



SUMMARY RECORD OF THE 64th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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Distr. GENERAL
A/C.3/37/SR.64
14 December 1982
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 3.15 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/36/855; A/37/3 (Parts I, II and III), A/37/178, 188 and Corr.1 and Add.1, 201, 259, 310, 333, 412, 419, 420, 422, 452, 495, 500, 519, 521, 540, 556, 564, 611, 618; A/C.3/37/1, 5, 7 and Corr.1 and 2, 8, 9, 10; A/C.3/37/L.47, L.50, L.53, L.54/Rev.1, L.55, L.57/Rev.2, L.58, L.62, L.64, L.67, L.68, L.69, L.70, L.72, L.74-L.77)

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(a) UNILATERAL DECLARATIONS BY MEMBER STATES AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REPORT OF THE SECRETARY-GENERAL (A/C.3/37/L.49)

(b) DRAFT CODE OF MEDICAL ETHICS: REPORT OF THE SECRETARY-GENERAL (A/C.3/37/L.79)

AGENDA ITEM 95: NEW INTERNATIONAL HUMANITARIAN ORDER: REPORT OF THE SECRETARY-GENERAL (A/C.3/37/L.80)

Draft resolution A/C.3/37/L.59

1. Mr. O'DONOVAN (Ireland), introducing draft resolution A/C.3/37/L.59 on behalf of the sponsors, said that Barbados, Colombia and Samoa had also become sponsors. The proclamation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief had been one of the major achievements of the thirty-sixth session of the General Assembly. The Declaration recognized, inter alia, the rights of parents with regard to the moral education of their children and that of religious congregations to practise, defend and propagate their religion. Although declarations were not binding on States, it was

(Mr. O'Donovan, Ireland)

the General Assembly's practice to review their implementation, as was evidenced for instance by the inclusion in the agenda of its different sessions of the item on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The submission of draft resolution L.59 must be viewed in that context. Following in-depth consultations among the sponsors, the draft resolution had been amended as follows: in operative paragraph 2, the words following "Declaration" had been deleted; in paragraph 3, the words "including the United Nations Educational, Scientific and Cultural Organization" had been added after the words "specialized agencies"; finally, paragraph 5 had been reworded as follows: "5. Decides to include on the agenda of its thirty-eighth session an item entitled 'Elimination of all forms of religious intolerance' and to consider the report of the Commission on Human Rights under that item".

Draft resolution A/C.3/37/L.56

2. Mr. FURSLAND (United Kingdom), introducing draft resolution A/C.3/37/L.56 on behalf of the sponsors, said that Bolivia and Norway had also become sponsors. The draft resolution concerned the question of the protection of persons detained on the grounds of mental disturbance, and the important work being done in that connection by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The draft resolution reaffirmed that detention of persons in mental institutions on account of their political views or on other non-medical grounds was a violation of their human rights, thereby reproducing the wording of the resolution on the same subject adopted without a vote at the previous session. The draft resolution as a whole had been discussed in depth with numerous delegations and the resulting amendments had been incorporated into the text now before the Committee. The sponsors hoped therefore that the resolution would be adopted without a vote.

Draft resolution A/C.3/37/L.71

3. Mr. BYKOV (Union of Soviet Socialist Republics), introducing draft resolution A/C.3/37/L.71 on behalf of the sponsors, said that Cape Verde had also become a sponsor. The draft resolution's main aim was to protect the cardinal right to life, which was the key to the enjoyment of the entire range of human rights, be they economic, social and cultural rights or civil and political rights. Recognizing that the right to life was threatened by the risks of nuclear war, the draft resolution stressed the urgent need for all possible efforts by the international community to strengthen peace, for instance by prohibiting by law any propaganda for war and taking specific measures towards general and complete disarmament. Measures must be taken to ensure that the substantial resources currently devoted to defence could instead be used for the practical application of the results of scientific and technological progress, which were powerful tools in the struggle against hunger, disease, illiteracy and economic backwardness and hence in the struggle to promote human rights.

