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SUMMARY RECORD OF THE 60th MEETING

Chairman: Mr. ZADOR (Hungary)

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 106: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORTS OF THE SECRETARY-GENERAL (continued) (A/C.3/40/L.49 and L.68)

1. Mrs. DOWNING (Secretary of the Committee), speaking on behalf of the Secretariat, said that, when considering the financial implications (A/C.3/40/L.68) of draft resolution A/C.3/40/L.49, the Committee would have taken note of the general plan of the administrative arrangements and the programme of activities proposed in that document by the Secretary-General. If the Committee adopted the draft resolution, that would not mean that the additional requirements indicated in section E of document A/C.3/40/L.68 would have been approved. Under rule 153 of the rules of procedure of the General Assembly, the Fifth Committee must, after careful examination of document A/C.3/40/L.68 by ACABQ and on its recommendation, consider the estimated expenditures contained in that document and report to the General Assembly in plenary session on the effect of the draft resolution on the programme budget.

2. The CHAIRMAN said that, in order to meet the wishes of some delegations which had not had sufficient time to consider document A/C.3/40/L.68 and with the agreement of the Committee, he would address a request to the President of the General Assembly for the postponement of the mandatory deadline for transmittal to the Fifth Committee of resolutions with financial implications in order to enable the Third Committee to take a decision on draft resolution A/C.3/40/L.49 at a subsequent meeting.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/40/3 and Corr.1, A/40/77, A/40/160, A/40/173, A/40/201, A/40/232 and Add.1-3, A/40/276, A/40/308, A/40/342, A/40/398, A/40/458, A/40/489, A/40/569, A/40/578, A/40/638 and Add.1-3, A/40/647, A/40/818, A/40/843, A/40/865, A/40/E74, A/40/938; A/C.3/40/1, A/C.3/40/6, A/C.3/40/7, A/C.3/40/9, A/C.3/40/L.32, L.48, L.54, L.59, L.64, L.66, L.67, L.70 and L.74, L.72, L.75)

3. Mr. RUZO (Byelorussian Soviet Socialist Republic) said that, in order to defend the interests of their monopolies, the imperialist States resorted to a policy of flagrant and massive violations of human rights at both the national and the international levels and prevented the adoption by the United Nations of effective instruments to establish a new international economic order. The main obstacles to the elimination of the racist régime and criminal system of apartheid in South Africa were the economic ambitions of the transnational corporations of many Western countries which were making fabulous profits in that part of the world, as well as the policy of "constructive engagement" practised by those States with regard to the South African racists with a view to stifling the national liberation movement of the South African people. The United Nations must severely condemn the activities of all economic circles and foreign policies which aided and protected the racists of southern Africa and demand a halt to those activities.

4. The fusion of the strategic objectives of the imperialist forces and the expansionist aspirations of Israel had led to flagrant and massive violations of

(Mr. Ruzo, Byelorussian SSR)

human rights in the Middle East. The question of the inalienable rights of the Palestinian peoples and the living conditions of the Palestinians in the occupied territories had been on the agenda of many United Nations organs and organizations since 1967. The policy of aggression waged by Israel against neighbouring Arab States deprived hundreds of thousands of people of their fundamental rights and freedoms and was a cause of instability in the Middle East as well as a threat to the world as a whole. The United Nations must take firm and effective measures against Israel in order to make it conform to the provisions of the relevant resolutions of the Security Council and the General Assembly.

5. Flagrant and massive violations of human rights and fundamental freedoms were occurring in El Salvador, where a dictatorial régime was seeking to stifle, with United States military and political assistance, the forces of democratic and revolutionary national liberation of the Salvadorian people. Washington and the Western press tried to discredit the Salvadorian patriots in order to deprive them of the support of the international community. Those patriots wished to achieve agrarian reform, eliminate poverty and unemployment, democratize social life and obtain true independence. The report on the situation of human rights in El Salvador was odiously partial. Responsibility for the current situation in the country was attributed in equal parts to the dictatorial régime and to the patriots of the Frente Farabundo Martí para la Liberación Nacional. While the blood of Salvadorian patriots was being shed in abundance, the Rapporteur believed that he had detected so-called democratic tendencies in the régime. The Report did not properly analyse the activities of the principal accomplices in the excesses of the Salvadorian military, the Pentagon and the United States military advisers who directed and co-ordinated the punitive operations being carried in El Salvador.

6. Murders, disappearances, tortures, refugees and genocide of the Indians were current phenomena in Guatemala. In his report on the situation of human rights in the country (A/40/865), the Special Rapporteur of the Commission on Human Rights arrived at the conclusion that the process of democratization was unfolding satisfactorily, which absolutely did not correspond to reality. The number of murders and disappearances there was still as high as before, and the November 1985 elections were but a political farce. The advent to power of a new military régime had effected no change in the human rights situation in Guatemala.

