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THIRD COMMITTEE
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SUMMARY RECORD OF THE 59th MEETING

Chairman: Mr. CHAVANAVIRAJ (Thailand)

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The meeting was called to order at 11.00 a.m.

AGENDA ITEM 91: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE
(continued) (A/C.3/38/L.27, A/C.3/38/L.28/Rev.1, A/C.3/38/2/Add.1)

Draft resolution A/C.3/38/L.27

1. Ms. JONES (United States of America), speaking in explanation of vote before the vote, said that her delegation had consistently endorsed and supported the overall objectives of the United Nations Decade for Women, the success of which would no doubt be furthered by the World Conference to be held in 1985 which had aroused widespread interest in the United States where many non-governmental organizations were preparing for participation.
2. The United States had already participated in the World Conference of the International Women's Year held at Mexico City in 1975 and the World Conference of the United Nations Decade for Women held at Copenhagen in 1980. It had also participated in the work of the first session of the Commission on the Status of Women acting as the preparatory body for the World Conference. A careful reading of its report (A/CONF.116/PC/9) showed that the participants, who represented the full range of opinions of member States, had worked hard to achieve consensus and avoid harmful politicization of the Conference. The United States Congress had asked that all available means be used to ensure that the Conference to commemorate the conclusion of the United Nations Decade for Women was not dominated by political issues extraneous to its goals.
3. Her delegation therefore found it deeply regrettable that paragraph 4 of draft resolution A/C.3/38/L.27 upset the delicate balance that would have enabled all delegations to support the resolution on the 1985 World Conference since it highlighted certain situations which were bound to be divisive and to detract attention from the substantive concerns of the United Nations Decade for Women. Her delegation would therefore vote against draft resolution A/C.3/38/L.27.
4. Her delegation was also concerned about the financial implications (A/C.3/38/2/Add.1) of the report on the first session of the Commission on the Status of Women acting as the preparatory body. It also noted that the Economic and Social Council, in decision 1983/131 approved at its first session of 1983, had requested the Secretary-General to review the programme implications of the recommendations made in document A/CONF.116/PC/9/Add.1 in order to seek further economies and absorb additional expenditure within the regular budget. Despite the informal consultations held with the Secretariat on that subject, her delegation continued to believe that the estimates for travel, consultancy services and temporary posts were excessive, and that a greater effort could be made to absorb preparatory expenses within the regular budget for 1984-1985. For example, the Department of Public Information could absorb the expenses of preparing press kits estimated at \$63,000. Her delegation regretted that substantive discussions had precluded a fuller consideration of the financial aspects of the Conference in the Committee, and hoped that the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee would devote more attention to them.

5. Mr. GRANIT (Israel), speaking in explanation of vote before the vote, said that his delegation was interested in joining the consensus on draft resolution A/C.3/38/L.27 in view of the importance of the subject but was unable to do so because of the inclusion of paragraph 4 which referred to questions which were extraneous to the subject of the resolution and would enable the parties concerned to engage in the scandalous procedures already resorted to at the previous Conference on the same subject. His delegation would therefore vote against draft resolution A/C.3/38/L.27.

6. Mr. BELL (Canada) said that Canada attached great importance to the United Nations Decade for Women and had implemented various programmes designed to make practical and effective progress towards equality of rights and to improve the situation of Canadian women. It believed that the World Conference, unlike the two previous Conferences on the same subject, should concentrate on the question of equality between men and women. His delegation was therefore disappointed at the results of the negotiations undertaken to achieve consensus on draft resolution A/C.3/38/L.27, although it recognized the commendable efforts made by the countries of the African Group and by the Group of 77 and especially its Chairman, the representative of Mexico. It was evident, however, that draft resolution A/C.3/38/L.27 was a poor basis for the World Conference to be held in Nairobi since it prevented the achievement of consensus. It was manifestly contradictory since, after endorsing the recommendations appearing in the report of the Commission on the Status of Women acting as the preparatory body for the World Conference, it rejected the same recommendations in paragraph 4. His delegation hoped that an agenda would be prepared for the Nairobi Conference that would fulfil two requirements: first, concentrate the attention of the participants on the primary objective of the Conference, namely, equality between men and women; and second, enable all countries of the world representing all political and social systems to stress any specific aspects they wished to bring up. The report of the Commission on the Status of Women would make it possible to combine that central approach with a flexible agenda, but draft resolution A/C.3/38/L.27 destroyed a compromise which had been difficult to achieve. Thus his delegation, to its great regret, would have to vote against paragraph 4 and abstain on the draft resolution as a whole.

