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SECOND (SOCIAL) COMMITTEE

SUMMARY RECORD OF THE 18th MEETING

Held at Headquarters, New York,
on Monday, 30 April 1979, at 10.30 a.m.

Chairman: Mr. HASSAN (Pakistan)

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The meeting was called to order at 11.05 a.m.

ACTIVITIES FOR THE ADVANCEMENT OF WOMEN: UNITED NATIONS DECADE FOR WOMEN:
EQUALITY, DEVELOPMENT AND PEACE (continued) (E/1979/C.2/L.1/Rev.1)

1. Mrs. DE LA MAZA (Dominican Republic) said that her country, although a developing country, had been one of the first, in 1940, to grant civil and political equality to women. At the international level, the representative of the Dominican Republic had been one of the few women to sign the United Nations Charter in San Francisco. At the national level, a woman had governed a province of her country in 1966, and the Constitution reflected the struggle to develop women's roles. Her country would continue to make contributions to the cause of women and regretted having been absent during the vote on the draft resolution contained in document E/1979/C.2/L.1/Rev.1.

SOCIAL DEVELOPMENT QUESTIONS (continued) (E/1979/24, chapter I: E/1978/102, E/1979/L.3 and L.4)

2. The CHAIRMAN, recalling that the Committee had taken a decision on the draft resolutions of the Commission for Social Development at the previous meeting, invited any representatives who still wished to do so to explain their positions on those resolutions.

Draft resolution XIV

3. Mr. HARASHIMA (Japan) said that his delegation welcomed the general ideas and objectives of draft resolution XIV in document E/1979/24; however, it had certain difficulties with paragraph 1. The question of permanent sovereignty over natural resources had been brought up by his delegation previously, and its position had not changed since the adoption of General Assembly resolution 3281 (XXIX), containing the Charter of Economic Rights and Duties of States.

4. Mr. NORDENFELT (Sweden), speaking on behalf of the delegation of Finland, as well as his own, said that draft resolution XIV contained many useful concepts but should be complemented by elements drawn from the recommendations made by the Commission for Social Development to the Preparatory Committee for the New International Development Strategy. The delegations of Sweden and Finland wished to stress the importance of social elements in the International Development Strategy. Because of certain formulations in paragraphs 1, 2 and 3, however, those delegations had been obliged to abstain during the vote.

5. Mrs. SIBAL (India) said that her Government fully supported the New International Development Strategy. She had accordingly voted in favour of draft resolution XIV and in the Commission for Social Development her delegation had joined in sponsoring a decision on the subject. She was glad to note that due attention was being given to social development questions, including the development of women, children and the family.

Draft resolution IX

6. Mr. BYKOV (Union of Soviet Socialist Republics) said that he had joined in the consensus in favour of draft resolution IX (technical co-operation in crime

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prevention and control) on the understanding that the provisions of the operative part of the resolution would be implemented within the framework of the regular budget, having strict regard to economy, and that resources would be obtained from savings on programmes currently being implemented or through the discontinuance of obsolete and marginal programmes.

Draft resolution IV

7. Mr. FAURIS (France) said that his delegation had joined in the consensus on the draft resolution in the Commission for Social Development and would therefore have accepted it as it stood. Since, however, some delegations wished the text to be submitted to Governments for comments before the General Assembly took a decision, and since he believed that international standards should have widespread approval if there was to be any chance of their being implemented, he proposed the following amendments: in operative paragraph 1, a full stop should be placed after the word "Internationally" in the second line and the rest of the paragraph deleted; operative paragraph 2 should read as follows: "Requests the Secretary-General to transmit the text of the draft Declaration to all Member States in order to obtain their comments on the subject, with a view to submitting the results of the inquiry to the General Assembly at its thirty-fifth session"; operative paragraph 3 should read: "Draws the attention of the General Assembly to the fact that at its twenty-sixth session, the Commission for Social Development expressed the wish that, should the General Assembly accept the Declaration of Principles, and subject to the availability of funds, the Secretary-General should be authorized to convene a group of experts ...".

8. Mr. NYAMEKYE (Ghana) suggested that further discussion of the subject should be postponed until the proposed amendments had been circulated in written form.

9. It was so decided.

Draft decision in document E/1979/C.2/L.4

10. The CHAIRMAN recalled that the draft decision contained in document E/1979/C.2/L.4 had been introduced at the previous meeting but that consideration of it had been deferred in order to allow time for informal consultations. He wished to know the result of those consultations.

