



SUMMARY RECORD OF THE 72nd MEETING

Chairman: Mr. GARVALOV (Bulgaria)

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 77: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS: REPORTS OF THE SECRETARY-GENERAL (continued)

Explanation of votes on the resolutions adopted under item 77

1. Miss WELLS (Australia), referring to draft resolution A/C.3/35/L.53/Rev.1, said that it must be clearly understood that the text could not be interpreted as imposing any restriction on the freedom of the Commission on Human Rights to fulfil the mandate assigned to it under Article 68 of the Charter. In the opinion of her delegation, no further measures should be adopted on any of the issues concerned until the important study on human rights and the new international economic order being prepared by the Sub-Commission's Special Rapporteur had been completed. Certain aspects of the draft resolution, for example, the fifth preambular paragraph, most of paragraph 3 and the last part of paragraph 7, must be regarded as limited by the need to maintain the integrity of the Special Rapporteur's study, which her delegation fully supported. For those reasons, her delegation could not support the draft resolution.
2. Her delegation hoped that the study requested in paragraph 12 of General Assembly resolution 34/46 would take into account the different trends in the relevant debate. It was essential that the study should give priority to the statement by the representative of the Soviet Union on the internal affairs of Afghanistan which, in her opinion, was the most blatant example of neo-colonialism and of many of the serious violations of human rights specified in General Assembly resolution 34/46. She accordingly hoped that the study referred to in paragraph 7 of draft resolution A/C.3/35/L.53/Rev.1 would deal fully with the issues included in the resolutions of the General Assembly and the Commission on Human Rights concerning Afghanistan.
3. Mr. KABBANI (Saudi Arabia) said that his delegation would have voted against draft resolution A/C.3/35/L.58 on the creation of a post of High Commissioner for Human Rights if it had been put to the vote, because of the political motives which prompted certain States to advocate its creation. He also wished to make it clear that his delegation had abstained instead of voting in favour of the first paragraph of draft resolution A/C.3/35/L.59/Rev.2.
4. Mr. BYKOV (Union of Soviet Socialist Republics) said that his delegation had voted in favour of draft resolution A/C.3/35/L.53/Rev.1 which it considered extremely important, since it was based on concepts put forward in General Assembly resolution 32/130. The United Nations organs dealing with human rights should concentrate their main efforts on the implementation of the concepts set forth in that resolution. He attached great importance to paragraph 6 of draft resolution A/C.3/35/L.53/Rev.1, which called for a seminar on relations that existed between human rights, peace and development. In his opinion the measures provided for in that paragraph should be carried out without additional appropriations under the approved budget and should be financed by savings from the redistribution of resources from activities which had been completed or were obsolete, of marginal value or ineffective.

5. A number of delegations of Western countries, including Australia, had tried to distort the content of resolution 32/130 by making reservations. The Australian delegation had made gratuitous slanderous attacks on the Soviet Union which his delegation categorically refuted. No one could be deceived by such tactics, the purpose of which was to oppose resolution 32/130.

6. As for draft resolutions A/C.3/35/L.58 and L.59 in their revised form, which had been adopted without a vote, his delegation had not opposed their adoption since it regarded them as procedural. In his opinion the original draft resolutions on the creation of a post of High Commissioner for Human Rights and the establishment of the so-called fact-finding missions were in direct contradiction to the United Nations Charter and constituted interference in the internal affairs of States which was totally inadmissible. He also considered that adoption of those procedural resolutions could not prejudge the way in which that matter was dealt with in the Commission on Human Rights.

7. Mrs. RODRIGUEZ (Venezuela) said that her delegation had voted in favour of draft resolution A/C.3/35/L.53/Rev.1, although she considered that it was not clear enough regarding the need to find effective solutions for safeguarding human rights and fundamental freedoms at the international level.

8. Mr. MÜNCHEN (Luxembourg) said that the nine member countries of the European Economic Community had abstained in the vote on draft resolution A/C.3/35/L.53/Rev.1. In his opinion the draft resolution did not place enough emphasis on the human rights of the individual or give civil and political rights the same attention as economic, social and cultural rights, which was a departure from the spirit of the Declaration of Human Rights. In that respect the amendments proposed by the United Kingdom had been reasonable and constructive and should have been accepted.