7. Mr. FURSLAND (United Kingdom), speaking in explanation of vote before the vote, said that, although it had objections in relation to the financial implications of the draft resolution, his delegation preferred to reserve the right to explain them in the Fifth Committee and to concentrate for the time being on the substantive aspects. His delegation regarded the World Conference to be held in 1985 as a unique opportunity for the international community to unite its efforts to eliminate discrimination and promote equality of opportunity for women; much remained to be done in that respect, especially in various regions of the world with serious political problems, of which South Africa was only one example as few countries had an irreproachable record. Thus the only way for the World Conference to be effective was for it to have the greatest possible degree of agreement and participation; however, although his delegation had never denied the freedom to bring up all kinds of questions, and continued to recognize the commendable efforts made by the Group of 77 to achieve a consensus, it believed that draft resolution A/C.3/38/L.27 in its current form, particularly because of paragraph 4, raised

(Mr. Fursland, United Kingdom)

controversial political questions whose pernicious effects had already been demonstrated on past occasions. Although his delegation was in favour of deleting that paragraph, it believed that there was still room for other compromise solutions, for which it had clearly shown its willingness at previous meetings. Without being able to predict the exact reaction of his Government, he was sure that it would be disappointed, and that would have consequences for the future work on that question on the part of his country. His delegation would therefore vote against paragraph 4 and abstain on the draft resolution as a whole.

8. Mr. HAMER (Netherlands), speaking in explanation of vote before the vote, said it was unfortunate that draft resolution A/C.3/38/L.27 had not gained the support of all members of the Committee and that the consensus solution which his delegation had proposed for overcoming that situation had not achieved its objective. While acknowledging the efforts made by the Group of 77, and especially by its Chairman (the representative of Mexico), to render the text which was about to be put to the vote acceptable to all, his delegation believed that the specific problems of Palestinian women refugees and of women in South Africa, while an important issue, ought not to be the primary issue of the World Conference at Nairobi. That Conference should confine itself to the agenda drafted by the Commission on the Status of Women, the adoption of which was included in the draft resolution under consideration and which was sufficiently flexible to cover any questions which might be raised without repeating the mistakes of the previous World Conferences. Paragraph 4 of resolution A/C.3/38/L.27 predetermined the agenda for the World Conference, and his delegation, pursuant to instructions from its Government to oppose the introduction of controversial political issues into the World Conference, would vote against paragraph 4 and abstain in the vote on the draft as a whole, as it had done in the case of paragraph 5 of a similar document in 1980. However, that should not be construed to mean that his delegation would not continue to work for the success of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women.

9. Mr. BORCHARD (Federal Republic of Germany), speaking in explanation of vote before the vote, said it was unfortunate that the sponsors of draft resolution A/C.3/38/L.27 had not been receptive to proposals from other members of the Committee, making it impossible to reach a consensus on the draft. He pointed out that the introduction of similar political questions unrelated to the central theme of the World Conference had prevented many countries from voting in favour of the final documents of the previous World Conferences held at Mexico City and at Copenhagen. Paragraph 4 of the draft resolution about to be put to the vote introduced just such unrelated political questions, which rendered it unacceptable; consequently, his delegation would therefore vote against that paragraph and would abstain in the vote on the draft resolution as a whole.

10. Mrs. ARUNGU-OLENDE (Kenya), speaking in explanation of vote before the vote, said that, while it was unfortunate that no consensus had been reached on draft resolution A/C.3/38/L.27, she was convinced that the overwhelming majority of countries had no intention whatsoever of raising controversial political issues at the World Conference to be held at Nairobi; in any case, that question remained to

(Mrs. Arungu-Olende, Kenya)

be settled during the Conference itself. She appealed for realism and a spirit of co-operation during the preparatory phase of the Conference, in order to transcend any reasons for division above all in behalf of the women whose interests the Conference sought to protect. Recognizing that all speakers had advocated a successful conclusion to the United Nations Decade for Women, she affirmed her Government's commitment to do everything within its power to facilitate the work of the World Conference and the achievement of its objectives.

11. Mr. PERUGINI (Italy), speaking in explanation of vote before the vote, said that his country was genuinely interested in the question of women, and especially in the World Conference which would be held in 1985. However, as the representative of the United Kingdom had observed, much remained to be done to solve that problem, and therefore the inclusion of polemical subjects which might affect the course of the Conference should be avoided. Accordingly, his delegation would be obliged to vote against paragraph 4 and abstain in the vote on the draft resolution as a whole.

12. Mr. AL-HADDAWI (Iraq) said that a number of those opposing the draft resolution were known for their policies in Territories suffering under the yoke of colonial domination and racial discrimination. Some of them were responsible for preventing the solution of the question of Namibia and lending support to South Africa. It was well known that some members of the Western contact group opposed the consideration of the question of women under the apartheid régime. He requested that the draft resolution should be put to a roll-call vote.

13. Mr. RIACHE (Algeria) asked whether he might speak in explanation of vote before the vote even though he was a sponsor of the draft resolution.

14. The CHAIRMAN said that in accordance with the rules of procedure, sponsors could not explain their votes.

15. Mr. INFANTE (Chile) pointed out that there was an omission in the third preambular paragraph of the Spanish text of the draft resolution.