7. The submission by a number of Western countries of a draft resolution on the so-called question of human rights and fundamental freedoms in Afghanistan (A/C.3/40/L.48) constituted imperialist interference in the internal affairs of that country. The report on the situation of human rights in Afghanistan (A/40/843), prepared by a man whose past hardly qualified him for the task, was full of base libels and lies about the legitimate Government of the Democratic Republic of Afghanistan. The testimony compiled in that so-called "objective study" was that of criminals in the pay of imperialist and reactionary forces who rewarded their services generously. The true situation with regard to human rights in Afghanistan was set forth in detail in the report submitted by Afghanistan in accordance with article 40 of the International Covenant on Civil and Political Rights (CCPR/C/30/Add.1). It was, moreover, the Afghan revolutionary Government

(Mr. Ruzo, Byelorussian SSR)

and not the former régime which had ratified the International Covenants on human rights. The Afghan Government had undertaken vast social and economic reforms which enjoyed the support of the Afghan people. The sponsors of draft resolution A/C.3/40/L.48 were seeking to curb the process of democratic change under way in the country and to intensify the undeclared war against Afghanistan. They covered up the crimes of those who organized and financed the mercenary counter-revolutionary bands guilty of flagrant and massive violations of human rights in Afghan territory. The Committee must reject those manoeuvres and defend the rights of the Afghan people, which was building a new life.

8. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said he deplored the fact that, in his preliminary report on the situation of human rights in Chile (A/40/647), the new Special Rapporteur had departed from the practice of his predecessors. In previous reports, the attempt had been made to study the human-rights situation in Chile and to draw conclusions therefrom on the manner in which the Chilean Government was fulfilling its obligation to respect human rights under the international instruments to which Chile was a party. The new Special Rapporteur had interpreted his mandate restrictively and, having established information gathering as the goal, had avoided all generalizations and value judgements. The result was that his report was essentially a compilation of quotations from contradictory sources. While the Special Rapporteur described his contacts with the Chilean authorities in detail, he did not analyse the information they had given him. The impression had been created that the fragmentary and superficial character of the report was not fortuitous but had the aim of concealing the true state of affairs.

9. The situation in Chile remained disturbing. In 1985, political activity was still prohibited and political murders and kidnappings had continued. Despite repressive measures, the Chilean people had once again made it clear to the tyrannical régime that it was not prepared to accept oppression and humiliation and that it demanded the immediate restoration of its rights. The raising of the state of seige, which, in the view of the Special Rapporteur, had had a positive effect on the human rights situation, had not brought democracy to the Chilean people. The state of emergency remained in force and human rights continued to be openly violated.

10. The persistence and spread of the practice of torture, noted in the preliminary report, aroused the greatest concern. While it had previously been used to obtain information on the activities of those opposed to the régime, torture was now used in order to terrorize the entire population. The creation of an atmosphere of terror had brought about the appearance of new paramilitary organizations of the well-known "death squad" type.

11. The Special Rapporteur had not fulfilled his mandate. He endeavoured to cover up the fascist terror in Chile sustained through the support of the United States and its transnational corporations, which also supported the régimes in El Salvador and Guatemala. The General Assembly should take effective measures to halt the flagrant and massive violations of human rights committed by the fascist dictatorships in Chile, El Salvador and Guatemala.

12. Mr. KARLSSON (Sweden) said that the United Nations had achieved much that was praiseworthy in the field of human rights since the adoption of the Universal Declaration of Human Rights. The Organization's efforts in the field had found expression in the elaboration of many increasingly specific legal instruments to which had been added, in 1984, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. He was pleased to inform the Committee that Sweden would be in a position to ratify that Convention in the coming weeks.

13. However, despite the remarkable array of standards established by the Organization, human rights continued to be systematically flouted in various parts of the world, and countless numbers of people had been persecuted and tortured for their political and religious beliefs. The challenge was to ensure that those standards were applied in practice by all Member States as a moral and not only a legal obligation.

14. Torture, enforced or involuntary disappearances and summary or arbitrary executions were particularly gross violations of human rights and should be firmly denounced and condemned. His delegation therefore welcomed the appointment of a Special Rapporteur to investigate questions relating to torture. The Special Representatives of the Commission on Human Rights and the Special Rapporteurs who monitored compliance with international norms and reported on the human rights situation in different countries had an important role to play. They had a very delicate and difficult task to perform and one that required the full and unstinting co-operation of all Governments. Such co-operation was not, unfortunately, always forthcoming. Dialogue must be established between the author of the report and all the parties concerned in the country in question. His delegation was pleased that the reports submitted to the General Assembly at its current session covered a greater range of countries.

15. It was clear from the report on Chile (A/40/647) that the situation of human rights there had deteriorated yet further in 1985. The oppressive régime had institutionalized the state of emergency and gave no sign of relinquishing its use of torture and arbitrary detention. The Special Rapporteur had endeavoured to co-operate with the Chilean Government, for which he should be commended even if the report was thereby marked by a certain degree of caution.

16. He was sorry to note that the interim report on the situation of human rights in El Salvador (A/40/818) did not fully live up to the standards of reliability and balance set by previous reports. After a slight improvement, the situation in El Salvador seemed again to have deteriorated, particularly in urban areas. The number of political killings continued to be very high and abductions and disappearances were frequent. The sufferings of the Salvadorian people were primarily caused by the ongoing civil war, and the road to peace and respect for human rights could only be opened through a constructive dialogue between the parties to the conflict.