4. More generally, the draft resolution recognized that man's intelligence must henceforth be used in the interests of peace and for the benefit of mankind. The draft resolution was based on resolution 1982/7 of the Commission on Human Rights,

(Mr. Bykov, USSR)

which had been adopted by consensus. It was the result of lengthy consultations among numerous delegations and took into account comments made by members of the Committee in the general debate. The sponsors therefore hoped that it would receive broad support and be adopted by consensus.

Draft resolution A/C.3/37/L.73

5. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic), introducing draft resolution A/C.3/37/L.73 on behalf of the sponsors, said that the purpose of the draft resolution was to call the attention of Member States, the specialized agencies and other organizations of the United Nations system to the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind and to stress the importance of its implementation by Member States. The draft resolution recalled that the results of scientific and technological progress could be used for the arms race to the detriment of international peace and security and social progress. It also recognized that the establishment of the new international economic order called in particular for an important contribution to be made by science and technology to economic and social progress, that scientific and technological progress was one of the important factors in the development of human society and that the exchange and transfer of scientific and technological knowledge was an important way of accelerating the social and economic development of the developing countries.

6. The resolution was based on General Assembly resolution 36/56 A and expanded on the latter's provisions. In drafting it, the sponsors had taken into account the comments made by numerous delegations. They hoped therefore that members of the Committee would give the draft resolution broad support.

Draft resolution A/C.3/37/L.46

7. Mr. FREYBERG (Poland), introducing draft resolution A/C.3/37/L.46 on behalf of the sponsors, said that Colombia, Guinea, Mozambique and Senegal had also become sponsors. The idea of drafting a convention on the rights of the child, which his country had put forward four years previously, had received very broad support from all Governments. The international community was in fact becoming increasingly aware that, in today's complex world, children were the most vulnerable social group. The Commission on Human Rights had made progress in preparing the draft convention and, since the draft resolution was essentially procedural in nature, the sponsors hoped that it would be adopted without a vote.

Draft resolution A/C.3/37/L.60

8. Mr. SCHOBER (Federal Republic of Germany) introduced draft resolution A/C.3/37/L.60 on behalf of the sponsors, who had been joined by Cape Verde, France, Iceland, Panama and Solomon Islands. As the Ambassador of the Federal Republic of Germany had stated recently, the aim of the text was to provide an international instrument for those States wishing to pledge openly to abolish capital punishment,

(Mr. Schober, Federal Republic
of Germany)

or not to reintroduce it. There was no intention of passing moral judgement on countries that were not considering the abolition of capital punishment or of putting pressure on them to accede to a second optional protocol to the International Covenant on Civil and Political Rights. Moreover, the adoption of such an instrument would not imply any legal commitment for those countries.

9. Obviously the elaboration of an optional protocol would still require further consideration at the current stage. Therefore, the sponsors were proposing a procedural resolution which requested the Commission on Human Rights to consider the idea of elaborating a draft second optional protocol and to submit a report on that subject to the General Assembly. In view of the experience it had acquired in elaborating the International Covenant on Civil and Political Rights, the Commission seemed to be the most appropriate body for the task. In conclusion, he explained that the suggestions made during the consultations held between delegations from all the regional groups had been incorporated in the proposed text and that the sponsors were currently examining the additional suggestions made by some delegations in the hope that the draft could be adopted without a vote.

Draft resolution A/C.3/37/L.49

10. Mr. NORDENFELT (Sweden), introducing draft resolution A/C.3/37/L.49 on behalf of the sponsors, who had been joined by Ghana, observed that an important step forward in the fight against torture had been taken in 1975 with the adoption of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Resolution 32/62, dated 8 December 1977, in which the General Assembly had requested the Commission on Human Rights to draw up a draft convention against torture and other cruel, inhuman or degrading treatment or punishment, should also be mentioned in that respect. Since 1978, the Commission had been successfully devoting its efforts to that task. The Working Group it had established for the purpose had been able to elaborate agreed provisions covering most of the draft convention, and the divergent opinions on the provisions governing implementation had been narrowed. The Working Group should now be ready to solve the remaining problems and to complete its work at the next session of the Commission on Human Rights. In conclusion, he stated that the sponsors hoped the draft resolution would be adopted by consensus.