16. Mr. MONTAÑO (Mexico) said that it was necessary only to add the words "como fue" before the word "adoptado" in the third line of the third preambular paragraph in the Spanish text of the draft resolution.

17. Mrs. DOWNING (Secretary of the Committee) took note of the amendments indicated by the representative of Mexico. With regard to the financial implications of the draft resolution, she said that under paragraph 3, the General Assembly would endorse the recommendations contained in the report of the Commission on the Status of Women, which had been made the preparatory body for the World Conference (A/CONF.116/PC/9). Consequently, the financial implications would be those contained in document A/C.3/38/2/Add.1.

18. A vote was taken by roll-call on paragraph 4 of draft resolution A/C.3/38/L.27.

19. St. Christopher and Nevis, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, Germany, Federal Republic of, Israel, Italy, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Denmark, Finland, France, Iceland, Ireland, Ivory Coast, Japan, New Zealand, Norway, Portugal, Spain, Sweden.

20. Paragraph 4 of draft resolution A/C.3/38/L.27 was adopted, by 107 votes to 8, with 14 abstentions.

21. A vote was taken by roll-call on draft resolution A/C.3/38/L.27 as a whole.

22. France, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belize, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco,

Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Belgium, Canada, Germany, Federal Republic of, Italy, Ivory Coast, Netherlands, United Kingdom of Great Britain and Northern Ireland.

23. Draft resolution A/C.3/38/L.27 was adopted by 123 votes to 2, with 7 abstentions.

24. Mrs. SHAHANI (Assistant Secretary-General for Social Development and Humanitarian Affairs) expressed her thanks to those who had participated in preparing draft resolution A/C.3/38/L.27 and had thus facilitated the work of the future World Conference.

25. Mr. EDON (Benin) said that unfortunately his delegation had not been able to attend the meeting at which the votes had been cast but wished to have it recorded that he would have voted in favour of paragraph 4 and for the draft resolution as a whole.

26. The CHAIRMAN announced that delegations could proceed to speak in explanation of their votes after the vote in respect of all draft resolutions adopted by the Committee under agenda items 12 and 91 to 100.

27. Mrs. KUROKOCHI (Japan) said that her delegation had abstained in the vote on paragraph 4 of draft resolution A/C.3/38/L.27 and had voted for the draft resolution as a whole. In order to ensure that the 1985 Conference would not betray the interests of women throughout the world, the wishes and interests of women should be considered in a less markedly political context. Its work should be focused on fundamental issues for the promotion of women and she thought it inadvisable for the General Assembly, for the time being, to adopt a position on the direction to be taken by the Conference debates. It was unfortunate that the resolution had not been adopted by consensus.

28. Mrs. FAWTHORPE (New Zealand) explained that her delegation had voted for draft resolution A/C.3/38/L.27 and regretted that the Committee had not been presented with a text which could have been adopted by consensus. For the success of the Conference it was essential that decisions on the preparations should be supported by all. Since the Commission on the Status of Women, as the preparatory body for the Conference, and the Economic and Social Council had adopted recommendations by

(Mrs. Fawthorpe, New Zealand)

consensus, it had been hoped that the Third Committee would do likewise. In the general debate, her delegation had expressed the firm hope that the Conference agenda would be adopted without amendment so that all delegations could raise their priority issues in that context. She was gratified that paragraph 3 took that point into account, although its impact was lessened by paragraph 4 which brought political issues into the preparations for the Conference and threatened to reintroduce the same divisions as in the Mexico and Copenhagen Conferences. The trend towards politicizing was alarming, especially at such an early stage of the preparations. Her delegation had therefore abstained in the vote on paragraph 4.

29. Mr. MITREV (Bulgaria) said that his delegation had voted for all the resolutions adopted by the Committee at the current meeting and at those of the previous day as an expression of his country's desire to further international co-operation for the promotion of human rights and fundamental freedoms in the United Nations.

30. His delegation had voted in favour of resolution A/C.3/38/L.27 for well-known reasons, because Bulgaria had always supported United Nations efforts to eliminate inequality between women and men. The Nairobi Conference would be a follow-up to the previous Conferences and it was to be hoped that it would deal with women's problems in all their complexity. In particular, attention should be paid to the link between the problems of the inequality of women, on the one hand, and the maintenance of peace, the elimination of racism, racial discrimination, apartheid and foreign occupation and the denial of the right of peoples to self-determination, on the other. He was convinced that the Conference and the work of the United Nations as a whole would help to achieve the three basic objectives of the Decade.