11. Mr. EDIS (United Kingdom) proposed a new version of the introductory paragraph, reading as follows: "The Economic and Social Council takes note of the following draft of a Declaration on the Rights of Deaf-Blind Persons and decides to bring it to the attention of the General Assembly for consideration at its thirty-fourth session under item 79 of the provisional agenda in document A/34/50."

12. Mr. OZADOVSKY (Ukrainian Soviet Socialist Republic) wished to know if the draft had been discussed in the Commission for Social Development or any other functional commission of the Economic and Social Council.

13. Mr. WASILEWSKI (Poland) said that the normal procedure was to begin the drafting process in the functional commissions of the Council and then to transmit the results to the General Assembly for final adoption. That procedure should not be reversed unless there was good reason for doing so. The new introductory paragraph proposed by the representative of the United Kingdom was less flexible than the original one, and his delegation had hoped to hear a more flexible version. The phrase "takes note" was too strong, because no discussion of the draft had taken place. The representative of the United Kingdom himself had said that his delegation had objection to certain formulations in the draft and many other delegations probably entertained similar reservations. He suggested transmitting the draft to the Commission on Human Rights.

14. Mr. EDIS (United Kingdom) said that his proposal had been intended as a neutral formulation, and the phrase "takes note" was commonly used. The proposed draft had been prompted by a statement made by a non-governmental organization at a Council meeting and by the consideration that persons who were doubly disabled by being both deaf and blind needed special attention within the United Nations system. The International Year for Disabled Persons was approaching rapidly and it would therefore be advisable to transmit the useful proposal for a draft declaration to the General Assembly for consideration. The General Assembly would be a far more suitable forum for discussion of the item than the Commission on Human Rights, in the view of his delegation.

15. Mrs. SIBAL (India) proposed the following wording for the introductory paragraph: "The Economic and Social Council decides to transmit without discussion the following draft of a Declaration on the Rights of Deaf-Blind Persons to the thirty-fourth session of the General Assembly for consideration under item 79 of the provisional agenda in document A/34/50."

16. Mr. BYKOV (Union of Soviet Socialist Republics) said that the relationship between the draft declaration and the General Assembly Declaration on the Rights of Disabled Persons needed to be considered, and the most appropriate forum for such consideration would be the Commission for Social Development. The proposal made by the representative of India added the required element of flexibility to the introductory paragraph, but more time was needed for consideration of the question.

17. Mr. EDIS (United Kingdom) said that the Commission for Social Development would not meet for two or more years. The item, however, required immediate attention, especially in view of the forthcoming International Year for Disabled Persons. There would be time to consider the question at the next session of the General Assembly, when that body could take a final decision. The proposal to refer the draft Declaration to the General Assembly was made with a view to ensuring that it was duly discussed and that proper attention was given to it.

18. Mr. SOBHY (Observer for Egypt) said that the subject was important to all members of the United Nations, not merely to members of the Council. He did not clearly understand why the United Kingdom representative was pressing the matter when his delegation apparently did not support all the articles of the proposed

(Mr. Sobhy, Observer for Egypt)

draft declaration and was not even certain whether a separate declaration on the rights of deaf-blind persons was necessary. In any case it was obvious that the Council would not have time to discuss the draft.

19. In the opinion of his delegation, the draft declaration should be submitted to the steering committee set up in preparation for the International Year for Disabled Persons, of which the United Kingdom was a member. Alternatively, the United Kingdom representative could hold informal consultations with the steering committee.

20. Mr. SHERIFIS (Cyprus) said that no one questioned the significance of the matter - which he understood had been raised by a non-governmental organization - and it was clear from the debate that the United Kingdom representative's humanitarian motives were widely shared in the Committee. The only problem was whether there was time at the present session for due consideration of such an important matter. Normally such draft declarations would be sent to the competent functional commission, in the present case the Commission for Social Development; but since that body was not due to meet for two years, it might be better, rather than submit the draft declaration to the General Assembly, to ask the General Assembly to consider the advisability of drafting such a declaration. Alternatively, any delegation could introduce the draft text, for example during discussions in the Third Committee.

