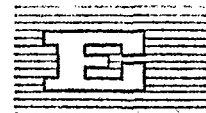


UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL  
E/CN.4/1983/SR.54  
15 March 1983  
ENGLISH  
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

SUMMARY RECORD OF THE 54th MEETING<sup>\*/</sup>  
(First part)

Held at the Palais des Nations, Geneva,  
on Wednesday, 9 March 1983, at 3 p.m.

Chairman: Mr. HAYES (Ireland)  
later: Mr. BARAKAT (Jordan)

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Human rights and scientific and technological developments (continued)

Measures to improve the situation and ensure the human rights and dignity of all migrant workers

The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service

<sup>\*/</sup> The second part of the summary record of the meeting was issued as document E/CN.4/1983/SR.54/Add.1.

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GE.83-16137

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

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS (agenda item 15)  
(continued) (E/CN.4/1983/L.56, L.75\*, L.77, L.78, L.90; E/CN.4/1983/4,  
chapter I.A; draft resolution IX)

1. The CHAIRMAN noted that draft resolution E/CN.4/1983/L.90 had been withdrawn. The Commission was therefore called upon to consider draft resolutions E/CN.4/1983/L.75\*, L.77 and L.78, as well as draft resolution IX submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in chapter I.A of its report (E/CN.4/1983/4). He invited the sponsors of those draft resolutions to introduce them.
2. Mrs. DJORDJEVIĆ (Yugoslavia), introducing draft resolution E/CN.4/1983/L.75\* on behalf of the Japanese delegation and her own delegation, said that its sponsors had proceeded from the premise that in recent decades, scientific discoveries and technological advances had opened up vast prospects for the progress of mankind, in both the social and the economic fields. Since one of the principal goals of economic and social development was the promotion of human rights, the sponsors stressed the importance of science and technology in that regard and recalled the main instruments adopted by the United Nations in which that idea was expressed, and particularly the Vienna Programme of Action on Science and Technology for Development that had been adopted in 1979.
3. It should be noted, however, that to date the Commission had been mainly concerned with the problems arising in connection with science and technology and their harmful effects on human rights. The sponsors of the draft resolution believed that attention should also be given to the positive role of science and technology as one of the major factors contributing to the promotion of human rights everywhere in the world. The vast majority of mankind still had no access to science and technology, which, if genuinely integrated into peoples' lives, could only serve to advance their civil, political, economic, social and cultural rights.
4. The operative part of the draft resolution, in which the Secretary-General was requested to prepare a report on the most effective ways and means of using the results of scientific and technological developments for the promotion of human rights, had been drafted with that in mind. The sponsors were thinking more particularly of the selection of technological advances that could contribute most directly to the enjoyment of human rights, measures to place international scientific and technological co-operation at the service of human rights through appropriate activities and programmes, ways of providing access to the results of science and technology for all segments of society, and the need for the population to participate actively in the choice of new technologies of direct concern to their social and economic position.
5. As to the request that the Secretary-General should submit his report to the Commission at its forty-first session, the sponsors of the draft resolution wished to point out that they had taken account of the proposal by the Working Group of 10 (E/CN.4/1983/L.4, para.12) that the question of human rights and scientific and technological developments should be considered on a biennial basis beginning at the forty-first session. If, however, the item was included in the agenda of the fortieth session, the sponsors hoped that the report of the Secretary-General would be available at that session. In view of the significance of the issue for all countries, whether developed and developing and whether they already had access to science and technology or not, her delegation hoped that the Commission would adopt draft resolution E/CN.4/1983/L.75\* without a vote.

6. Mr. BYKOV (Union of Soviet Socialist Republics) introduced draft resolution E/CN.4/1983/L.78 on human rights and scientific and technological developments, in which the sponsors recalled that there was no more important question than that of preserving peace and ensuring the cardinal right of every human being, namely, the right to life. Scientific and technological developments could make a significant contribution to the fight against famine and poverty and to improving the level of life of economically backward peoples. Further, in view of the threats currently overshadowing the world, the sponsors of the draft resolution stressed that the international community must make every effort to strengthen peace and remove the threat of war, and that it was of the highest importance to implement practical measures of disarmament. In conformity with article 20 of the International Covenant on Civil and Political Rights, they called upon all States to take effective measures with a view to prohibiting by law any propaganda for war. Finally, States and appropriate organs of the United Nations were called upon to do their utmost to ensure that the results of scientific and technological progress were used to promote and encourage respect for human rights. The adoption of the draft resolution would be a first step in that direction, and the Soviet delegation hoped that the draft would be adopted by consensus.

7. Mr. OGURTSOV (Observer for the Byelorussian Soviet Socialist Republic) introduced draft resolution E/CN.4/1983/L.77, whose sponsors placed particular emphasis on the significance of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, adopted by the General Assembly on 10 November 1975 (resolution 3384 (XXX)) and expressed their concern at the fact that the results of scientific and technological progress could be used to the detriment of social progress. Having noted that exchanges and transfer of scientific and technical knowledge were one of the conditions for progress by the developing countries, the sponsors requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake a study on the use of the achievements of scientific and technological progress to ensure the right to work and development, a study which would be of practical interest for developing and developed countries alike.

