When, at its 17th meeting on 14 June 1985, the Working Group discussed the draft report (A/C.3/40/WG.1/CRP.5 and Addenda), which I had the honour to submit for adoption, it appeared that the required consensus for the adoption of a text for article 1 had not been at hand.

After a long, friendly and constructive discussion, the Working Group proceeded to the adoption of a text for article 1, and you confirmed such a decision which was reflected in the Journal of the United Nations of 10 June 1985 (No. 85/108).

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The lack of consensus came as a surprise to the Working Group and to myself, and we spent a great deal of time trying to find out whether the situation had been caused by disagreement on the substance of the provision, by the imperfection of the draft report, or by interpretation difficulties at the time of the adoption of the article. The problem remained unresolved, though.

Even if the disagreement with regard to the word "property" and to the words proposed for the other language versions did reflect substantive differences of opinion, it would not have been possible to find a solution at that stage: the substantive discussion had been concluded, and we were in the process of adopting the Working Group's report.

If, on the other hand, the confusion was due to linguistic or interpretation problems, which seems more probable, the time at our disposal did not allow an exhaustive discussion.

As a matter of fact, the time spent on the formulation of article 1 for inclusion in the report jeopardized the adoption of the report as a whole. In the view of such a risk, I proposed the "solution" reflected in paragraph 136 of the report, adding that I, as Vice-Chairman, would send a letter to you, Sir, and inform you and, through you, the Working Group, of the development with regard to article 1. The Working Group accepted the "solution" implying that it will resume its discussion on article 1 at its next session.

In the course of the debate, some delegations had pointed out "that the word 'property', as contained in the English version of the International Covenant on Civil and Political Rights, might have a different meaning in other linguistic versions of the Covenant" (para. 124).

Without trying to interpret the meaning of the word "property", I note that the French version of the Covenant (or, indeed, both Covenants) uses the word "fortune" where the English uses "property". Furthermore, during the course of the debate my attention was drawn to the fact that the Spanish version of the Covenant uses the expression "condicion economica" where the English has "property" and the French "fortune". This I find especially noteworthy, since the English draft text for article 1 contains the expression "economic position" in addition to the word "property".

This leads me to believe that, in the future, we shall have to check very carefully all the linguistic versions of the Covenants to which constant references have been made throughout the first reading of the draft text.

Finally, Sir, I wish to draw your attention to paragraph 135 of the report, in which the representative of Morocco placed on record that her delegation's acceptance of article 1 was subject to a satisfactory agreement concerning article 2.

In the light of all this, I would like to suggest that the Working Group, at its next session, resume its discussion on articles 2 and 1 in that order.
In conclusion, I submit that my letter to you be made available to the Working Group at the beginning of its next session.

(Signed) Benat LIDAL
Vice-Chairman of the Working Group on Migrant Workers