21. The CHAIRMAN said he was sure that there was general agreement on a matter of such humanitarian concern and that differences of opinion related only to procedure. Since the problem was the shortage of time, he suggested that the Committee should postpone consideration of the draft for a day or two to allow interested delegations to hold further informal consultations.

22. It was so decided.

HUMAN RIGHTS QUESTIONS (continued) (E/1979/19 and 36; E/1978/14 and Add.1-8; E/1978/C.2/L.6)

23. Mr. NENEMAN (Poland) said that the experience accumulated so far in the United Nations system indicated that the Charter provisions on co-operation among States in the field of human rights had been implemented in two basic areas: combating massive and systematic violations of human rights; and drafting international conventions and agreements in that field.

24. Mass violations of rights and freedoms were a threat to world peace and security and one of the major tasks of the Commission on Human Rights should therefore be to strive to eliminate the mass violations resulting from policies of aggression, colonialism, fascism, apartheid, and suppression of national liberation movements in southern Africa, in the Arab territories occupied by Israel and in Chile. He welcomed the action taken by the Commission, and in particular its resolution 9 (XXXV) on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance

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(Mr. Neneman, Poland)

given to colonial and racist régimes in southern Africa; its resolution 11 (XXXV) on the study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment, operative paragraph 2 of which referred to the recent discovery of bodies in a mass grave in Lonquen, some of which had been identified as the bodies of persons reported as detained and subsequently disappeared; its resolution 12 (XXXV) on violations of human rights in southern Africa - including the harassment of civilians, torture of captured freedom-fighters and violation of the territorial integrity of Angola, and its resolution 1 (XXXV) on the violation of human rights in the occupied Arab territories, including Palestine. In that connexion he wished to express solidarity with the Palestinian people and grave concern over the serious situation in the occupied Arab territories resulting from continued Israeli occupation and aggression.

25. On the important and complex task of standard-setting, a series of international agreements had already been drafted within the framework of the United Nations and, as a result, respect for human rights had become a generally recognized principle of contemporary international law and was being incorporated into national legislation. Conventions, covenants and other international instruments constituted a legal infrastructure which formed the basis for international co-operation in the field of human rights. But the process of standard-setting was still far from complete and would probably never be completed, since the development process was continually bringing to the surface new questions requiring new legal instruments.

26. His country had been involved in the drafting of international instruments on subjects including war crimes, apartheid, and racial discrimination, as well as the covenants on human rights and the Declaration on the Preparation of Societies for Life in Peace, which had been adopted by the General Assembly on the initiative of his country. It had also submitted to the Commission on Human Rights at its thirty-fourth session a draft convention on the rights of the child, which had later been circulated by the Secretary-General to Governments and international organizations and then placed before the Commission at its thirty-fifth session with the relevant comments. Progress had been slow, however, and despite resolutions adopted by the Council at its first session in 1978 and the General Assembly at its thirty-third session, it seemed unlikely that the convention would be adopted during the International Year of the Child. The Commission had, however, adopted resolution 19 (XXXV), in operative paragraph 1 of which it had decided "to continue at its thirty-sixth session, as a matter of priority, its work on a draft convention on the rights of the child with a view to completing, if possible, the elaboration of the said convention at that session ...".

27. His country would endeavour to prepare a revised draft convention, taking into account the comments submitted by States and international organizations, which would be circulated well in advance of the thirty-sixth session of the Commission, in the hope that a draft might be prepared and a Convention adopted in 1980.

ORGANIZATION OF WORK

28. Mr. ERDOS (Hungary) proposed that there should be no meetings of the Committee on the following day, 1 May, which many countries celebrated as Labour Day.
29. The CHAIRMAN said that, while he appreciated the Hungarian representative's motives, 1 May was not an official holiday in the United Nations. Since the Committee was very behind hand with its work, he hoped that the proposal would not be pressed.
30. After a brief discussion, in which comments were made by Mr. O'DONOVAN (Ireland), Mr. OZADOVSKY (Ukrainian Soviet Socialist Republic) and Mr. NYAMENYE (Ghana), Mr. BYKOV (Union of Soviet Socialist Republics) suggested that the Committee should meet in the morning and decide, in the light of progress made, whether to meet in the afternoon or not.
31. The CHAIRMAN suggested that the Committee should adopt the procedure suggested by the representative of the Soviet Union.
32. It was so decided.

The meeting rose at 12.40 p.m.