17. His delegation did not share all the conclusions reached by the Special Rapporteur in his report on Guatemala (A/40/865) and noted with interest that he

(Mr. Karlsson, Sweden)

had himself recognized that his methodology was not uncontroversial. Violence, torture, killings and disappearances were still commonplace. Against that background, elections were being held in relatively good order. His delegation hoped that a civilian Government would be installed, as planned, by mid-January. The future of the country would, to a large extent, depend on respect for the new Constitution by all concerned. The Government should take immediate measures to ensure full respect for the human rights and fundamental freedoms of all Guatemalans by the country's civilian and military authorities and should strive to establish an independent judicial system.

18. According to reliable sources, summary or arbitrary executions continued unabated in Iran. His Government, like the Special Representative of the Commission on Human Rights, urged the Iranian Government to allow independent humanitarian organizations to enter Iran in order to help ensure respect for basic human rights.

19. It made the same appeal to the Afghan authorities, which had so far refused to co-operate with the Special Rapporteur. The Soviet military intervention, in total defiance of basic human rights, was becoming increasingly brutal. Civilians, especially women and children, were being killed, and approximately 1 million people had died. More than 4 million Afghans had been forced to leave their homes and their country and an additional 2 million had been displaced.

20. The consideration of the human rights situation was certainly not limited to the five countries dealt with in the reports. Mention should also be made of the situation in South Africa, where the white minority régime had institutionalized the denial of human rights under the apartheid system. According to Amnesty International reports, many fundamental human rights violations also occurred in other parts of Africa. In Sri Lanka, if the ongoing negotiations to find a political solution were successful, the people would be spared the communal violence and the consequent violations of human rights. In the Philippines, social unrest might worsen if certain basic demands were not met. The persecution of human rights activists throughout the world, especially in the Soviet Union and Eastern Europe, also deserved the attention of Member States. The same held good for discrimination against ethnic and religious minorities in many countries. The plight of Soviet Jewry was a case in point. Furthermore, in numerous countries, workers were being deprived of their basic right to join the trade union of their choice. ILO was doing remarkable work in that field but his delegation felt that the harassment, imprisonment and even killing of trade union activists were violations which should be of concern to the Committee.

21. The list of serious human rights violations could have been much longer and showed how much remained to be done in the field of human rights. Indeed, in some cases, respect for those rights was a matter of life or death.

22. Mr. FAROUQUE (Sri Lanka), speaking in exercise of the right of reply, informed the delegation of Sweden which had just accused his country and many others of human rights violations, that he reserved the right to take up the question again at the next meeting on agenda item 12.

23. Mr. DAMM (Chile), speaking in exercise of the right of reply, compared the statement by the representative of the Soviet Union to Soviet propaganda programmes on Radio Moscow, with which Chile was bombarded on a daily basis. The Soviet Union ought to know that since 1973, Chile had freed itself from the yoke of Soviet fascism. Representative and pluralist democracy would return to Chile but Soviet fascism would never return. The delegation of the Soviet Union delighted in inventing lies about Chile, as it had just done for over 30 minutes. He refused to respond to the Soviet diatribe because he would then have to embark on an endless discussion, in order to list the countless human rights violations, of which the Soviet Union had been guilty since the revolution. However, Chile reserved the use of the right of reply again on that issue.

24. The CHAIRMAN declared the general debate closed so that votes could be taken on the draft resolutions.

Draft resolution A/C.3/40/L.70 and related financial implications (A/C.3/40/L.74)

25. Mrs. DOWNING (Secretary of the Committee) said that Tunisia had become one of the sponsors of the draft resolution A/C.3/40/L.70.

26. The CHAIRMAN said that, if there were no objections, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.70 without a vote.

27. It was so decided.

28. Miss BYRNE (United States of America) said that her delegation did not object to the adoption of resolution A/C.3/40/L.70 without a vote as she herself had participated in the work of the Working Group responsible for drafting an international convention on the protection of the rights of all migrant workers and their families. The United States supported the principle of drafting a Convention but was of the opinion that such a task should be the responsibility of ILO, which was conversant with the question since it had already adopted two conventions and two recommendations and carried out a study on it. Furthermore, the Working Group of the General Assembly was composed of a small number of countries, whereas the tripartite Committee of the annual ILO Conference had a broader representation and reflected the interests of workers, employers and Governments. With respect to the implementation of Conventions of that kind, nothing could replace ILO's vast experience, its long-standing machinery and its tried and tested programme of direct contact with Member States.

29. In addition, the United States had joined in the consensus, in the hope that expenses for conference services calculated on the basis of the overall cost (A/C.3/40/L.74), would be completely financed by the allocation included in the consolidated statement of the total cost of conference services, submitted to the General Assembly.

30. Ms. YOUNG (United Kingdom) expressed reservations as to the usefulness of the work of the Working Group responsible for drafting the International Convention on the Protection of the Rights of All Migrant Workers and Their Families. She hoped that the Secretariat would attempt as far as possible to minimize the costs, which would be reflected in the summarized statement of total conference service costs submitted to the General Assembly at the end of the session. The decision that the Working Group should hold its intersessional meeting in New York was a violation of the provision of General Assembly resolution 31/140 whereby the United Nations agencies should schedule meetings at their respective headquarters.