Draft resolution A/C.3/37/L.79

11. Mr. WALKATE (Netherlands), speaking on behalf of the sponsors, introduced draft resolution A/C.3/37/L.79 concerning principles of medical ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment. Reminding members that the General Assembly had been involved in that subject since its twenty-ninth session, he briefly reviewed the background of the elaboration of the principles under consideration and observed

(Mr. Walkate, Netherlands)

that, in accordance with General Assembly resolution 34/168, dated 17 December 1979, the Secretary-General had, on three occasions, requested the views of Member States, specialized agencies and non-governmental organizations on that subject. Some 50 States had submitted their comments, most of which had been favourable and had contained suggestions on ways of improving the proposed principles.

12. After an initial consideration of the principles, a group of interested delegations had submitted a revised version of the proposed principles (A/C.3/36/L.38) to the General Assembly. In resolution 36/61, the General Assembly had requested the Secretary-General to circulate among Member States for their comments the revised draft principles and had decided to consider that question at its thirty-seventh session with a view to adopting those principles. Draft resolution A/C.3/37/L.79 reflected to the largest possible extent the views of all those delegations that had participated in the consultations the Committee had held recently on that subject. However, while the sponsors felt that the text represented the best possible compromise, they were of the view that a final round of consultations, to be held on the following day, might be helpful.

Draft resolution A/C.3/37/L.47

13. Mr. COORAY (Sri Lanka), introducing draft resolution A/C.3/37/L.47 on behalf of the sponsors, who had been joined by Bhutan, Cyprus and Morocco, said that, in accordance with General Assembly resolution 36/154, the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region had been held at Colombo from 21 June to 2 July 1982. In transmitting the report of the Seminar to the General Assembly, the Secretary-General had drawn attention, in particular, to chapter IV containing the conclusions and recommendations adopted by consensus. Among other things, the Seminar had recommended that a programme for teaching and training in the field of human rights should be developed for the Asian and Pacific region and that periodic meetings of government representatives or experts should be held with a view to exchanging experience and information relating to human rights.

14. In the draft resolution under consideration, the General Assembly took note of the report of the Seminar and requested the Secretary-General to transmit it to member States of the region for their comments. In conclusion, he expressed the hope that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/37/L.72

15. Mr. STEVENS (Belgium), introducing draft resolution A/C.3/37/L.72 on behalf of the sponsors, who had been joined by Mali, emphasized the crucial importance of regional action in ensuring the promotion and respect of human rights and observed that the draft resolution just introduced by the representative of Sri Lanka was particularly interesting in that respect.

(Mr. Stevens, Belgium)

15a. Draft resolution A/C.3/37/L.72 was in line with the resolutions on regional co-operation in the field of human rights adopted by consensus at the thirty-second session of the General Assembly. After briefly mentioning the progress made in such co-operation and citing the ratification of the African Charter of Human and People's Rights, he drew attention to the need to ensure that States received a report on the overall situation of regional arrangements for the promotion and respect of human rights. The report should also describe exchanges of experience and information between United Nations bodies and organizations and regions concerned with human rights.

16. The purpose of the draft resolution was to encourage regional co-operation, without dictating to any region the path it should follow in that regard, and he expressed the hope that, like previous resolutions dealing with that question, it would be adopted without a vote.

Draft resolutions A/C.3/37/L.50, L.54/Rev.1, L.55 and L.57/Rev.2

17. Mr. NGUAYILA MBELA KALANDA (Zaire) speaking on behalf of the sponsors, introduced draft resolutions A/C.3/37/L.50, entitled "Situation of refugees in the Sudan", A/C.3/37/L.54/Rev.1, entitled "Assistance to refugees in Somalia", A/C.3/37/L.55, entitled "Assistance to displaced persons in Ethiopia", and A/C.3/37/L.57/Rev.2, entitled "Humanitarian assistance to refugees in Djibouti". He pointed out that the drafts were no different from the resolutions adopted previously on the same questions. They did not contain any political points and should therefore not give rise to heated debate. He stressed that the presence of millions of refugees and displaced persons placed a heavy burden on the economies of the young African States, which had already been weakened by world economic conditions. The only aim of the draft resolutions was to appeal to the international community to provide generous technical, material and financial assistance to Djibouti, the Sudan, Somalia and Ethiopia so that they could meet the needs of refugees and, at the same time, pursue their development projects. He expressed the hope that the draft resolutions would be adopted by consensus.

