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**THIRD COMMITTEE, 1636th
 MEETING**

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Chairman: Mr. Erik NETTEL (Austria).

Organization of work

1. The CHAIRMAN recalled that on 1 October, at its 1556th meeting, the Third Committee had decided that its work should be completed by 13 December. There were still seven draft resolutions to be studied concerning the International Year for Human Rights, and the following items of the agenda had still not been taken up: Creation of the post of United Nations High Commissioner for Human Rights (item 56); Elimination of all forms of racial discrimination (item 57); Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of *apartheid*, in all countries, with particular reference to colonial and other dependent countries and territories (item 58); Elimination of all forms of religious intolerance (item 54); Report of the Economic and Social Council (item 12); Freedom of information (item 60); Housing, building and planning (item 52); Town twinning as a means of international co-operation (item 53); Assistance in cases of national disaster (item 48); Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (item 61); and Need to impart to the teaching staff of primary and secondary schools a knowledge of the United Nations and its specialized agencies, with particular reference to the Universal Declaration of Human Rights (item 90).

2. If the Committee could not complete its work by Friday 13 December it would be possible for it to hold three further meetings on Monday 16 and three meetings on Tuesday 17 December. Some of the draft resolutions relating to questions which the Commit-

tee had not been able to examine could probably be adopted without difficulty; the draft concerning assistance in cases of natural disaster must be adopted at the current session because of its financial implications.

3. Mr. NASINOVSKY (Union of Soviet Socialist Republics) thought that the Committee should complete the study of the draft resolutions concerning the International Year for Human Rights, but should confine itself to the study of those which had a real direct connexion with the resolutions adopted by the International Conference on Human Rights, leaving aside the others which had nothing to do with those resolutions, such as that distributed under symbol A/C.3/L.1640/Rev.1. Then the report of the Economic and Social Council should be examined, and the resolutions which the Council had decided at its forty-eighth session to submit to the General Assembly.

4. Mrs. BARISH (Costa Rica) said that her delegation along with several others would submit a draft resolution concerning the creation of the post of United Nations High Commissioner for Human Rights (item 56), suggesting that the examination of that question should be deferred to the following session of the General Assembly; and she expressed the hope that the Committee would adopt the draft.

5. Mr. NAÑAGAS (Philippines) considered that the Committee should adopt a procedural resolution on that item. In reply to the observations made by the Soviet Union representative, he thought it would be difficult to select from among the draft resolutions those which directly concerned the resolutions of the Teheran Conference.

6. Mr. FORSHELL (Sweden) thought it would be useful to limit the length of speeches to five minutes.

7. Mr. PAOLINI (France) thought that the Third Committee should study all the draft resolutions submitted. He pointed out that a number of drafts, some of them submitted by the Economic and Social Council, had to do with questions already studied by the Teheran Conference, and there was no point in embarking on a detailed debate, since the Committee had already provided in the resolution adapted as a sequel to draft resolution A/C.3/L.1623/Rev.1 for the case of all resolutions calling for action on the part of the General Assembly.

8. Mr. RIBEIRO (Uruguay) pointed out that the question of the creation of the post of United Nations High Commissioner for Human Rights had been considered as a matter of priority by the General Assembly. His delegation had advocated the creation of such a post at the fifth session of the General Assembly and the following year had submitted a draft resolution to that effect. The question had become still more important

following the adoption of the International Covenants on Human Rights, and his delegation therefore sincerely hoped that it would be given a high priority. For that reason, it had joined with other delegations in putting forward the draft resolution mentioned by the representative of Costa Rica, and it too hoped that the draft would be adopted.

9. Mr. ABUL-NASR (United Arab Republic) thought that after studying the draft resolutions concerning the International Year for Human Rights, the Third Committee should adopt a single resolution referring the study of all the items it had been unable to handle at the current session to the next session of the General Assembly.

10. Mr. ARTAZA (Chile) thought that the Committee should adopt a resolution on the question of the creation of the post of United Nations High Commissioner for Human Rights (item 56); and he agreed with the representative of Sweden that the length of speeches should be limited.

11. Mr. de GUZMAN (Colombia) was opposed to limiting the length of speeches; he considered it was wrong in that way, for want of time, to speed up the examination of the final questions dealt with by the Committee.