9. While he agreed that the achievement of a more balanced international economic order would help to promote human rights and fundamental freedoms, it was unfortunate that the draft resolution appeared to make the promotion of human rights dependent on the establishment of the new international economic order. He also felt that, while the work of the Commission on Human Rights on the right to development should continue, paragraph 5 was premature. In connexion with the eighth preambular paragraph, he believed that the concept of the participation of workers in management was out of place in an enumeration of human rights.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/C.3/35/13, 14, A/C.3/35/L.54/Rev.1, L.84, L.85, L.86, L.93, L.94, L.95; A/C.3/35/L.52/Rev.2, L.60, L.61, L.64, L.66, L.68, L.70, L.71, L.74, L.76, L.77, L.78, L.79, L.88)

10. Mrs. RICHTER (Argentina), introducing draft resolution A/C.3/35/L.54/Rev.1 on behalf of the delegations of Benin, the Dominican Republic, Ecuador, Jordan, Kenya, Papua New Guinea, the Philippines and Venezuela, and her own delegation, said the sponsor thought that the reference in the first preambular paragraph to General Assembly resolution 34/173 made it unnecessary to repeat the text of that resolution. The fourth preambular paragraph had been included to take account of

(Mrs. Richter, Argentina)

the suggestions made to the sponsors by one delegation that it would be appropriate to strengthen the appeal for the co-operation of all organizations and bodies of the United Nations system which had the necessary interest or expertise. The bodies which should have an interest in co-operating with the Secretary-General included the Division of Human Rights, while the bodies which had the expertise to provide valuable assistance included the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs.

11. The fifth preambular paragraph reproduced the information received by the Committee concerning organizations already involved in the preparation of the report requested. The sixth preambular paragraph referred to the information system on transnational corporations in the Centre on Transnational Corporations; the Centre had initiated a fundamental reform of the information system, assigning 25 per cent of the resources of the computer section to those kinds of information which Governments primarily requested. The last preambular paragraph was designed to avoid a situation in which a value judgement might impede the flow of objective information to States in whose territories a particular product, which had harmful effects on the health of the population, was being consumed. Since the thalidomide tragedy in 1961 the international community had become increasingly aware of the need to concern itself with the safety and efficacy of internationally marketed products. The matter was of particular interest to developing countries, given the embryonic state of bromatological institutes in many such countries, together with the fact that some non-governmental organizations distributed as part of their development "aid" programmes products which had been found to be harmful and dangerous in their country of origin, as has happened with some family planning programmes.

12. The sponsors hoped that the information called for in paragraph 1 would enable the World Health Organization to strengthen its internal communication channels and possibly to speed up the establishment of the advisory committee to which the representative of the World Health Organization had referred in his statement. Paragraph 2 requested the Commission on Transnational Corporations to study existing ways and means within the information system on transnational corporations. The representatives of transnational corporations who took part in the work of that Commission could co-operate in making effective recommendations to restrain the activities of pirate or ephemeral undertakings. Paragraph 3 repeated the request made by the General Assembly in its resolution 34/173, while paragraph 4 appealed to the United Nations organs, organizations and bodies concerned, and especially the World Health Organization, to provide the requisite assistance, expertise and co-operation.

13. Her delegation hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/35/L.84

14. Mrs. FERNANDO (Sri Lanka) introduced draft resolution A/C.3/35/L.84 on behalf of the sponsors. The draft resolution arose out of General Assembly resolution 34/171 which had been adopted by consensus. Paragraph 1 of the draft resolution

(Mrs. Fernando, Sri Lanka)

referred to the efforts of the Organization of African Unity to elaborate an African Charter of Human Rights and to establish an African Commission on Human Rights. Paragraphs 2 and 3 were concerned with arrangements for a seminar of the Member States of the Asian region, which were understood as being the member States of ESCAP, to consider appropriate arrangements for the promotion and protection of human rights in the region. Those arrangements should emanate freely and spontaneously from the region itself in accordance with the circumstances and aspirations of the countries concerned, and the proposed seminar in Sri Lanka could be the starting-point for the project. The theme of the seminar had been left open. It had been considered best to allow the free exercise of the sovereign right of every Government to express its opinions, so as to promote a free flow of ideas and an exchange of views useful to all.

15. The sponsors of the draft resolution had revised the text to take account of suggestions and amendments offered by various delegations, and hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/35/L.85

16. Mrs. SEMICHI (Algeria), introducing draft resolution A/C.3/35/L.85 on behalf of the sponsors, said that the problems of migrant workers were universal and affected all regions of the world. The United Nations must therefore approach the question globally in order to supplement the work of the specialized agencies dealing with that category of workers, especially the International Labour Organisation, which had adopted various conventions on the subject. The General Assembly resolution 34/172 had decided to establish a working group open to all Member States to elaborate an international convention on the protection of the rights of all migrant workers and their families. Her delegation wished to pay tribute to Mr. González de León, the Chairman of that working group, for the spirit of conciliation in which he had conducted the group's work, endeavouring to find a formula which would reconcile the interests of the countries of origin of the migrant workers and those of the host countries, while protecting the migrant workers and their families.