31. Miss DIEGUEZ (Mexico) said that the Working Group in question was a General Assembly body with headquarters in New York.

32. The CHAIRMAN said that draft resolution A/C.3/40/L.49, the financial implications of which were outlined in document A/C.3/40/L.68 would be considered at the afternoon meeting the following day.

AGENDA ITEM 101: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/40/L.61)

Draft resolution A/C.3/40/L.61

33. Mrs. DOWNING (Secretary of the Committee) said that draft resolution A/C.3/40/L.61 had no financial implications and that Australia, Gambia, Honduras and Uganda had all become co-sponsors of the draft. She added that in the English version, in the fifth preambular paragraph the expression "as presented by" had been replaced by "as submitted by". In paragraph 4, the wording in "at its fortieth session" had been replaced by the expression "as soon as possible" and that in paragraph 11 the wording "of its fortieth session" had been replaced by "of its forty-first session".

34. The CHAIRMAN said that, if he heard no objections, he would take it that the Committee wished to adopt the draft resolution without a vote.

35. It was so decided.

AGENDA ITEM 102: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS (continued) (A/C.3/40/L.62, L.65, L.69)

Draft resolution A/C.3/40/L.62

36. Mr. PERUGINI (Italy) said that Italy was one of the sponsors of the draft resolution.

37. Mrs. DOWNING (Secretary of the Committee) said that draft resolution A/C.3/40/L.62 had no financial implications and that Honduras and Singapore had become co-sponsors. Italy had been omitted from the list of sponsors erroneously. In the English version, the title of the draft should be as follows: "Implications of scientific and technological development for human rights".

38. The CHAIRMAN said that, if he heard no objections, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.62 without a vote.

39. It was so decided.

Draft resolution A/C.3/40/L.65

40. Mrs. DOWNING (Secretary of the Committee) said that draft resolution A/C.3/40/L.65 had no financial implications. Guinea-Bissau and Zambia had also become sponsors.

41. A recorded vote was taken on draft resolution A/C.3/40/L.65.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast (Côte d'Ivoire), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Australia, Austria, Belgium, Chile, Denmark, Finland, Iceland, Ireland, Israel, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey.

42. Draft resolution A/C.3/40/L.65 was adopted by 109 votes to 6, with 19 abstentions.

Draft resolution A/C.3/40/L.69

43. Mrs. DOWNING (Secretary of the Committee) said that the draft resolution had no financial implications and that Benin and Czechoslovakia should be added to the list of sponsors.

44. A recorded vote was taken on draft resolution A/C.3/40/L.69.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast (Côte d'Ivoire), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

45. Draft resolution A/C.3/40/L.69 was adopted by 113 votes to none, with 23 abstentions.

46. Mrs. RYGH (Norway), speaking in explanation of vote on behalf of the Nordic countries concerning draft resolution A/C.3/40/L.65, said that those delegations had abstained, because, although they supported all proposals which could help to stop the nuclear or conventional arms race, they were of the opinion that those topics should be dealt with by the competent bodies. They had reservations on the fourth preambular paragraph, which referred to General Assembly resolutions which

(Mrs. Rygh, Norway)

the Nordic countries had not been able to support. On paragraph 6, the Nordic countries had expressed reservations with regard to article 20 of the International Covenant on Civil and Political Rights, which was concerned with the same subject. However, because they were concerned with protecting the individual right to life, which was a fundamental human right, they strongly supported the resolution on summary or arbitrary executions.

47. Mr. DUGUAY (Canada) said that Canada had voted against draft resolution A/C.3/40/L.65 because the text contained several references to controversial matters which fell within the competence of other organs of the United Nations rather than the Third Committee. That was particularly true of the fourth and fifth preambular paragraphs which concerned resolutions and declarations which were far from unanimous. In operative paragraph 1 the right to life was attributed not only to individuals but also to peoples. To dilute the most fundamental individual right in that manner was unacceptable. In addition, operative paragraphs 3 and 6 dealt with questions of disarmament which were being examined in other United Nations bodies. Finally, his delegation regretted that the draft had been submitted under such controversial circumstances.

48. Mr. HAMER (Netherlands) said that his delegation had abstained from voting on draft resolution A/C.3/40/L.65 which went beyond both the agenda item under which it had been submitted and the competence of the Third Committee. The mandate of the Third Committee concerned social, humanitarian and cultural matters and it should be left to the competent bodies within and without the United Nations to concern themselves with arms limitations and the prohibition of nuclear weapons.

49. Ms. YOUNG (United Kingdom) said that disarmament was not a suitable topic for the Third Committee. It had enough to do with the subjects within its competence without occupying itself with those belonging to other bodies, such as the First Committee. The text of draft resolution A/C.3/40/L.65 was very similar to that of resolutions adopted by the General Assembly during its previous session. For the same reasons that had led it to vote against those resolutions, her delegation had opposed draft resolution A/C.3/40/L.65. It had abstained on draft resolution A/C.3/40/L.69 because paragraph 6 concerned the preparation of a study against which it had voted in the Commission on Human Rights.