12. After a discussion in which Mr. JHA (India), Mrs. AFNAN (Iraq), Mrs. WARZAZI (Morocco), Mr. SQUIRE (United States of America), Mr. GRADZIUK (Poland), Mr. ZORRILLA (Mexico), Mr. KACHURENKO (Ukrainian Soviet Socialist Republic), Mr. AMELI (Iran), and Mr. GAIFFIER-D'HESTROY (Belgium) took part, the CHAIRMAN suggested the following procedure: the Committee would meet on 16 and 17 December. Each representative would be at liberty to speak only once on any particular question, and the length of each intervention would be limited to five minutes. The limit could be slightly exceeded if the speaker were presenting a draft resolution. Speaking time would be limited to two minutes for explanations of vote and the exercise of the right of reply. The Committee would first complete the examination of item 62, to which it would devote its next five meetings. It would then turn to item 56 (Creation of the post of United Nations High Commissioner for Human Rights). In that respect the Committee should have no difficulty in adopting the draft resolution submitted to it in the current year, since it was identical with the text it had adopted the previous year on the same question. The Committee would then go on to examine item 48 (Assistance in cases of natural disaster), which should also not give rise to difficulties. It would then go on to examine the three draft resolutions recommended by the Economic and Social Council in connexion with items 57 and 58. After that it would take up the draft resolution on UNICEF and the two draft resolutions on narcotics submitted in connexion with item 12. Finally, it would adopt a draft resolution referring the examination of the other items on its agenda to the next session, in accordance with the procedure proposed by the representative of the United Arab Republic.

13. Mr. ABUL-NASR (United Arab Republic) said he had proposed that the examination of item 56 (Creation of the post of United Nations High Com-

missioner for Human Rights) should also be deferred until the twenty-fourth session of the General Assembly. He protested against the preferential treatment given to that question and reserved the right to request priority for other questions.

14. The CHAIRMAN pointed out that the draft resolution on item 56 had been submitted before the representative of the United Arab Republic had made his proposal.

15. Mr. PAOLINI (France) said he was anxious that the draft resolution on item 56 should be studied before item 12 (Report of the Economic and Social Council) which in fact it preceded on the Committee's agenda.

16. The CHAIRMAN invited the Committee to take a decision on its programme of work by adopting the procedure that he had suggested.

It was so decided.

AGENDA ITEM 62

International Year for Human Rights (continued)
(A/7194, A/7195, A/7195/Add.1 and Add.3-8, A/CONF.32/41, A/C.3/L.1635/Rev.2, A/C.3/L.1637/Rev.2, A/C.3/L.1638/Rev.1 and Rev.1/Add.1, A/C.3/L.1639, A/C.3/L.1640/Rev.1, A/C.3/L.1641/Rev.1, A/C.3/L.1642/Rev.2, A/C.3/L.1651):

- (a) Measures and activities undertaken in connexion with the International Year for Human Rights: report of the Secretary-General;
- (b) International Conference on Human Rights

CONSIDERATION OF DRAFT RESOLUTION A/C.3/L.1635/REV.2 (concluded)

17. Mr. ABUL-NASR (United Arab Republic) thanked the Italian representative for the changes she had made in the final version of her text (A/C.3/L.1635/Rev.2) and said he was in a position to support it.

18. Mr. SANON (Upper Volta) said that, after consultations between his delegation and the Italian delegation, it had been decided to delete the reference to UNIDO in operative paragraph 4.

19. Mrs. STEVENSON (Liberia) thanked Italy for accepting the suggestions of certain delegations. She would like to emphasize the part played by youth in the modern world and the importance, in that connexion, of the training of young people, in whom the love of peace and respect for human rights must be inculcated. She would therefore vote in favour of the draft resolution.

20. Miss CAO-PINNA (Italy) thanked the delegations which had given her their support and which, by their valuable suggestions, had enabled her to improve the text of her draft resolution; she hoped that it could be adopted unanimously.

21. She suggested two slight drafting changes, namely, the replacement of the words "to the principles" in operative paragraph 1 (a) by "of the principles" and the insertion of the word "their" before "assistance" in operative paragraph 4.

22. Mrs. AFNAN (Iraq) said that she still had reservations with regard to operative paragraph 1 (b) of the draft resolution and would request a separate

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vote on the words "in the curricula of primary and secondary schools". She was sorry that the representative of Italy had not agreed to express thanks to UNESCO in operative paragraph 4 before requesting it to continue its assistance. She would also request votes on operative paragraphs 2 and 4.

23. Mr. VALDIVIESO (Peru) moved that the debate on draft resolution A/C.3/L.1635/Rev.2 should be closed and that it should be put to the vote immediately.

It was so decided.

24. The CHAIRMAN read out the changes which had been made orally in draft resolution A/C.3/L.1635/Rev.2.

25. Mrs. AFNAN (Iraq) withdrew her request for separate votes, in order to facilitate the work of the Committee.

Draft resolution A/C.3/L.1635/Rev.2, as orally revised, was adopted by 76 votes to none, with 8 abstentions.