18. Mr. KHALAF (Somalia) read out the amendments, contained in document A/C.3/37/L.67, which he wished to make to draft resolution A/C.3/37/L.55.

Draft resolution A/C.3/37/L.62

19. Miss OOANE (Lesotho) introduced draft resolution A/C.3/37/L.62 on behalf of the sponsors, which had been joined by Kenya and Togo. Referring to paragraphs 1, 4, 5, 6 and 9, she said that the aim of the draft was to draw the international community's attention to the continued influx of student refugees into Botswana, Lesotho, Swaziland and Zambia due to the discriminatory policies and repressive measures being applied in South Africa and Namibia by the racist South African régime. She recalled that without the aid of the international community it would be difficult for the host countries to meet the needs of those student refugees, whose presence placed a burden on their limited financial, material and administrative resources. She urged the members of the Committee to adopt the draft resolution without a vote.

Draft resolution A/C.3/37/L.64

20. Mr. VOICU (Romania) introduced draft resolution A/C.3/37/L.64 on behalf of the sponsors, which had been joined by Gabon, Yemen and Zaire. He observed that the preamble expanded on the key concept that implementation of the right to education was of paramount importance for the full development of the human personality and for the enjoyment of other fundamental human rights and freedoms. He drew the Committee's attention to paragraph 3, which listed the major objectives to be attained to ensure full implementation of the right to universal education, and observed that the draft recognized the important contribution of UNESCO to the implementation of the International Development Strategy for the Third United Nations Development Decade with a view to fostering the full implementation of the right to education. It also took note of the excellent report submitted by the Director-General of UNESCO and invited UNESCO to inform the General Assembly of the progress achieved with regard to the promotion at a universal level of the right to education. Most of the text was based on previous General Assembly resolutions on the question and developed, in particular, the provisions of resolution 36/152. The sponsors thus hoped that it could be adopted by consensus.

Draft resolution A/C.3/37/L.69

21. Mr. SCHLEGEL (German Democratic Republic), introducing draft resolution A/C.3/37/L.69 on behalf of the sponsors, said that Nazi, Fascist and neo-Fascist groups were intensifying and co-ordinating their activities on an international scale. He stressed the need to be vigilant and to take appropriate measures to curb the spread of that evil. The draft under consideration reflected the will expressed by a number of delegations to resist such a development in good time, and urged all States to consider taking measures to prohibit or deter activities by neo-Fascist groups and the dissemination of ideologies based on racial superiority or hatred or war propaganda. It was largely based on resolution 36/162, which had been adopted without a vote. The sponsors reiterated their request to the Commission on Human Rights to consider the subject as a matter of high priority at its thirty-ninth session. Since the activities of Fascist and neo-Fascist forces were contrary to the letter and spirit of the norms governing international life, since they were in flagrant violation of the human rights principles contained in the United Nations Charter, and since they threatened international peace and security by sowing hatred among nations, threatening the interests of all States, the draft under consideration drew the international community's attention to the danger of nazism, fascism and neo-fascism. Its sponsors considered that it should be adopted without a vote.

Draft resolution A/C.3/37/L.70

22. Mr. BOUFFANDEAU (France), introducing draft resolution A/C.3/37/L.70 on behalf of the sponsors, said that the question of involuntary or enforced disappearances was of grave concern to the international community, and recalled that the Commission on Human Rights had responded to that concern in 1980 by establishing a working group, the mandate of which had been renewed each year. The sponsors had deemed it necessary for the General Assembly to continue to indicate that the

(Mr. Bouffandeau, France)

approach chosen to deal with the question of involuntary or enforced disappearances, namely discreet humanitarian action based on co-operation by States, was appropriate. In addition, given the hope which the Working Group had generated in the international community, and in view of the confidence which certain Governments had demonstrated by co-operating with it, the General Assembly should express its satisfaction to the Group for the task accomplished and should stress the interest it had in the activities undertaken by the Commission on Human Rights.