17. Draft resolution A/C.3/35/L.85 was based on principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the International Covenants on Human Rights. The resolution basically recognized the problems of migrant workers and the need to solve those problems. Paragraph 1 welcomed the fact that the aforementioned working group had begun its work, and its report (A/C.3/35/13) was noted in paragraph 2. Paragraph 3 was of great importance for the continuation of the working group's labours. Finally, paragraphs 4 and 5 invited the Secretary-General to communicate to Governments the report of the working group and the preliminary draft convention to be drawn up by the working group.

18. Her delegation hoped that the draft resolution, which was perfectly straightforward, would be adopted by consensus.

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Draft resolution A/C.3/35/L.86

19. Mr. EDIS (United Kingdom), speaking on behalf of the delegations of Barbados, Belgium, Costa Rica, Egypt, Finland, France, the Federal Republic of Germany, Ghana, Jamaica, Mexico, Morocco, the Netherlands, Papua New Guinea, Sweden, the United Kingdom and Uruguay, introduced draft resolution A/C.3/35/L.86, entitled "Question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live".

20. The draft resolution concerned the draft declaration on that question contained in document A/35/363. The draft declaration took account of suggestions made during the thirty-first session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as the comments of a large number of Member States, and had been favourably received in the Commission on Human Rights and the Economic and Social Council.

21. In keeping with the recommendation of the Economic and Social Council, the Third Committee had decided, at the beginning of the current session, to set up a working group to put the finishing touches to the draft declaration. Under the chairmanship of the representative of Sweden, the working group had made considerable progress and had provisionally adopted two articles. However, much work remained to be done accordingly, the draft resolution asked for a working group to be established at the thirty-sixth session of the General Assembly for the purpose of concluding the elaboration of the draft Declaration. His delegation hoped that draft resolution A/C.3/35/L.86 would be adopted without a vote.

22. With regard to the financial implications of the draft resolution set forth in document A/C.3/35/L.95, his delegation felt the figures were not realistic and would like to discuss the matter privately with the Secretariat in order to clear up certain questions.

Draft resolution A/C.3/35/L.72

23. Mrs. RODRIGUEZ (Venezuela), speaking on behalf of the Member States belonging to the Group of 77, introduced draft resolution A/C.3/35/L.72 on the report of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

24. Despite the fact that crime was one of the major concerns of the contemporary world, the fight against crime and the treatment of offenders had not received the priority they warranted. The Group of 77 therefore asked for endorsement of the Caracas Declaration, adopted by consensus at the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, on the understanding that its implementation would benefit all countries. The draft resolution affirmed that crime prevention and criminal justice should be considered in the context of economic development, requested the Secretary-General to implement the conclusions concerning the new perspectives for international co-operation with respect to crime prevention adopted by the Sixth Congress and called upon all relevant organizations of the United Nations system to take the necessary measures to ensure the implementation of the principles contained in the Caracas Declaration.

(Mrs. Rodríguez, Venezuela)

25. Her delegation hoped that draft resolution A/C.3/35/L.72 would be adopted by consensus.

Draft resolution A/C.3/35/L.73/Rev.1

26. Mr. KLEIN (Austria), speaking on behalf of Austria, Colombia, Ecuador, the Federal Republic of Germany, the Netherlands, Sweden and the United States of America, introduced draft resolution A/C.3/35/L.73/Rev.1, on torture and other cruel, inhuman or degrading treatment or punishment. He recalled that at its thirty-first session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted a draft Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment with a view to consideration of the matter by the General Assembly at its thirty-fifth session. The working group established to elaborate a final version of the draft Body of Principles had not been able to conclude its work at the current session. That work could not be broken off mid-way; his delegation therefore proposed that, at the thirty-sixth session of the General Assembly, a working group should be established in order to conclude consideration of the draft Body of Principles. He hoped that draft resolution A/C.3/35/L.73/Rev.1 would be adopted by consensus.