31. Mr. CERMAK (Austria) said that his delegation had voted for draft resolution A/C.3/38/L.27 but had had to abstain in the separate vote on paragraph 4. Its abstention was based on the fact that it supported the recommendation of the Commission on the Status of Women, established as the preparatory body for the World Conference, which took into account the guidelines laid down at the World Conference for International Women's Year, held in Mexico City in 1975, and of the World Conference of the United Nations Decade for Women, held at Copenhagen in 1980. That proposal had made it possible for all States participating in those two conferences to agree on the provisional agenda for the 1985 World Conference, thus helping to facilitate the preparatory process. Austria's position on apartheid and the occupied Arab territories was well-known, but his Government believed that problems arising in that context were not related to women exclusively and should be addressed under the relevant items.

32. Mr. ROCHEREAU de la SABLIERE (France) said that his delegation had voted for draft resolution A/C.3/38/L.27 after abstaining in the separate vote on paragraph 4, because it had preferred the agenda proposed by the Committee on the Status of Women whereby it was possible to consider equally the problems of women in all difficult situations, whereas paragraph 4 stated only that particular attention should be paid to the problems of women in Territories under racist colonial rule and in territories under foreign occupation. His delegation would therefore have preferred that paragraph to be deleted or else drafted in comprehensive terms.

33. Mr. KIERULE (Denmark), speaking on behalf of the Nordic countries - Denmark, Finland, Iceland, Norway and Sweden - in explanation of their votes cast on draft resolution A/C.3/38/L.27, said that they attached great importance to the United Nations Decade for Women and were working hard to promote the status of women and establish equality between men and women; they had high hopes of continuing their work at the international level at the Conference to be held at Nairobi in 1985. The objectives of the Conference would be fully achieved, however, only if its attention was focused on ways and means of improving the status of women and establishing full equality with men. For that reason, and despite their support of the draft resolution as a whole, the Nordic countries had abstained in the separate vote on paragraph 4.

34. Mr. BELLA (Ivory Coast) said that unfortunately his delegation had had to abstain in the votes on draft resolution A/C.3/38/L.27 which dealt with the highly important matter of preparations for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women. His country was responsive to the problems of women in general, and especially to those referred to in paragraph 4, but believed that creating a division with regard to the programme of the World Conference to be held at Nairobi in 1985 could doom the Conference to failure. His delegation had therefore abstained in the separate vote on paragraph 4 and in the vote on the text as a whole.

35. Mr. HOGUE (Australia) explained that his delegation had voted in favour of draft resolution A/C.3/38/L.27 because of its support for the provisional agenda for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, prepared by the Commission on the Status of Women. However, it had abstained in the separate vote on paragraph 4 of the draft resolution because it objected to any attempt to give the agenda a contentious political focus. It considered the agenda as adopted in accordance with paragraph 3 of the draft resolution to be that set out in the report of the Commission on the Status of Women.

36. Mr. BYKOV (Union of Soviet Socialist Republics) said that, on the basis of the Soviet Union's position of principle, which was fully to support the United Nations Decade for Women: Equality, Development and Peace, his delegation had voted in favour of draft resolution A/C.3/38/L.27, including operative paragraph 4, because it considered the draft a useful document for the preparatory work for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, and because the draft had resulted from extensive consultations and negotiations by the sponsors, including the Group of 77, whose efforts had been praiseworthy.

37. Document A/C.3/38/2/Add.1 containing the statement of the Secretary-General on the administrative and financial implications of recommendations II, III and V of the report of the Commission on the Status of Women as the Preparatory Body for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, did not meet the requirements for such documents. Much of it was not relevant, and it ought to be possible to finance the activities proposed by utilizing funds from other programmes which had been dropped or phased out, as the delegation of the Soviet Union had already had occasion to point out in previous statements on the subject.

38. Mr. RIACHE (Algeria) said he regretted the disappointing outcome of the efforts of the Group of 77 and the Group of African States to achieve a consensus on a matter affecting the future of roughly 52 per cent of the world's population. In his delegation's view, paragraph 4 of draft resolution A/C.3/38/L.27 represented the product of numerous consultations, concessions and negotiations. The attitude of those who had opposed the draft resolution did not augur well for the Committee's future work.

Draft resolution A/C.3/38/L.28/Rev.1

39. Mr. NABIL (Afghanistan) said that his delegation had voted in favour of draft resolution A/C.3/38/L.28/Rev.1 because it supported it in principle. Prostitution was prohibited in his country because it was contrary to sacred Islamic values and laws, which were strictly respected and preserved, and there were provisions in the Penal Code requiring appropriate punishment for prostitution and traffic in persons. However, the context of the draft resolution did not properly reflect the social problem and was rather ambiguous. For example, the seventh preambular paragraph did not specifically indicate the economic and social order responsible for the evil. The economic and social conditions of many countries, including his own, were not responsible for the continuation of that social problem, while those of many other countries were to a very great extent responsible for it: in many of them prostitution was legal, and in others it was a way of living. The draft did not sufficiently explain the causes of prostitution, which it was essential to identify - for example, unemployment, poverty, an unjust economic order and an inequitable distribution of the national income. The expression "social guarantees" in operative paragraph 2 was also ambiguous; his delegation would have preferred the avoidance of such ambiguities in the draft. It was to be hoped that, when the World Conference took place in 1985, the causes of the social problem of prostitution, and the best way of combating them, would be clearly identified.