50. Mrs. ITO (Japan) said she had abstained on draft resolution A/C.3/40/L.65. It had nothing to do with the question of human rights considered under item 102. She had also abstained on draft resolution A/C.3/40/L.69 because she had reservations on operative paragraph 6, which referred to resolutions 1982/4 and 1984/29 of the Commission on Human Rights, on which Japan had abstained.

51. Mr. MAHONEY (Gambia) said that, if his delegation had been present, it would have voted in favour of draft resolution A/C.3/40/L.65.

52. Mrs. ALVAREZ (France) said that the French delegation had voted against draft resolution A/C.3/40/L.65 because, although France did not question the importance of the right to life or of preserving peace, it considered certain formulations, particularly in the preambular part unacceptable. Moreover, the provisions of the resolution concerning the arms race, disarmament and nuclear war fell outside the competence of the Third Committee.

AGENDA ITEM 103: QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD (continued)
(A/C.3/40/L.51)

53. Mr. POLOWCZYK (Poland) said that, since the draft resolution mentioned document A/C.3/40/3, he wished to inform the Committee that a correction to that document had been published. It stated unambiguously that the text of the draft convention as it appeared in part II of document A/C.3/40/3 had been produced by a Working Group of the Commission on Human Rights and not by the Committee itself. He hoped that as usual the Committee would adopt the draft without a vote.

54. Mrs. UMAÑA (Colombia), Mrs. ASHTON (Bolivia), Mr. OKONJI (Nigeria), Mr. ZURITA (Spain) and Mr. NKOUNKOU (Congo) announced that they had become sponsors of draft resolution A/C.3/40/L.51.

55. Mrs. DOWNING (Secretary of the Committee) said that in the last paragraph of the preamble the words "and Corr.1" should be added after the mention of document A/C.3/40/3. The draft resolution had no financial implications. The following countries had joined its sponsors: Afghanistan, Australia, Bangladesh, Greece, Guinea, Iceland, Italy, Ivory Coast, Madagascar, Peru, Rwanda, Viet Nam and Zaire.

56. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.51 without a vote.

57. It was so decided.

AGENDA ITEM 104: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (continued)
(A/C.3/40/L.55, L.56, L.73)

Draft resolution A/C.3/40/L.55

58. Mrs. WARZAZI (Morocco) said that in the French version of paragraph 7 of the draft the word "septembre" should be replaced by "décembre".

59. Mrs. MOIZ (Pakistan) proposed a slight change in the tenth preambular paragraph of the draft in order to bring the text into line with previous General Assembly resolutions. She wished to reformulate the latter part of the sentence as follows: "in particular colonialism, neo-colonialism, racism, racial discrimination in all its forms, apartheid, foreign intervention, occupation, aggression, discrimination and domination". She hoped that the sponsors would accept that amendment.

60. Mr. SCHLEGEL (German Democratic Republic) had no difficulty in accepting the amendment if the other sponsors of the draft agreed.

61. Mr. SCHWANDT (Federal Republic of Germany) said that his delegation would abstain from voting on draft resolution A/C.3/40/L.55 because the meaning was not clear. It would have supported a resolution which contained only provisions relative to the implementation of the International Covenant on Economic, Social and Cultural Rights because it had for several years advocated the strengthening of mechanisms for the implementation of that Covenant. Unfortunately those positive paragraphs appeared under an ambitious title which did not have much to do with the content of the resolution. The term "interdependence" which appeared in the title and several times in the body of the text was incorrect since there was only a straightforward relationship between different kinds of rights. His country was convinced of such a relationship: for example, only where freedom of expression and assembly were respected, did one also find free unions.

62. For the same reasons, it would vote against the eighth preambular paragraph of the draft. In fact, the realization of economic, social and cultural rights depended on the realization of civil and political rights and only a free and democratic society allowed the exercise of all human rights. The draft as a whole was based on erroneous concepts which, in the long term, could only weaken the notion of human rights defined in the Universal Declaration and in the Covenants.

63. The Federal Republic of Germany would vote against the eleventh preambular paragraph, the wording of which did not correspond to the terms used in the International Covenant on Economic, Social and Cultural Rights. A resolution referring expressly to that Covenant should use the terms it contained, which had been ratified by 95 countries. His delegation had reservations with regard to the tenth preambular paragraph, which made no mention of totalitarian ideologies, although they had been described, both in the Commission on Human Rights and in the Third Committee, as obstacles to the realization of human rights. Lastly, his delegation considered that the thirteenth preambular paragraph addressed questions which were within the exclusive competence of the First and Second Committees.