27. Mr. GONZALEZ de LEO (Mexico), introducing the report of the open-ended working group on measures to improve the situation and ensure the human rights and dignity of all migrant workers (A/C.3/35/13), said that the report gave merely a factual account of what had taken place at the meetings of the Group and listed the working papers that had been considered. Annexed to the report were six Conference Room Papers which related to the different topics of concern to the Group and which would give Governments the opportunity to study those topics and prepare their positions for the next stage in the Group's work.

28. The representative of Algeria, in introducing draft resolution A/C.3/35/L.85, had given an accurate account of the group's future. It was hoped that, at the meeting to be held in May in New York, the Group would be able to draft the preamble and articles of the proposed convention. There were some 20 million migrant workers throughout the world who deserved special attention and the dedicated efforts of the working group and of the United Nations in general.

29. Mr. NORDENFELT (Sweden), introducing the report of the working group on questions of the human rights of individuals who are not citizens of the country in which they live, and of the draft Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment (A/C.3/35/14), said that the working group had held nine meetings with the participation of delegations from all regions and had decided to consider the items one at a time, alternately, at its meetings. Some differences of opinion had not been resolved at the current session, but in a number of instances, substantial results had been achieved. Because of the lack of time, the working group had not been able to consider the report, but it hoped that the Third Committee would take note of it so that the General Assembly, at its thirty-sixth session, could continue its work on the two questions.

30. The CHAIRMAN announced that a vote would be taken on draft resolution A/C.3/35/L.54/Rev.1. At the request of the delegation of the United Kingdom and other delegations, a separate vote would be taken on paragraph 2.

31. Paragraph 2 of draft resolution A/C.3/35/L.54/Rev.1 was adopted by 103 votes to none, with 25 abstentions.

32. At the request of the representative of Argentina, a recorded vote was taken on draft resolution A/C.3/35/L.54/Rev.1 as a whole.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Italy, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, Canada, Denmark, France, Germany, Federal Republic of, Ireland, Israel, Japan, Luxembourg, United Kingdom of Great Britain and Northern Ireland, United States of America.

33. Draft resolution A/C.3/35/L.54/Rev.1 as a whole was adopted by 119 votes to none, with 11 abstentions.

34. Mr. JOHNSON (United States of America), speaking in explanation of vote, said that his delegation had abstained in the voting on draft resolution A/C.3/35/L.54/Rev.1 because it did not believe that the Commission on Transnational Corporations was the appropriate body to deal with the subject of improving exchange of information on banned hazardous chemicals and unsafe pharmaceutical products, as envisaged in the draft resolution. The issue of hazardous substances involved more than just transnational corporations, and both Member States and other appropriate United Nations bodies should participate in the exchange of information on the subject.

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(Mr. Johnson, United States)

35. In addition, his delegation did not believe that the Commission on Transnational Corporations and its information system had the manpower, the expertise or the budget to carry out the activity envisaged in the draft resolution. Most of the information available to the Commission was general corporation data such as that published in annual reports, as well as information on national laws, policies and regulations concerning transnational corporations. An issue so complex would be best left to more appropriate United Nations agencies such as the World Health Organization (WHO). If the Commission were to undertake such an ambitious project as collecting data on hazardous substances, an expansion of its information system would be needed, requiring budgetary increases.

35. bis. It would seem more reasonable to maintain the request in General Assembly resolution 34/173 that WHO and other competent United Nations agencies and bodies should co-operate with the Secretary-General in preparing the report referred to in the draft resolution just adopted. WHO had already done some work on the subject, and was prepared to co-operate in the compilation of the report to be submitted to the General Assembly at its 1981 session.

36. Mr. EDIS (United Kingdom) said that his delegation considered that draft resolution A/C.3/35/L.54/Rev.1, just adopted, dealt with a very specialized topic that was not within the province of the Commission on Transnational Corporations. It was therefore doubtful that the Commission could make a major contribution to the subject. Furthermore, the information system of the Centre on Transnational Corporations was not the appropriate mechanism for improving exchange of information on hazardous chemicals.

37. Mr. NORDENFELT (Sweden) said that the Nordic countries had abstained in the voting on operative paragraph 2 of draft resolution A/C.3/35/L.54/Rev.1 in the light of Economic and Social Council decision 1980/116 that the Council was the body responsible for considering the question dealt with in operative paragraph 2, at its first regular session in 1981.

38. The CHAIRMAN said that the Committee would now consider, and would subsequently vote on, draft resolution A/C.3/35/L.84, entitled "Regional, national and local arrangements for the promotion and protection of human rights".