23. So as not to prejudge the decisions which the Commission on Human Rights might take after considering the report of the Working Group, the draft resolution merely called upon the Commission on Human Rights to take any steps it might deem necessary in pursuit of the task undertaken. The sponsors had also felt it necessary to make a new appeal to all Governments to provide the Working Group and the Commission on Human Rights with the full co-operation warranted by their strictly humanitarian objectives and their working methods based on discretion. In view of the consultations held, they trusted that the draft could be adopted without a vote.

Draft resolution A/C.3/37/L.58

24. Mr. SHERIFIS (Cyprus), introducing draft resolution A/C.3/37/L.58 on behalf of the sponsors, which had been joined by the Bahamas, Ecuador, Grenada, Malta, Seychelles, Sierra Leone and the Syrian Arab Republic, emphasized that the draft had been submitted out of purely humanitarian concerns and that it was aimed solely at alleviating the daily suffering and anguish of those who had lost relatives in the hostilities in Cyprus, whether Greek Cypriots, Turkish Cypriots or nationals of foreign countries. The sponsors hoped that no delegation would endeavour to exploit it for political advantage alien to its purpose. The daily tragedy of the families of missing persons in Cyprus had been going on for more than eight years, and not because the Government of Cyprus or the international community, particularly the Third Committee, had failed to display any interest in the matter. The Committee had requested, in several resolutions, that a solution should be found to the problem, which could only mean tracing those still living and accounting for those who had perished.

25. The establishment of the Committee on Missing Persons in Cyprus, in April 1981, had raised hopes. However, in the 19 months which had elapsed since then, the Committee had become enmeshed in procedural debates without even starting its substantive work. It had not yet examined the file of a single person missing in Cyprus. That situation obviously concerned the Government of Cyprus and the sponsors of the draft, and also the Secretary-General, as demonstrated by his report (S/15502). In an endeavour to avoid polemics and any politicization of the issue, he had no intention of apportioning blame or of analysing the reasons why the Committee had not achieved any results. On behalf of the sponsors, he was simply asking representatives, moved by their consciences and compassion, to support the draft resolution.

26. Mr. LOĞOĞLU (Turkey), speaking on a point of order, referred to the letter from the Turkish delegation in document A/C.3/37/10 concerning draft resolution A/C.3/37/L.58, entitled "Missing persons in Cyprus", and said that that humanitarian question concerned the Turkish and Greek communities of Cyprus alone and should be resolved with their constructive co-operation and mutual consent. He recalled that the problem of missing persons had affected only the Turkish Cypriot community from 1963 to 1974, and that it had only become a common problem following the coup d'état of 15 July 1974.

27. The agreement reached between the two Cypriot communities on the establishment of a joint autonomous body, the Committee on Missing Persons in Cyprus, clearly demonstrated that the question was intercommunal, and the Secretary-General's awareness of that fact had doubtless provided the key to his success in establishing the Committee.

28. Draft resolution A/C.3/37/L.58 not only contained value judgements on the work of the Committee on Missing Persons in Cyprus, but also provided for the establishment of new machinery which would jeopardize the Committee's existence. His delegation believed that the Third Committee should not be content with hearing only the Greek Cypriot side speak on behalf of Cyprus, but should give an opportunity to the Turkish Cypriots to state their views before it took action on the draft resolution. It thus proposed that the representative of the Turkish Cypriot side, Mr. Latif Birgen, a member of the Committee on Missing Persons in Cyprus, should be invited to address the Third Committee on the matter. That proposal was in accordance with the practice and rules of procedure of the General Assembly. His delegation requested the Committee to take an immediate decision on the matter, and urged that a recorded vote should be taken if the Committee could not accede to the request without a vote.

29. The CHAIRMAN said that it might be in accordance with the practice of the General Assembly for the Third Committee to invite a representative of the Turkish Cypriot community to address it, but in practice it would be extremely difficult, if not impossible, to proceed in that manner. In addition to the practical difficulties, there was the fact that the Government of Cyprus did not represent only one of the two communities, but should, in principle, represent all the inhabitants of the island. It also seemed to the Chair that by embarking on a procedural debate, taking a vote and deciding, perhaps, to invite the representative of the Turkish Cypriot community, the Committee would not necessarily be promoting the understanding which had so far characterized relations between the two communities. He thus asked the representative of Turkey not to insist that a decision should be taken there and then. He knew that the Secretary-General himself feared that an immediate decision might create additional problems. A delay of 24 hours to consider the matter would allow time for consultations in which the Secretary-General could participate and in which an effort to resolve the problem could be made.