64. Mrs. COLL (Ireland) said that her delegation would vote in favour of draft resolution A/C.3/40/L.55, the operative part of which correctly emphasized the implementation of the Covenants in general and the International Covenant on Economic, Social and Cultural Rights in particular. However, it regretted that consensus had not been achieved on the draft as a whole. Ireland considered that the implementation of the International Covenant on Economic, Social and Cultural Rights had been relatively neglected and therefore welcomed the establishment of the Committee on Economic, Social and Cultural Rights and the importance accorded it in paragraphs 4 to 6 of the draft. Her delegation felt, however, that just as much attention should be given to the implementation of the International Covenant on Civil and Political Rights. Under no circumstances could it accept that the realization of one category of rights should be subordinated to the realization of the other. It had serious reservations regarding the item under which that initiative had been taken and within the framework of which the activities provided for in the operative part of the draft would be carried out. It also had

(Mrs. Coll, Ireland)

reservations concerning certain paragraphs which were based on the same notions. Ireland had decided to support the draft, however, because it was in favour of concrete initiatives and was convinced that they would develop in a different direction from the one currently envisaged. Ireland very much regretted that in the eleventh preambular paragraph, which referred to sovereignty over natural resources, the terms used in the International Covenants had not been used.

65. Mrs. PEARCE (Australia) said that her delegation would vote for draft resolution A/C.3/40/L.55 although it had difficulties with the wording of certain paragraphs and regretted that greater efforts had not been made to achieve a text that was closer to the terms of the Covenant and would be likely to become the subject of a consensus. It welcomed the emphasis placed in some operative paragraphs on the practical implementation of the International Covenant on Economic, Social and Cultural Rights. However, the text should not suggest, either explicitly or implicitly, that the realization of economic rights took priority over or constituted a pre-condition for the exercise of civil and political rights, which would be contrary to her interpretation of the relationship existing between those two types of rights and would not contribute to their realization. For Australia, therefore, the eighth preambular paragraph meant that the realization of civil and political rights and of economic, social and cultural rights were mutually reinforcing; but it could not be interpreted as implying that the realization of civil and political rights depended on the enjoyment of economic, social and cultural rights.

66. Regarding the twelfth preambular paragraph, Australia emphasized that the right to development was not recognized in the Covenant, but could be considered as being inherent in its implementation.

67. Mrs. WARZAZI (Morocco) proposed that the sponsors of the draft resolution should reverse the order in which the Covenants were listed in the second and third preambular paragraphs, because the Covenant on Civil and Political Rights had been adopted before the Covenant on Economic, Social and Cultural Rights. If they did not wish to do so, they should merely use the expression "International Covenants on Human Rights".

68. Mr. SCHLEGEL (German Democratic Republic) said that the Covenants had been cited in their order of entry into force, which was the order in which they appeared in the compilation of international human rights instruments. He therefore did not wish to change the draft.

69. Mrs. WARZAZI (Morocco) said that what she was talking about was the chronological order of the adoption of the Covenants in 1966, not the date of their entry into force.

70. Mr. SCHLEGEL (German Democratic Republic) referred the members of the Committee to the second preambular paragraph of draft resolution A/C.3/40/L.56, where the Covenants were cited in the same order.

71. Mrs. WARZAZI (Morocco) said that the example set in draft resolution A/C.3/40/L.56 lent support to her position, since its second preambular paragraph related to the status of the Covenants and it was therefore natural that the chronological order of their entry into force should be followed; however, that was not the case for draft resolution A/C.3/40/L.55.

72. Mr. HAMER (Netherlands) said that his delegation would vote in favour of draft resolution A/C.3/40/L.55 because it attached great importance to the implementation of the two Covenants. He was pleased that paragraphs 4 to 6 of the draft resolution emphasized the implementation of the Covenant on Economic, Social and Cultural Rights and hoped that the establishment of the Committee on Economic, Social and Cultural Rights would place that Covenant on the same level as the Covenant on Civil and Political Rights. However, he would vote against the eleventh preambular paragraph because he considered that the provisions relating to sovereignty over natural resources should conform with the relevant provisions of international law.

73. His delegation regretted that the sponsors had rejected his delegation's proposal to amend the tenth preambular paragraph and to replace the words "in particular", by the expression "especially situations such as those resulting from". He hoped that in future the sponsors of the draft would be more prepared to take into account the concerns of delegations which, like them, were parties to the International Covenant on Economic, Social and Cultural Rights. He requested that the Committee should take a separate recorded vote on the tenth preambular paragraph of the draft resolution.

74. Lastly, he emphasized that the realization of economic, social and cultural rights could not be considered as a pre-condition for the full exercise of civil and political rights. In his delegation's opinion, the recognition of the indivisibility and interdependence of the two categories of rights simply implied recognizing that the realization of one category and the exercise of the other were mutually reinforcing.

75. Mr. PERUGINI (Italy) said that his delegation would abstain in the vote on the draft resolution. Although it was in favour of several operative paragraphs and the ideas they contained, it could not accept that the exercise of civil and political rights should be made dependent on the realization of economic, social and cultural rights, as was the case in the eighth preambular paragraph, operative paragraph 8 and the title of the draft resolution. During negotiations in recent years on draft resolutions relating to that question, Italy had always insisted on the relationship that existed between those rights but had rejected the idea of interdependence. Moreover, the wording of the eleventh preambular paragraph did not follow the terms of the Covenant and was therefore not acceptable. His delegation's abstention on the item should not therefore be interpreted as a lack of interest in economic, social and cultural rights.

76. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation would vote for draft resolution A/C.3/40/L.55 since it was in favour of strengthening the implementation of the International Covenant on Economic, Social and Cultural

(Mrs. Castro de Barish, Costa Rica)

Rights. However, it rejected any subordination of civil and political rights, which were the rights of individuals before the State, to economic, social and cultural rights, which were those which each State could, within the limitations of the means available to it and in accordance with its own particular situation, guarantee to its nationals.

77. Mrs. DOWNING (Secretary of the Committee) said that draft resolution A/C.3/40/L.55 had no financial implications and noted that Peru had been included erroneously among the sponsors of that draft resolution. She also read out the revised version of the tenth preambular paragraph.

78. The CHAIRMAN said that separate recorded votes had been requested.

79. A recorded vote was taken on the eighth preambular paragraph.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Netherlands, Nicaragua, Nigeria, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Costa Rica, France, Germany, Federal Republic of, Honduras, Israel, Italy, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Belgium, Canada, Denmark, Finland, Greece, Iceland, Ireland, Ivory Coast (Côte d'Ivoire), Japan, Luxembourg, New Zealand, Norway, Portugal, Senegal, Spain, Sweden, Turkey.

80. The eighth preambular paragraph was adopted by 108 votes to 8, with 18 abstentions.

81. A recorded vote was taken on the tenth preambular paragraph, as revised.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast (Côte d'Ivoire), 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, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Honduras, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

82. The tenth preambular paragraph was adopted, as revised, by 113 votes to 1, with 21 abstentions.

83. A recorded vote was taken on the eleventh preambular paragraph.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast (Côte d'Ivoire), 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, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, Greece, Iceland, Ireland, Japan, Luxembourg, New Zealand, Norway, Portugal, Spain, Sweden.

84. The eleventh preambular paragraph was adopted by 113 votes to 7, with 16 abstentions.

85. A recorded vote was taken on draft resolution A/C.3/40/L.55 as a whole.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Ivory Coast (Côte d'Ivoire), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Israel, Italy, Japan, Luxembourg, Malawi, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland.

86. Draft resolution A/C.3/40/L.55 as a whole was adopted by 119 votes to 1, with 18 abstentions.

Draft resolution A/C.3/40/L.56

87. Mr. JATIVA (Ecuador) said that his delegation wished to be included among the sponsors of the draft resolution.

88. Mrs. DOWNING (Secretary of the Committee) said that draft resolution A/C.3/40/L.56 had no financial implications and announced that France had joined the list of sponsors of that draft resolution. She recalled that the representative of Denmark had, when introducing the draft resolution, revised it by deleting operative paragraph 2 and by renumbering the other paragraphs.

89. The CHAIRMAN said that, if he heard no objections, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.56, as revised, without a vote.

90. It was so decided.

Draft resolution A/C.3/40/L.73

91. Mr. PERUGINI (Italy) said that in the first line of operative paragraph 10 the word "Conference" should be replaced by "Meeting".

92. Mrs. DOWNING (Secretary of the Committee) stated that the draft resolution did not have any financial implications.

93. The CHAIRMAN said that, if he heard no objections, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.73 without a vote.

94. It was so decided.

95. Ms. YOUNG (United Kingdom) said that her delegation had abstained at the time of the vote on draft resolution A/C.3/40/L.55, despite the importance attached by the United Kingdom to the implementation of the two International Covenants on Human Rights. It could not accept, for the reasons so clearly outlined by the representative of the Federal Republic of Germany, the assertion in the eighth preambular paragraph, in operative paragraph 8 and in the title that all human rights were interdependent. There were certainly some links between certain rights, and the realization of some could contribute to the enjoyment of others, but the exercise of economic, social and cultural rights should not become a prerequisite for the exercise of civil and political rights. Neither could her delegation accept the implication that the principal obstacles to the realization of human rights had been set forth in the tenth preambular paragraph, since, in

(Ms. Young, United Kingdom)

order for it to be comprehensive, totalitarian ideologies should also be added. Her delegation also did not accept that the non-self-governing status of certain territories in itself deprived their inhabitants of the full enjoyment of their human rights if the population was free to exercise its right to self-determination. Her delegation had voted against the eleventh preambular paragraph because the wording did not correspond to that of the International Covenant on Economic, Social and Cultural Rights. It also had difficulties in accepting the twelfth and thirteenth preambular paragraphs for the reasons it had outlined when explaining its vote on draft resolution A/C.3/40/L.40.

96. With regard to draft resolution A/C.3/40/L.73, her delegation was happy to have been able to join in the consensus but was of the opinion that the practice of considering two subsequent reports in one single text, as mentioned in operative paragraph 10, should not serve as an excuse for the late submission of reports.

97. Miss BYRNE (United States of America) said that her delegation had joined in the consensus on draft resolution A/C.3/40/L.56, which was balanced and detailed and reflected the main concerns of the delegations representing the States parties to the Covenants in the various regional groups. Nevertheless, her delegation had serious reservations about paragraph 13 of the draft resolution, since it had voted against Economic and Social Council resolution 1985/17 for reasons which it had already explained and particularly in view of the considerable expense to which the establishment of the Committee on Economic, Social and Cultural Rights would give rise.