39. Mr. van BOVEN (Director, Division of Human Rights) said that before the Committee considered draft resolutions A/C.3/35/L.84 and L.85, he wished to draw its attention to some paragraphs in those draft resolutions.

40. With respect to operative paragraph 3 of draft resolution A/C.3/35/L.84, concerning consultations with Member States of the Asian region, he said that, as indicated in document A/35/348, some consultations had been held with Member States in the region, particularly as far as the date and place of the seminar referred to in paragraph 5 of document A/35/348 were concerned. In that connexion, it should be noted that it had not previously been the custom for the Secretary-General to conduct consultations on the programme and agenda of a seminar. In any case, when the time came to make the arrangements for the seminar, the Secretary-General would consider that question in conjunction with the country where the seminar was to be held.

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(Mr. van Boven)

41. Turning to draft resolution A/C.3/35/L.85, entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers", he said that operative paragraph 3 provided that the working group should "hold an intersessional meeting of two weeks' duration in New York in May 1981". He wished to draw the Committee's attention to the financial implications of that decision, set forth in document A/C.3/35/L.94, and in particular to paragraph 5 of that document, in which it was indicated that during the proposed dates for the meeting of the working group all suitable conference rooms were already committed to accommodate the meetings of the bodies mentioned in the document. It would be recalled that the calendar of conferences and meetings of the United Nations for 1980-1981 had been adopted by the General Assembly in its decision 34/405. Consequently, in paragraph 5 of document A/C.3/35/L.94, the Secretary-General suggested alternative dates in July on which the intersessional meeting of the working group might be held.

42. Mr. GONZALEZ de LEON (Mexico) said that his delegation would like some clarifications regarding the Secretariat's statements in document A/C.3/35/L.94 on the financial implications of an intersessional meeting of the working group on migrant workers, and also regarding the consequences for the work of that group during the thirty-sixth session of the General Assembly.

43. The first point was the non-availability of meeting rooms in the period immediately after the spring session of the Economic and Social Council. On the other hand, as his delegation understood it, financial questions were settled in the General Assembly, which had the sovereign right to decide on such matters.

44. In order to be able to take a position on the subject, his delegation would like to know whether all the meeting accommodation requirements listed in paragraph 5 of document A/C.3/35/L.94 were already firmly established, and whether the meetings mentioned in that paragraph would indeed take up all the available accommodation at Headquarters. His delegation also wished to know whether the meeting of the working group could be held at the end of May, as requested in draft resolution A/C.3/35/L.85, in Geneva.

45. The CHAIRMAN reminded the members of the Committee that it was considering only draft resolution A/C.3/35/L.84, and that although the Director of the Division of Human Rights had also referred to document A/C.3/35/L.85 in his statement, questions related to that draft resolution would be settled when it came to be considered.

46. Mr. RANGASHARI (India), referring to draft resolution A/C.3/35/L.84, said that the Director of the Division of Human Rights had stated that normally the Secretary-General consulted Member States only on the date and place of a seminar of the type proposed in the draft resolution. Nevertheless, his delegation considered that, in order to organize the seminar and ensure a productive exchange of views, it would be useful for the Secretary-General's consultations to be broader and more specific, and to include all the member countries of the Asian region, so as to establish exactly what subjects would be considered at the seminar.

(Mr. Rangshari, India)

47. His delegation also hoped that Sri Lanka, which had offered to act as host for the seminar, would take all measures likely to facilitate such consultations, so that delegations could make a useful contribution during the seminar.

48. Miss FERNANDO (Sri Lanka) said, in connexion with the remarks made by the Director of the Division of Human Rights and by the representative of India concerning paragraph 3 of draft resolution A/C.3/35/L.84, that Sri Lanka would hold the necessary consultations with the countries of the region on the programme of the seminar and on the items to be discussed.

49. Mrs. DOWNING (Secretary of the Committee) announced that Barbados, Jamaica, Micronesia, Norway, Somalia and the United Kingdom had joined the sponsors of draft resolution A/C.3/35/L.84.

50. The CHAIRMAN suggested that, since there had been no request for a vote to be taken on draft resolution A/C.3/35/L.84, it should be adopted without a vote.

51. Draft resolution A/C.3/35/L.84 was adopted without a vote.

52. Mrs. THAI (Viet Nam) said that, now that draft resolution A/C.3/35/L.84 had been adopted, her delegation wished to reiterate its support for the goal of promoting and protecting human rights, in particular the concept of human rights formulated in draft resolution A/C.3/35/L.53/Rev.1, recently adopted by the Committee. Her delegation also wished to draw attention to the provisions of paragraph 3 of draft resolution A/C.3/35/L.84, which requested the Secretary-General to make the necessary arrangements with a view to holding the seminar mentioned in the draft.