30. Mr. LOĞOĞLU (Turkey) said that his delegation shared the concerns just expressed by the Chairman but believed that determining whether the representative of the Turkish Cypriot community should be allowed to speak before the Committee had very little bearing on draft resolution A/C.3/37/L.58 which had been submitted without ever consulting the Turkish Cypriot community. He would therefore find it very difficult to agree to the Chairman's suggestion. His delegation would not negotiate on the text of the draft resolution under consideration, which it found entirely unacceptable, and once again asked that the Committee should take an immediate decision on its request.
31. Mrs. WARZAZI (Morocco) supported the Chairman's suggestion, as it would enable the members of the Committee to request instructions from their Governments and the sponsors of draft resolution A/C.3/37/L.58 to hold consultations with the Turkish delegation, which would seem to be desirable.
32. Mr. DOUNTAS (Greece) said that he concurred with the representative of Morocco.
33. Mr. SHERIFIS (Cyprus) endorsed the views of the representatives of Morocco and Greece.
34. The CHAIRMAN believed that a vote should be taken on his own suggestion.
35. Mr. LOĞOĞLU (Turkey) pointed out that, according to rule 113 of the rules of procedure, the Committee should vote on his delegation's proposal.
36. The CHAIRMAN observed that the request of the Turkish delegation did not, strictly speaking, constitute a point of order and he would therefore not feel that he was violating the rules of procedure in deciding not to put it to a vote immediately. He wished, in any case, to assure the representative of Turkey that he had only the best interests of the two communities in view and that they would be better served by deferring the vote until the next day.
37. Mr. LOĞOĞLU (Turkey) said that out of deference to the Chairman his delegation would accept, though under protest, whatever decision the Chairman was about to make regarding his request.
38. The CHAIRMAN thanked the Turkish delegation for its co-operation and said that the Committee would take a decision on the Turkish proposal the following afternoon.

Draft resolution A/C.3/37/L.74

39. Mr. BELL (Canada), introducing draft resolution A/C.3/37/L.74 on behalf of the sponsors, which now included Japan, observed that there had been an increasing occurrence in recent years of mass exoduses of refugees, which had precipitated not only the sufferings of millions of human beings but also difficulties that undermined the economic and social stability of the countries which had provided asylum. To date, the international community had dealt with those crises although with great difficulty, by providing emergency relief, but it had never come to grips with the root causes of the flows of refugees.

(Mr. Bell, Canada)

40. The draft resolution under consideration attempted to build in a constructive and positive way on the conclusions of the report of Prince Sadruddin Aga Khan (E/CN.4/1503), which had stated that adequate assistance to both refugees and countries of asylum must be linked with the elimination of the causes of mass flows of refugees and that Governments and international organizations must co-ordinate their efforts to deal with those complex and multiple causes.

41. Operative paragraph 4 of the draft resolution dealt with the general recommendations and operative paragraph 5 with the more specific recommendations of the report. While the comments by the Secretary-General, by some Member States and by various United Nations organs and non-governmental organizations already formed a basis for future action, it was evident that the views and intentions of all Member States needed to be taken fully into account. Operative paragraph 5 met that need.

42. It might be argued that the draft resolution did not address the urgency of the situation with sufficient dynamism, but due consideration had also to be given to the variety of views on the question expressed in the Committee. The draft resolution attempted to strike a balance between the need for urgent action and the need to reflect on action in a reasonable, realistic and logical way. It had been motivated by exclusively humanitarian concerns. The sponsors therefore hoped that like the other successive resolutions of the General Assembly and the Commission on Human Rights that had been adopted since 1979, it would be adopted by consensus. They were of course willing to discuss the text with all delegations concerned.