40. Mrs. ZOGRAFU (Greece) said that her delegation's abstention in the vote on draft resolution A/C.3/38/L.28/Rev.1 should in no way be construed as support of prostitution. The reason for the abstention was that her delegation considered the draft resolution redundant, since the issue was already dealt with in the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. It also believed that the exploitation of prostitution could be dealt with more thoroughly in the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and other appropriate United Nations forums.

41. Mr. ROCHEREAU de la SABLIERE (France) thanked the sponsors of draft resolution A/C.3/38/L.28/Rev.1 for the improvements made to the previous text. His delegation had nevertheless been obliged to abstain in the vote on the draft resolution, which, in its view, did not properly approach the problem in all its complexity. To combat prostitution, it was basically necessary to combat the exploitation of the prostitution of others but the draft did not give due priority to that aspect.

42. Mr. BORCHARD (Federal Republic of Germany) thanked the sponsors of draft resolution A/C.3/38/L.28/Rev.1 for their efforts to incorporate some of his delegation's suggestions. His delegation had nevertheless abstained in the vote on the draft resolution because it did not think that the text reflected all aspects of the basic problems of prostitution or suggest suitable remedies. The Government of the Federal Republic of Germany did not believe that the legislative and other measures suggested in the draft resolution would help to improve the human and social situation of the women involved.

43. Mr. HOGUE (Australia) said that, while recognizing the efforts of the sponsors of draft resolution A/C.3/38/L.28/Rev.1 to make it acceptable to all, his delegation had been unable to support it. The decision to call for a vote on it had not been taken lightly, for it reflected problems of principle which had been explained to the sponsors before the vote. His delegation considered the draft resolution inconsistent with United Nations international instruments to which Australia was a party. It also had difficulties with regard to the measures to combat prostitution as such, as distinct from those to prevent exploitation of the prostitution of others and traffic in persons - particularly with regard to the taking of legislative measures, as urged in paragraph 1 of the draft resolution.

44. Mr. FURSLAND (United Kingdom) said that, although the sponsors of draft resolution A/C.3/38/L.28/Rev.1 had made commendable efforts to take account of the views of other delegations by making last-minute changes which had improved the original text, the draft resolution had still presented difficulties for his delegation. Prostitution had deep roots which went considerably beyond what was indicated in the sixth preambular paragraph. It affected men as well as women and children, and was a very complex problem which did not lend itself to simplistic pronouncements, from which the draft resolution still partly suffered despite the changes made. Specifically, no adequate distinction was made between prostitution as such and the exploitation of prostitution - which were two very different things. His delegation agreed to the adoption of strong measures against the exploitation of prostitution, but not against prostitution as such; and it was in that sense that it thought the word "combat" in paragraph 1 should be understood. However, despite the improvement made by substituting that word for earlier terms such as "eradicate" or "suppress", the tone of indiscriminate repression implicit in the text as a whole had obliged his delegation to abstain in the vote.

AGENDA ITEM 93: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE (continued)
(A/C.3/38/L.30)

Draft resolution A/C.3/38/L.30

45. Mr. MITREV (Bulgaria) said that his delegation had joined in the consensus on draft resolution A/C.3/38/L.30 because it regarded the right of every person to have a religion or belief as a basic human right. In accordance with the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, his delegation considered that the term "religion or belief" covered all beliefs, including theistic, non-theistic and atheistic beliefs. For those reasons it had accepted the idea of a seminar on the

(Mr. Mitrev, Bulgaria)

encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief, on the understanding that all beliefs would be treated equally, and that the rights and freedoms of all would be fully respected.

AGENDA ITEM 94: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS
(continued) (A/C.3/38/L.38)

Draft resolution A/C.3/38/L.38

46. Mr. RUSI (Finland), speaking on behalf of the delegations of the Nordic countries, said they had abstained in the vote on draft resolution A/C.3/38/L.38. On various occasions, the Governments of the Nordic countries had expressed their support for proposals aimed at eliminating the arms race, both nuclear and conventional, but considered that those questions should be raised in the appropriate forums. They had reservations with respect to the fourth preambular paragraph of the draft resolution, which referred to General Assembly resolutions that the Nordic countries had been unable to support. In connection with paragraph 5, the Nordic countries had expressed reservations with respect to article 20 of the International Covenant on Civil and Political Rights. The delegations of the Nordic countries shared the concern expressed in the resolution for the right to life of individuals, which was a basic human right, and, would therefore strongly support the draft resolution on arbitrary executions.