53. Mr. VONGSALY (Lao People's Democratic Republic) said that, although his delegation had joined the consensus on draft resolution A/C.3/35/L.84, it had serious reservations in connexion with paragraph 3. It seemed to his delegation that the wording of that paragraph, which requested "the Secretary-General to make the necessary arrangements following finalization of the consultations with Member States of the Asian region with a view to holding the above-mentioned seminar in Colombo in 1981 and to inform the thirty-sixth session of the General Assembly of the deliberations of the seminar", was aimed at obliging the Secretary-General to convene such a seminar on the date set, even before knowing the results of the consultations held with the States concerned. That could seriously prejudice the results of the seminar, whose importance lay not so much in its being held as in the specific results it produced, through the co-operation of the States concerned. In order to ensure such co-operation, those States must be allowed all the time they needed to formulate their positions, in accordance with their policies in that field, and without outside pressure of any kind.

54. Moreover, arrangements for any seminar entailed considerable expenses for the United Nations; at a time when the Organization was experiencing budgetary difficulties, it was especially important to prepare for the seminar realistically so as to ensure that it attained its objectives.

55. Mr. ROME (Israel) said that his delegation had supported the proposal to adopt draft resolution A/C.3/35/L.84 without a vote, on the understanding that any regional arrangements, including the seminar referred to in the draft, would be made on a non-discriminatory basis.

56. Mrs. SANGARE (Guinea) said that her delegation had joined the consensus on draft resolution A/C.3/35/L.84. However, she wished to express her delegation's reservations in connexion with paragraph 3 of draft resolution A/C.3/35/L.85, because she did not feel the General Assembly had as yet taken a final decision on the calendar of conferences and meetings.

57. The CHAIRMAN suggested that the Committee should consider draft resolution A/C.3/35/L.85.

58. Mrs. DOWNING (Secretary of the Committee) announced that Cape Verde, Mauritania, Nigeria and Suriname had joined the sponsors of draft resolution A/C.3/35/L.85.

59. Mr. van BOVEN (Director, Division of Human Rights), referring to the comments made by the representative of Mexico concerning the place and date of the intersessional meeting of the working group on migrant workers, said that all that had to be done was to confirm the provisions of paragraph 5 of document A/C.3/35/L.94 relating to financial implications: the General Assembly was the sovereign authority with regard to decisions concerning the calendar of conferences and meetings.

60. The CHAIRMAN, referring to draft resolution A/C.3/35/L.85, drew the Committee's attention to the report of the Working Group, which had been introduced by the representative of Mexico and was contained in document A/C.3/35/13. Accordingly, he suggested that, before taking a decision on the relevant draft resolution, the Committee should consider the report and take note of it.

61. Mr. GAGLIARDI (Brazil) pointed out that although that document was being submitted as a report of the open Working Group, it was actually a report by the Chairman of the Group. Moreover, in his opinion, the report did not reflect the views certain delegations had expressed in connexion with the item under consideration.

62. Mr. GONZALEZ de LEON (Mexico) said that document A/C.3/35/13 did in fact contain the report of the Chairman of the Working Group and, accordingly, its title should perhaps be changed. As he had indicated earlier, the intent had been to reflect in the report only those views set forth explicitly, as in the case of the representatives of Italy and the United States.

63. Mr. JOHNSON (United States of America) shared the concern expressed by the representative of Brazil in connexion with that report and said that, in his opinion, it would be difficult even to take note of it. He hoped that the Chairman would agree to change its title. The report did not reflect the positions set forth by the various delegations. For example, paragraph 11 of the report, unlike previous paragraphs concerning other working papers, did not reflect the contents

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(Mr. Johnson, United States)

of the working paper submitted by the United States. Moreover, he felt that paragraph 12 was inaccurate, because what had actually been decided was that all the documents would be submitted to Member States, specialized agencies and interested international organizations with a view to obtaining their comments.

64. Mr. AVILES (Nicaragua), speaking on behalf of his own delegation and that of Panama, said that the two delegations had decided to withdraw draft resolution A/C.3/35/L.88 and to support draft resolution A/C.3/35/L.52/Rev.2, which made specific mention of the resolution adopted by the Permanent Council of the Organization of American States, confirming its solidarity with the people of Bolivia.

The meeting rose at 1.10 p.m.