Draft resolution A/C.3/37/L.75

43. Mr. SALAND (Sweden), introducing draft resolution A/C.3/37/L.75 on behalf of the sponsors, which now included Norway, recalled that in March 1982, the Commission on Human Rights had expressed its profound concern in resolution 1982/31 at the continuing deterioration in the situation of human rights in Guatemala and requested the Chairman to appoint a special rapporteur to make a thorough study of the situation. The new Government of Guatemala had publicly stressed the importance it attached to the protection of human rights and fundamental freedoms. Encouraging as that might seem, the information received since then from various sources seemed rather to confirm the fact that serious human rights violations continued to occur in Guatemala. It was particularly alarming to hear reports of widespread disappearances, extra-judicial executions and population displacement in rural areas. The sponsors of draft resolution A/C.3/37/L.75 felt that one of the main factors behind the generalized violence in Guatemala was the fact that the long-standing and justified demands for reforms had not yet been met. It was to be hoped that the Government of Guatemala would do its utmost to find a solution to the social and economic problems that had been neglected for so long, thus creating a climate that would have beneficial effects in the political sphere. The full co-operation of the Government of Guatemala with the Special Rapporteur of the Commission on Human Rights would be a very positive step in that direction.

Draft resolution A/C.3/37/L.76

44. Mr. DYRLUND (Denmark), introducing draft resolution A/C.3/37/L.76 on behalf of the sponsors, which now included Portugal, recalled that the Economic and Social Council had decided in resolution 1982/35 to appoint for one year a special rapporteur to examine the question of summary or arbitrary executions, and had requested him to submit a comprehensive report to the Commission on Human Rights, at its thirty-ninth session, regarding the occurrence and extent of such executions, together with his conclusions and recommendations. The sponsors of draft resolution A/C.3/37/L.76 considered the appointment of the special rapporteur to be one of the most important decisions taken by the Commission on Human Rights at its thirty-eighth session.

45. Summary or arbitrary executions were in flagrant violation of the most fundamental human right - the right to life. The magnitude of the problem was obvious from numerous reports published, in particular, by Amnesty International and the International Commission of Jurists. During the Conference on Extra-legal Executions held by Amnesty International at Amsterdam from 30 April to 2 May 1982, it had been reported that summary or arbitrary executions were currently taking place in about 30 countries. The question had also been dealt with at the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which had urged all United Nations organs dealing with questions of crime prevention and human rights to take all possible action to bring such acts to an end. Lastly, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had in resolution 1982/13 recommended the adoption of effective measures to prevent the occurrence of summary or arbitrary executions.

46. It was against that background that the sponsors of the draft resolution were requesting the Commission on Human Rights at its thirty-ninth session, on the basis of the report of the special rapporteur, to make recommendations concerning appropriate action to combat and eventually eliminate the practice of summary or arbitrary execution. They hoped that the Committee would adopt the draft resolution without a vote.

47. Mr. DERESSA (Ethiopia) said that the representative of Somalia had surprised and disappointed him by submitting the amendments to draft resolution A/C.3/37/L.55 contained in document A/C.3/37/L.67 while negotiations on that draft resolution were still under way. It was all the more surprising that the representative of Somalia should do so at the current time when the Ethiopian delegation had some difficulties in accepting draft resolution A/C.3/37/L.54/Rev.1, as the sponsors of that draft were aware. Negotiations could be conducted only with those who acted in good faith, and he therefore could not delay further in proposing a number of amendments to draft resolution A/C.3/37/L.54/Rev.1. The amendments consisted in deleting the fifth and seventh preambular paragraphs and paragraphs 5 and 6. His delegation considered that those paragraphs were not consistent with the facts as set out in the various reports of the Secretary-General and the High Commissioner for Refugees, and that the detailed study requested in paragraphs 5 and 6 would be superfluous since no new events had occurred in the region.

48. Mr. SALAND (Sweden), speaking on agenda items 12 and 93 on behalf of the Nordic countries, observed that the abuse of narcotic drugs, which had become a world-wide problem in recent decades, was now of such a magnitude and had such consequences that it was threatening economic and social development. If drug abuse was to be stopped, the entire international community must assume responsibility for the fight against it.

49. The increase in the supply and abuse of heroin, amphetamines and other narcotic and psychotropic substances was extremely disquieting. Heroin addiction was the form of drug abuse that had the most devastating consequences. A growing number of young people died from an overdose of heroin, and efforts must be redoubled to stop that form of addiction.