47. Mr. MITREV (Bulgaria) said that the draft resolution in document A/C.3/38/L.38 dealt with the most important human right, the right to life. Unfortunately, it was also one of the human rights most threatened by international tensions, the arms race, especially the nuclear-arms race, and the lack of political will on the part of certain Western Powers to co-operate in curbing the arms race.

48. Mr. CHEM SHIGIU (China) said that the Government and people of China supported the maintenance of international peace and security and opposed the arms race, particularly the nuclear-arms race, because they considered that scientific and technological progress should be used for the benefit of mankind. His delegation had therefore voted in favour of resolution A/C.3/38/L.38, but it wished to point out that currently the greatest threat to humanity came from the arms race between the two super-Powers, which constituted an abuse of modern science and technology. The two super-Powers had embarked on a new stage in their arms race, not only on Earth but also in outer space, using the most recent advances of science and technology, thereby increasing the danger of a world war, and creating a threat to the most basic human right, the right to life. That arms race also swallowed up great human resources which could have been used to further the well-being of mankind. His delegation considered that those matters should have been mentioned in the draft resolution.

49. Mr. BORCHARD (Federal Republic of Germany) said that his delegation had abstained in the vote on draft resolution A/C.3/38/L.38 because it considered that it bore little relation to the item under which it had been submitted, "Human Rights and Scientific and Technological Development", and that it contained many

(Mr. Borchard, Federal
Republic of Germany)

defects. Apart from those reservations, his delegation was convinced that an item should not be used to make general and undifferentiated statements on complex situations which called for careful expert consideration and which should be dealt with in the competent forums.

AGENDA ITEM 95: QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD (continued)
(A/C.3/38/L.23)

Draft resolution A/C.3/38/L.23

50. Mrs. JONES (United States of America) said that her delegation had joined in the consensus on draft resolution A/C.3/38/L.23 which welcomed Economic and Social Council resolution 1983/39 authorizing the working group preparing a draft convention on the rights of the child to meet for a period of one week prior to the fortieth session of the Commission on Human Rights. The United States, which participated actively and constructively in the elaboration of that draft international instrument, did not oppose renewal of the mandate of the working group, but it did have some objection to the wording of paragraph 2 of the draft resolution which suggested that there might be a great deal of pressure on the working group to complete its work in 1984. The United States would co-operate in the pursuit of that goal but it wished to stress the need for extreme care in drafting an international convention which would create binding legal obligations for its States parties. A realistic assessment indicated that the working group might need more than the number of meetings for which conference servicing would be available in the coming year. In that connection, she drew the attention of the Committee to the recommendation of the Committee for Programme and Co-ordination in paragraph 347 (e) of its report (A/38/38 (Part II)), that meetings of working groups should be spaced out at greater intervals than currently planned. The United States firmly supported that recommendation, which would allow the working group to proceed with its task in an orderly and business-like manner.

AGENDA ITEM 96: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (continued) (A/C.3/38/L.35)

Draft resolution A/C.3/38/L.35

51. Mr. BORCHARD (Federal Republic of Germany) said that his delegation had joined in the consensus on draft resolution A/C.3/38/L.35 on the understanding that its financial implications could be absorbed in the regular budget of the United Nations.

AGENDA ITEM 98: OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES
(continued) (A/C.3/38/L.24, A/C.3/38/L.34)

Draft resolution A/C.3/38/L.24

52. Mr. ARNOUSS (Syrian Arab Republic) said that his country, which had sponsored draft resolution A/C.3/38/L.24, intended to participate in the International

(Mr. Arnouss, Syrian Arab Republic)

Conference on Assistance to Refugees in Africa with a view to trying to remedy the consequences of that grave problem not only for the persons directly involved but also for the African countries of asylum. The Conference should deal not only with the human problem but also with its causes. Special attention should be paid to paragraph 3 of the draft, concerning invitations to the Conference, from which only two countries would be excluded, Israel and South Africa, the main causers of the problem of refugees.

Draft resolution A/C.3/38/L.34

53. Mr. NGUYEN LUONG (Viet Nam) said that, in voting in favour of draft resolution A/C.3/38/L.34, his delegation had wished to express its concern about preserving the eminently humanitarian and strictly apolitical nature of the activities of the Office of the United Nations High Commissioner for Refugees (UNHCR), which was the basis for international co-operation aimed at finding a durable solution to the refugee problem while respecting the independence, sovereignty and territorial integrity of States and non-interference in their internal affairs. Any attempt to use the problem of refugees for political ends seriously obstructed the exercise of the mandate of the High Commissioner and was therefore not consistent with the provisions of the draft resolution. Among the practices which should be condemned was the assistance to reactionary elements using refugee camps as a base to launch armed attacks or commit acts of sabotage against sovereign and independent States. The same was true for the infiltration operations carried out under the guise of purported voluntary repatriation. Those elements undermined the efforts made to find a durable solution to the refugee problem on the basis of voluntary repatriation and agreement between the parties concerned.

