending on the stage of development of each, the basic elements of the status of women in society were common to all. Thus international exchanges of views and co-operation in solving the problems of women were of vital importance. Her delegation therefore valued the seminars, meetings and study tours organized by the United Nations as well as the international programmes for women conducted by other international organizations and by individual Governments. Israel had been making contributions in that field. The first International Seminar on the Role of Women in a Developing Society had been held in Israel in

1971. Due to its success, it had been followed by six similar seminars. The Mount Carmel International Centre for Community Development, in Haifa, ran intensive international courses devoted to a specific aspect of development with special emphasis on the role of women, particularly rural women. Many of its programmes were being carried out in co-operation with United Nations specialized agencies, including the ILO, FAO, WHO and UNESCO.

74. In her delegation's view, equality in job opportunities should begin in the United Nations. However, women in positions of responsibility and decision-making within the Secretariat were still few and far between. The appointment of a woman Assistant Secretary-General was gratifying, but the uniqueness of the event pointed up the unsatisfactory general situation. Her delegation was aware of the problems posed by the need to pay attention to both equitable geographical distribution and wider employment of women, but that awareness should not lead to acquiescence. It would seem that the difficulty applied more to the recruitment of new staff members than to promotion. It was incongruous that there were only 10 women in the category of principal officers and above out of a total of 298 such posts. Similarly, the number of women already employed in the Secretariat who were qualified for professional posts was higher than the number of women who actually held such posts. Her delegation hoped that the Secretary-General would take note of the situation.

75. Israel supported draft resolution A/C.3/L.2113/Rev.1.

76. Mr. ELTAYEB (Sudan) said that development and state-building were accorded top priority in many developing countries but neither could be achieved without the active participation of women. The real measure of development was not *per capita* income but the ability to

respond to modern needs; it entailed adaptation and innovation not only in the political but also in the economic, social and cultural fields. Women had a role to fulfil in all those fields and his Government had striven to create a climate in which Sudanese women would be encouraged to realize their full potential.

77. Under the Constitution every citizen was entitled to an education and efforts had been made to increase the number of schools throughout the country. Sudanese women enjoyed all political rights on an equal footing with men and were represented in the People's Assembly as well as in local councils. There was even a specialized Women's Secretariat in the Sudanese Socialist Union, the highest political organization in the country. The Public Service Law, promulgated by the May Revolution of 1969, had established the obligations and privileges of working women on an equal footing with men; they included equal pay for equal work and equal access to employment. Continuing efforts were being made by all Government services to bring those rights to the knowledge of people in rural as well as in urban areas, for awareness was the best guarantee of the rights of all citizens, both men and women.

78. His delegation fully supported draft resolution A/C.3/L.2113, of which it was a sponsor, for it believed that political, economic and social issues could not be solved without the participation of women, who accounted for 51 per cent of the world's population. The Sudan would welcome the opportunity to host regional seminars and conferences in connexion with the International Women's Year; indeed, various organizations in the Sudan were already working to publicize and solicit support for the International Women's Year.

The meeting rose at 6.10 p.m.

2074th meeting

Monday, 28 October 1974, at 3.10 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2074

AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections D to F), IV (section J), V (sections A to C, D, paragraphs 436 to 478, 487 to 492 and 494 to 506, and E), VI (sections A.1 to 5 and 7, E and G) and VII (sections 1 to 3)] (*continued*) (A/9603, A/9637, A/9707, A/9733, A/9764, A/9767, A/9785, A/C.3/L.2110/Rev.1, 2111/Rev.1, 2113/Rev.1, 2115-2118)

1. The CHAIRMAN announced that Australia, Dahomey, Greece, Nepal and Yugoslavia had joined the sponsors of draft resolution A/C.3/L.2113/Rev.1 and that Nepal had joined the sponsors of draft resolution A/C.3/L.2110/Rev.1.

2. She invited delegations to continue their statements on chapter V, section D, of the report of the Economic and

Social Council (A/9603), on the report of the Commission on the Status of Women.¹ The draft resolutions on improvement of the effective enjoyment of human rights and fundamental freedoms (A/C.3/L.2111/Rev.1) and assistance and co-operation in accounting for persons missing or dead in armed conflicts (A/C.3/L.2110/Rev.1) and the amendments thereto (A/C.3/L.2116) would be taken up later in the meeting.

3. Mrs. ABANKWA (Ghana) said that, although many countries had accepted the principle of equality between men and women proclaimed in the Charter and other relevant instruments and had adopted progressive laws to put that principle into effect, the position of women in society was in practice far from one of equality with men.

¹ *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 4.*