50. The abuse of cannabis and cocaine also gave cause for concern. In Europe and North America, that form of abuse had been spreading from the traditional groups of abusers to other social groups which had previously not been affected. The false assertion that those drugs were harmless was being spread by certain commercial interests, and a clear stand had to be taken on that question.

51. Major problems linked to drug abuse were now arising in the developing countries too, most of which had no effective control over all the drugs listed in the two drug control conventions. Large quantities of illicit drugs were being spread through leaks from the pharmaceutical industries in some countries. The developing countries were paying a high price for the irresponsibility of that industry.

52. Great efforts to combat drug abuse had been made in many countries, but the results had so far been far from sufficient. The fight against drug abuse must be intensified and become more effective. National action was essential in that connection, and every country wanting to stop drug abuse must work intensively to combat the psychological, social and cultural factors which created and stimulated the demand for drugs. One of the most important groups on which efforts should be focused was young people.

53. Special measures must also be taken to combat drug abuse, and the police and customs authorities had a decisive part to play in that regard. It was also essential that legislation should be so framed that it left no gaps which could be exploited by those trafficking in drugs.

54. It was also important to help drug addicts to overcome their addiction and return to normal life. Various voluntary organizations and popular movements in many countries could play an important role in the fight to reduce the demand for drugs.

55. No country could stop drug abuse on its own. There was a need therefore for effective international co-operation and energetic joint action must be taken against those who distributed drugs. It was essential that all countries should comply with the decisions taken in that field.

(Mr. Saland, Sweden)

56. International co-operation to combat drug abuse was based on two conventions: the Single Convention on Narcotic Drugs of 1961, as amended in 1972, and the 1971 Convention on Psychotropic Substances. Accession to the latter instrument, which had been drawn up in response to a proposal by the Nordic countries, was an essential condition for obtaining control over the production and distribution of psychotropic substances, especially in the developing countries. It was regrettable that many countries had not yet ratified that Convention, and the Nordic countries urged all States which had not yet become parties to ratify or accede to it.

57. The United Nations Division of Narcotic Drugs played a central role in the efforts of the United Nations to combat drug abuse. One of the main functions of the Division was to carry out the world programme decided on by the General Assembly. Another important part of its work was to co-ordinate co-operation between countries aimed at reducing illicit traffic and demand. In that connection, the amendment recently adopted by the Third Committee to resolution A/C.3/37/L.5 would deny the Commission on Narcotic Drugs the additional resources it needed to carry out some additional projects agreed upon for the year 1983. The Nordic countries had learnt with satisfaction that some of the anticipated costs could be absorbed but they still had doubts whether the Commission could carry out all the projects which were planned and which had been given high priority. The activities of the Division of Narcotic Drugs and the International Narcotics Control Board were not commensurate with the problem, and they must be provided with additional resources.

58. Illegal narcotic drugs continued to be produced in the world on a large scale. Many producing countries, however, were working actively to stop the illegal production of drugs and it was imperative that the developed countries should assist them in their efforts. They could do so through the United Nations Fund for Drug Abuse Control. Although the Fund's projects for integrated rural development had shown how the production of drugs could be reduced by improving the situation of producing villages, its very limited resources would never enable it to combat effectively the illegal trafficking in drugs. The Nordic countries therefore urged other countries to help the Fund to carry out its basic task. In order to be effective, the fight against drug abuse must be given attention in other development activities, and increased co-operation with other development organizations, such as UNDP, should be fruitful. The World Bank, the regional development banks and the International Fund for Agricultural Development should also be encouraged to take part in the fight against drugs.

59. Opium, cocaine and cannabis were illegally produced in many countries which were beset by major political, social and economic problems. Such countries must also be given greater attention by international bodies directly involved in combating drug abuse. The appropriate specialized agencies, for example, could integrate measures against drug abuse into their general programmes.

60. All countries must be prepared to provide the United Nations with the necessary means to deal with the world-wide problem of drug abuse and must endeavour to make more effective joint efforts to ensure full international co-operation in that important field.

The meeting rose at 6.10 p.m.