54. Mr. NABIL (Afghanistan) said that his delegation fully supported the views expressed on draft resolution A/C.3/38/L.34 by the representative of Viet Nam. He was in favour of the humanitarian assistance provided by UNHCR but expressed the hope that that assistance would not be given to criminals, bandits and murderers, as had unfortunately occurred in many cases.

55. Mr. BYKOV (Byelorussian Soviet Socialist Republic) said that draft resolution A/C.3/38/L.34 on the report of the United Nations High Commissioner for Refugees contained some unacceptable ideas and expressions, especially in connection with the principle of international solidarity and burden-sharing in responding to the refugee problem, embodied in paragraph 5. His delegation, which had already expressed its opinion on that matter during the general debate, had therefore abstained in the vote on the draft resolution.

AGENDA ITEM 99: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/38/L.33)

Draft resolution A/C.3/38/L.33

56. Ms. JONES (United States of America) said that her delegation recognized the need for increased attention to the international traffic in drugs, and strongly

(Ms. Jones, United States)

supported the basic thrust of draft resolution A/C.3/38/L.33. However, there were two areas where her delegation had differences with its sponsors. First, it was not certain that the interregional meeting discussed in paragraph 6 should be of high priority, since there were better co-ordinating mechanisms for international law enforcement agencies and there had already been a number of regional meetings that had brought together relevant experts. She therefore urged the Secretary-General to proceed cautiously with regard to paragraph 6 and to ensure that there were not other items deserving higher priority. Second, her country had some concern about the issue of drug trafficking being taken up at the General Assembly each year outside the context of the mechanisms that the United Nations had established precisely for that purpose. Rather than have the Secretary-General report to the General Assembly under a specific agenda item, as proposed in paragraphs 7 and 8, his report ought to be presented to the Commission on Narcotic Drugs and later to the Economic and Social Council. The General Assembly would then consider the issue in the context of the annual report of the Economic and Social Council and not as a separate item. Otherwise, the issue of drug trafficking did not receive the expert attention that it required, and the time and resources of the General Assembly were being expended in an area that the Assembly was not really prepared to address. Her delegation urged the Assembly to correct that discrepancy. However, in spite of those reservations, it had joined the consensus on draft resolution A/C.3/38/L.33.

AGENDA ITEM 100: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/38/L.25)

Draft resolution A/C.3/38/L.25

57. Mr. ZURITA (Spain) expressed his delegation's appreciation to the sponsors of draft resolution A/C.3/38/L.25 and especially to the Cuban delegation for its spirit of co-operation in arriving at a text that was more complete than in 1982. It was well known that his Government was determined to give its support to draft resolutions whose purpose was to enhance the defence of human rights and refine the legal system with a view to guaranteeing them. Civil and political rights and economic, social and cultural rights constituted an inseparable whole. Individuals and peoples should be protected against a violation of any of them. It could not be argued that, without a certain level of economic and social development, conditions existed in which torture and arbitrary arrest might be acceptable. Conversely, the theoretical enjoyment of some public freedoms was of little value of poverty and ignorance prevented their due exercise and the satisfaction of the most basic human needs. In that spirit, his delegation had voted in favour of the draft resolution, although it wished to point out a certain lack of precision in the terminology used, which could lead to differing interpretations. Neither the concept of the "right to development" nor who was the subject of that right was sufficiently clear. Men and women were the centre and the subject of the human

(Mr. Zurita, Spain)

rights system and all measures relating to those rights should refer to them. All human rights and fundamental freedoms were indivisible and interrelated and implied a basic framework for the full development of human beings. Along those same lines, there were community aspects of the basic freedoms. Individuals lived in communities which imposed on them an obligation of solidarity. Unless the environment of the community was properly developed, it would be difficult to defend citizens' and public freedoms effectively.

58. Mr. GEZER (Turkey) said that, in his delegation's opinion, the necessary balance between civil and political rights and economic and social rights on the one hand and between individual rights and collective rights on the other was not present in draft resolution A/C.3/38/L.25. The draft should reflect more clearly the basic concept of the classical theory of human rights, according to which those inalienable rights were inherent in human nature and existed and manifested themselves independently of all other factors. Social and economic rights, whose importance must certainly be widely recognized, far from overshadowing the intrinsic value of fundamental human rights that precisely assured the safeguarding of individual and political liberties and thus guaranteed the participation of citizens in the process of political decision-making, were complementary to the exercise of those fundamental rights. For those reasons, his delegation had abstained in the vote on the draft resolution.