98. Her delegation had voted against draft resolution A/C.3/40/L.55, which represented an attempt by a small group to pursue its own political ends. The draft resolution was dangerous because it aimed at redefining and reinterpreting the concept of human rights set forth in the principal international instruments. Her delegation was unable to support the attempt to place the controversial concept of the indivisibility, inseparability or interdependence of various categories of rights as a permanent item on the Committee's agenda.

99. Mr. DUGUAY (Canada) said that his delegation had had to abstain in the vote on draft resolution A/C.3/40/L.55, although it supported many of its provisions, particularly paragraph 1 on advisory services and paragraphs 4 and 6 concerning the establishment of the Committee on Economic, Social and Cultural Rights. Although Canada, which was a party to the International Covenant on Economic, Social and Cultural Rights, was anxious to ensure the implementation of its provisions, it considered that the two Covenants constituted a whole which should be the subject of a single draft resolution based on the Covenants themselves and on measures to promote their implementation. His delegation had difficulty in accepting the inclusion in the preamble of references to the world social situation, disarmament and the right to development, which were not relevant to the question under consideration.

100. Miss EMARA (Egypt) said that her delegation had voted in favour of draft resolutions A/C.3/40/L.55 and L.56 because Egypt attached considerable importance to the International Covenants on Human Rights and the relationship between the two categories of rights. Nevertheless, her delegation had reservations concerning the expression "within existing resources" in paragraph 6 of draft resolution A/C.3/40/L.55 and paragraph 16 of draft resolution A/C.3/40/L.56.

101. Mrs. BORGES (Uruguay) said that, instead of referring to the interdependence of economic, social and cultural rights on the one hand and civil and political rights on the other, it would have been better in draft resolution A/C.3/40/L.55 to speak of the indivisibility of those rights and the links between them.

102. Miss MASRI (Tunisia) said that, although her delegation had joined in the consensus on draft resolution A/C.3/40/L.73, it had reservations about paragraphs 7 and 8 because the questions they dealt with fell within the competence of the States parties to the Covenants under consideration.

103. Mrs. ITO (Japan) said that her delegation had abstained in the vote on draft resolution A/C.3/40/L.55 because it had difficulty in accepting the concept of the indivisibility and interdependence of economic, social and cultural rights on the one hand and civil and political rights on the other which was referred to in the title of the draft resolution, the seventh and eighth preambular paragraphs and paragraph 8. The necessary weight should be given to the essential difference between the rights set forth in the Covenants, and the progressive realization of one category of rights should not delay enjoyment of the other category of rights. Furthermore, her delegation had difficulty in accepting the phrase "sovereignty over its natural wealth and resources" (eleventh preambular paragraph), which was not to be found in the International Covenant on Civil and Political Rights, and the concept of the "right to development" (twelfth preambular paragraph), regarding which it had been agreed to continue the debate.

104. Mr. STROHAL (Austria) said that his delegation had abstained in the vote on draft resolution A/C.3/40/L.55 in spite of the importance which his country attached to the question under consideration and the fact that Austria was a party to the two International Covenants on Human Rights and closely followed their implementation. It was particularly gratifying that the Economic and Social Council had decided to establish the Committee on Economic, Social and Cultural Rights, with which Austria was prepared to co-operate. Although his country could support most of the provisions of the operative part of the draft resolution, it felt that the term interdependence was not sufficiently clear. Austria had always held that economic, social and cultural rights and civil and political rights were closely linked and should receive equal attention and be implemented equally. The implementation, protection and promotion of one group of rights did not exempt a country from implementing, protecting and promoting the other group of rights. Furthermore, his delegation would have wished the adoption of the draft resolution to be preceded by in-depth consultations, as that would have enabled the Committee to take a decision on important and controversial questions without a vote.

AGENDA ITEM 144: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (continued) (A/C.3/40/L.57 and L.71)

Draft resolution A/C.3/40/L.57

105. Mr. ZURITA (Spain) said that his Government had decided, subject to parliamentary approval, to contribute 2 million pesetas to the United Nations Voluntary Fund for Victims of Torture and added that Spain wished to join the sponsors of the draft resolution.

106. Mrs. DOWNING (Secretary of the Committee) said that draft resolution A/C.3/40/L.57 had no financial implications and that Belgium, Costa Rica, Guinea, Iceland and Ireland had joined the sponsors of the draft resolution.

107. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.57 without a vote.

108. It was so decided.

Draft resolution A/C.3/40/L.71

109. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that his delegation would vote in favour of the draft resolution and announced that the Soviet Government had decided to sign the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

110. Ms. YOUNG (United Kingdom) said that her country wished to become a sponsor of the draft resolution.

111. Mrs. DOWNING (Secretary of the Committee) said that the draft resolution had no financial implications and that Canada, Gambia, Luxembourg, Peru and Singapore had joined the sponsors of the draft resolution.

112. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.3/40/L.71 without a vote.

113. It was so decided.

114. Mrs. ITO (Japan) expressed satisfaction that her delegation had been able to join in the consensus on draft resolution A/C.3/40/L.71 because it attached the greatest importance to the objectives of the Convention: in that connection, she reaffirmed the position which her delegation had expressed when explaining its vote following the adoption of the Convention at the thirty-ninth session of the General Assembly.

The meeting rose at 6.30 p.m.