26. Mr. GRADZIUK (Poland) said that he had abstained from voting on the draft resolution, the wording of which seemed to him to be too vague, but the abstention in no way prejudged the attitude which his country would adopt in practice.

CONSIDERATION OF DRAFT RESOLUTION
A/C.3/L.1637/REV.2

27. Mr. SANON (Upper Volta), introducing draft resolution A/C.3/L.1637/Rev.2 on behalf of the sponsors, said that, twenty years after the adoption of the Universal Declaration, human rights were still being violated in many parts of the world, particularly the Far East and the Middle East. However, of all the violations whose occurrence was to be deplored, the most serious and the most revolting to the conscience of mankind were unquestionably those which resulted from the odious policy of apartheid practised by the Government of South Africa and from the colonialist and racist policy applied by the Lisbon and Salisbury Governments, with the complicity of the imperialist Powers. At a time when the International Year for Human Rights was being celebrated, the United Nations had the duty to put an end to such practices, for as long as they continued there could be no real progress in the field of human rights. A first step had been taken in that direction with the adoption of the Proclamation of Teheran, which had condemned racial discrimination and apartheid and recognized the legitimacy of the struggle of the peoples of Africa to free themselves. However, it was not enough to condemn apartheid; vigorous measures must be taken to abolish it. Among other things, the great Powers must stop supporting the Pretoria, Lisbon and Salisbury Governments by providing them with military and economic aid. In calling upon all States to sever all relations with those three Governments, operative paragraph 7 of the draft resolution simply echoed resolutions already adopted by the General Assembly.

28. Mr. VALDIVIESO (Peru) observed that under the terms of Article 11, paragraph 3, of the Charter the General Assembly might only call the attention of the Security Council to situations which were likely

to endanger international peace and security, and under the terms of Article 41 it was the Security Council that might decide what measures were to be employed in the event of a threat to the peace and might call upon the Members of the United Nations to apply such measures. Consequently, operative paragraph 7 of draft resolution A/C.3/L.1637/Rev.2 gave rise to serious reservations on the part of his delegation. However, although the General Assembly might not call upon Governments to sever relations with certain States, it might, under Article 14 of the Charter, recommend measures for the peaceful adjustment of any situation likely to impair the general welfare or friendly relations among nations. In any event, he would like to hear the views of the Legal Counsel on that point.

29. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that, in view of the terms of draft resolution A/C.3/L.1637/Rev.2, his delegation would have no difficulty in supporting it. He wished only to observe, with regard to operative paragraph 9, that in its resolution XXIV the Teheran Conference had urged the General Assembly to consider the possibility of declaring 1969 or 1970 as International Year for Action to Combat Racism and Racial Discrimination. Thus, it was for the General Assembly, and consequently the Third Committee, to take the decision. His delegation would therefore like to suggest, without making a formal proposal, that the sponsors of the draft resolution should state in paragraph 9 that the International Year in question would be celebrated in 1969.

30. Mrs. PICKER (United States of America) said that her delegation had had opportunity earlier in the Third Committee to explain its position with regard to colonialism, racial discrimination and apartheid. At the 1622nd meeting, in her general debate statement on the International Year for Human Rights she had said that the greatest measure of progress in the field of human rights since 1948 was the fact that fifty-nine new nations had achieved independence. Concerning apartheid, she had said that no society based on racism could long endure. The United States continued to search for all practical and peaceful means to persuade the South African authorities to abandon their irrational and self-destructive attempt to stand against the tide of racial justice and human dignity. Mr. Cooper had also elaborated United States policy on apartheid at the 610th meeting of the Special Political Committee held on 8 November 1968. Thus, her delegation deeply regretted not being able to support the draft resolution under consideration. Her delegation had difficulty with both the practical and legal means which the co-sponsors of the draft resolution sought to use to eliminate apartheid, racial discrimination and colonialism. For example, it could not support the wording of operative paragraph 2, in which the General Assembly deplored the refusal of the Government of the United Kingdom to take effective measures to suppress the illegal régime of Southern Rhodesia. The United Kingdom Government had taken the matter to the Security Council, which had decided to adopt sanctions against Southern Rhodesia. That policy was being strictly enforced by the United States and a number of other States. The Committee would be better advised to call on all Member States to implement fully the Security Council resolution.