59. Mrs. KUROKOCHI (Japan) said that her delegation had abstained in the vote on draft resolution A/C.3/38/L.25 as it had difficulty with the wording of certain parts of the text. In particular, paragraph 9 reaffirmed that the right to development was an inalienable human right but paragraph 14 stated that the Working Group of Governmental Experts on the Right to Development was still studying the matter. Divergent opinions had been expressed in the Working Group and it would therefore be advisable for that body to continue its consideration of the issue. The General Assembly should not pronounce itself definitively on the issue until the Working Group had reached clear conclusions on all questions relating to the right to development.

60. Mr. MITREV (Bulgaria) said that his delegation reserved the right to explain its vote on the draft resolutions which had not been mentioned during the meeting, particularly draft resolution A/C.3/38/L.25, when the reports of the Third Committee came to be considered in the plenary Assembly.

61. Mr. FRAMBACH (German Democratic Republic) said that his delegation had voted in favour of draft resolution A/C.3/38/L.25 in a spirit of compromise and co-operation, in recognition of the great efforts of the sponsors to take into account a series of ideas and proposals which had been submitted in connection with the draft. Unfortunately very few of those proposals had been included in the text as submitted; the German Democratic Republic was therefore not fully satisfied with it, particularly paragraphs 5 and 6, which must not be interpreted as authorizing interference in the internal affairs of any State.

62. Ms. FRANCO (Portugal) said that her delegation had voted for draft resolution A/C.3/38/L.25 in order to show the importance it attached to the dialogue among Member States concerning other ways and means offered within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms, particularly by studying the right to development. Nevertheless it had felt obliged to abstain in the separate vote on paragraph 9 which, like previous resolutions under the item, would lead the General Assembly to pre-judge the outcome of the study on the scope and contents of the right to development as a human right being conducted by a working group of the Commission on Human Rights. The fact that her delegation had voted in favour of the draft resolution as a whole in spite of those serious hesitations was due to the efforts of the sponsors to improve the text. She would, however, like to stress that Portugal's vote on future draft resolutions under the item would depend on their presenting a balanced approach to the promotion and protection of human rights and their capability to reinforce a concept of human rights as one which essentially concerned the relationship between the State power and the individual.

63. Mr. CERMAK (Austria) expressed the satisfaction of his delegation that it had been possible to present a single draft resolution on agenda item 100. Austria had voted in favour of draft resolution A/C.3/38/L.25 but that did not mean that it agreed with the full text. In particular, he could not accept the affirmation that the right to development was an inalienable human right. His Government considered that there was a clear relationship between the right to development and human rights; in order to define that relationship, however, a Working Group had been set up in Geneva and had not yet concluded its work. The General Assembly should not anticipate the results of that work and his delegation had therefore abstained in the separate vote on paragraph 9.

64. Mr. BYKOV (Union of Soviet Socialist Republics) said that his delegation had voted in favour of draft resolution A/C.3/38/L.25, which faithfully reflected the principles contained in General Assembly resolution 32/130, which had been adopted without a single opposing vote and with only eight abstentions. Draft resolution A/C.3/38/L.25 included the essential elements of that resolution and emphasized, inter alia, that international peace and security were essential elements for the full realization of human rights. Without denying that the wording of the draft resolution contained certain shortcomings and ambiguities - as, for example, in paragraph 6 - his delegation was confident that such shortcomings would be overcome as international co-operation on human rights developed in accordance with the principles of the Charter and the provisions of General Assembly resolution 32/130.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/38/3 (Parts I, II and III), A/38/106, 147 and Add.1 and 2, A/38/166 and Add. 1-3, A/38/221, 260, 325, 385 and Add.1, 422, 479, 480, 485, 503, 529, 538; A/C.3/38/1, 3, 5, 8, 11; A/C.3/38/L.36, L.37/Rev.1, L.43, L.44, L.47-49, L.51)

Draft resolution A/C.3/38/L.36

65. Ms. JONES (United States of America) said that her delegation was pleased to be part of the consensus on draft resolution A/C.3/38/L.36, as it attached great

(Ms. Jones, United States)

importance to the work of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families. Nevertheless she wished to draw attention to the view expressed by the United States delegation in the Committee for Programme and Co-ordination (A/38/38 (Part II), para. 347) regarding the possible duplication of activities of the Working Group with activities undertaken by the International Labour Organisation, which had the necessary experience and technical capability to deal with an issue that basically involved developing the rights of a particular category of workers. Finally, she said that the United States supported the draft resolution on the understanding that the Secretariat would absorb the full cost of the corresponding conference services and that there would be no additional costs.

66. Mr. BORCHARD (Federal Republic of Germany) said that his delegation had doubts whether the wording of paragraph 1 fully reflected the state of the deliberations of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families, as the Working Group still had to overcome a number of basic difficulties.

67. The CHAIRMAN announced that the Committee had completed its consideration of agenda items 91 to 100 and that, as the time-limit set for the adoption of draft resolutions which had financial implications had expired, he had given instructions that the draft resolutions which had been adopted should be communicated to the Fifth Committee for appropriate action.

The meeting rose at 1.20 p.m.