31. With regard to the treatment of prisoners of war, the United States supported the right of persons involved in fighting to be treated humanely when taken prisoner. Article 3 of the 1949 Geneva Convention relative to the Treatment of Prisoners of War^{1/} should be respected and, where possible, improved upon. However, operative paragraph 5, as worded, did not adequately or accurately cover the problem. Lastly, her delegation was unable to agree with paragraph 7, because the situations with respect to South Africa and Portugal did not fall within the purview of Chapter VII of the Charter.
32. Her delegation sincerely regretted that because of the language of draft resolution A/C.3/L.1637/Rev.2 and its legal implications her delegation could not voice by vote its opposition to apartheid, racial discrimination and violations of human rights in colonial territories.
33. Mr. RIOS (Panama) said that his country had a profound respect for human rights and deplored the fact that those rights were constantly violated in certain parts of the world, including Eastern Germany, where the Berlin wall was a disgrace to mankind, and South Africa, where the authorities should understand the senselessness of any policy of racial discrimination. However, his delegation was unable to support the draft resolution under consideration, operative paragraph 2 of which in effect condemned the United Kingdom Government for not taking up arms against Southern Rhodesia. Furthermore, paragraph 7 was incompatible with the Constitution of Panama, under which only the President of the Republic had the right to sever relations with other countries. Lastly, the word "patriotic" in operative paragraph 8 did not seem felicitous to his delegation, since many subversive movements in Latin America described themselves as such.
34. Mr. MEHIRI (Tunisia) urged the members of the Committee to be consistent and to vote in favour of the draft resolution, which categorically condemned the abhorred policies of apartheid and racial discrimination. In the view of his delegation, the draft resolution under consideration, despite its imperfections of form, deserved to be adopted.
35. Mr. CASTILLO ARRIOLA (Guatemala) said that operative paragraph 2 contained an incorrect statement; it was untrue to say that the Government of the United Kingdom had failed to take measures against Southern Rhodesia. Furthermore, although it was right to condemn Portugal, South Africa and Southern Rhodesia for their defiant attitude towards the United Nations, the Security Council was the only organ empowered to take sanctions against those countries. Consequently, if the draft resolution was put to the vote as a whole his delegation would support it with reservations, and if it was put to the vote paragraph by paragraph it would abstain on operative paragraphs 2 and 7.
36. Mrs. DE BROMLEY (Honduras) said that her country categorically condemned the policy of apartheid, but for historical and economic reasons it continued to maintain diplomatic relations with Portugal. Her delegation would therefore be unable to support the draft resolution under consideration.
37. Miss LOPES (Portugal) protested strongly against the political character of the draft resolution under consideration, and said she wondered whether the delegations sponsoring it and those supporting them were really seeking to work for the promotion of human rights or whether they were only using human rights as a pretext to raise political questions, which it was not within the competence of the Third Committee to do. For the sake of impartiality, all countries which committed violations of human rights should be named. In that connexion, she pointed out that the inhabitants of the Portuguese overseas territories enjoyed the same rights as the citizens of the metropolitan country. Lastly, operative paragraph 7 was a violation of the Charter, since only the Security Council was competent to take a decision on the matter.
38. Mr. ABOUL-NASR (United Arab Republic) drew the attention of the representative of Peru to Article 10 of the Charter.
39. Mr. ABED (Algeria) pointed out that there was no possibility of peace unless fundamental human rights and freedoms were respected and unless all countries enjoyed full sovereignty. It was regrettable that certain Powers continued to give material, moral and political support to South Africa and Portugal while their delegations to the United Nations were commiserating with the victims of apartheid. In the view of his delegation, the exercise of human rights was a political concept, and to defend human rights meant to liberate man, including liberating him from colonialism; for one could not speak of the liberty of man while refusing to recognize Angolan or Palestinian citizens as such. His delegation condemned such an attitude and appealed to all countries which were attached to justice, liberty and peace to support draft resolution A/C.3/L.1637/Rev.2.
40. Mr. SOW (Senegal), replying to the Soviet Union representative's suggestion, on behalf of the sponsors, said that it was too late now to decide, in accordance with the wish expressed by the Teheran Conference in its resolution XXIV, that the year 1969 should be devoted to action to combat racism and racial discrimination. The sponsors were requesting the Secretary-General to consider the question and to report to the General Assembly at its twenty-fourth session. He would like to know whether the Secretariat already had any possibilities in mind in that connexion.
41. Mr. PAPADATOS (Greece) requested that the closure of the debate should be deferred until the following meeting, since certain delegations, including his own, were awaiting instructions from their Governments.
42. Mr. SANON (Upper Volta) quoted, in support of the draft resolution, paragraph 3 of General Assembly resolution 1760 (XVII) concerning Southern Rhodesia, and paragraph 7 of General Assembly resolution 1807