8. Mr. O'DONOVAN (Ireland) referred to the remarks made by the Yugoslav delegation which, in introducing draft resolution E/CN.4/1983/L.75\*, had mentioned a recommendation by the Group of 10 established to consider the possibility of rationalizing the Commission's agenda (E/CN.4/1983/L.4) to the effect that the subject of item 15 of the agenda for the current session should be considered on a biennial basis, beginning at the Commission's forty-first session. Speaking in his capacity as Chairman-Rapporteur of the Group, he said that the recommendation could be modified to take account of the wishes expressed by delegations, and that the topic in question could be considered on a biennial basis as from the fortieth session. The same consideration applied to all draft resolutions submitted under agenda item 15.

9. Speaking as the representative of Ireland, he wished to present his delegation's comments on draft resolution E/CN.4/1983/L.78 and to put forward two amendments. First, he proposed the insertion, at the end of the preambular part, of a new paragraph which would read: "Affirming the particular importance

of ensuring that everyone shall have the right to freedom of expression, peaceful assembly and freedom of association, and to take part in public affairs, in all matters relating to the right to life". Further, in the operative part, his delegation proposed the insertion, after paragraph 3, of a new paragraph reading: "Urges all States to ensure that in matters relating to the right to life, everyone shall have the right to freedom of expression, peaceful assembly and freedom of association, and to take part in public affairs.". The other operative paragraphs would be renumbered accordingly. The additional provisions proposed by his delegation were based on articles 19, 21, 22 and 25 of the International Covenant on Civil and Political Rights, and he hoped that the sponsors would agree to them.

10. Viscount COLVILLE of CULROSS (United Kingdom), referring to draft resolution IX submitted by the Sub-Commission in its report (E/CN.4/1983/4, chapter I.A), said he wished to propose a number of amendments which were purely stylistic but would enable several delegations to endorse the draft resolution. In the first part of the draft (E/CN.4/1983/4, p.7), concerning the Commission on Human Rights, the fourth preambular paragraph would read: "Expressing its deep appreciation to the Special Rapporteur, Mrs. Erica-Irene A. Daes, for her work in preparing her report, including the draft body of principles, guidelines and guarantees". With regard to the second part of the draft resolution, concerning the Economic and Social Council, his delegation proposed that the second preambular paragraph should be divided into two parts, reading: "Expressing its deep appreciation to the Special Rapporteur, Mrs. Erica-Irene A. Daes, for her work in preparing her report" and "Noting also with appreciation the report of the Sessional Working Group on the question of persons detained on the grounds of mental ill-health".

11. Mrs. OGATA (Japan) said that the question of human rights and scientific and technological developments covered by draft resolution E/CN.4/1983/L.75\* had long been of particular interest to her delegation, which had been a sponsor of the resolutions submitted when the item had first been introduced to the United Nations some 15 years earlier. She considered, however, that it should now be looked at in a new light. On the one hand, the enormous contribution of scientific and technological developments to economic and social progress and to the promotion of human rights, both in developed and developing countries, should be recognized. On the other, it was a fact that 800 million people still lived in absolute poverty and that a number of developing countries were confronted with apparently insurmountable problems. The effective utilization of science and technology to improve that situation was certainly a key issue.

12. The Commission must seek ways of bringing about more effective international co-operation to make certain that the results of scientific and technological development were also applied to assuring the promotion of human rights and fundamental freedoms. In particular, awareness of certain problems would not be possible without the development of communications. Furthermore, the application of science and technology to identify, avoid or eliminate environmental hazards and to guarantee the quality of life contributed greatly to the enjoyment of basic rights, including the right to life. It was with such considerations in mind that her delegation had become a sponsor of draft resolution E/CN.4/1983/L.75\*, which, inter alia, invited all Member States and relevant international organizations to submit to the Secretary-General their views on the most effective ways and means for the use of the results of scientific and technological developments for the promotion of human rights; it was to be hoped that the invitation would meet with a favourable response. Her delegation hoped that draft resolution E/CN.4/1983/L.75\* could be adopted without a vote.

13. Mr. BYKOV (Union of Soviet Socialist Republics) thanked the Irish delegation for the interest it had shown in draft resolution E/CN.4/1983/L.78 by submitting amendments, but regretted that it had done so at such a late stage; the sponsors of the draft would have to hold consultations on the amendments. The primary purpose of the draft was to end the arms race, which created a serious threat of war, particularly nuclear war. The sponsors had based themselves on General Assembly resolution 37/189 and on Commission resolutions 5 (XXXII) and 1982/7. The danger created by nuclear weapons was the most serious problem of modern times; unless it was averted, mankind would be headed towards extinction. Consequently, the essential aim of the draft resolution was that all the forces of peace should unite to prevent the outbreak of a catastrophic war. He also referred to the relationship between that issue and the question of the resources allotted for development, as reflected in the Declaration and Programme of Action on the Establishment of a New International Economic Order.

14. The right to life was a right of paramount importance, on which a whole system of civil and political rights and economic, social and cultural rights clearly hinged; that was reaffirmed in operative paragraph 1 of draft resolution E/CN.4/1983/L.78. The rights depending on the right to life which were mentioned in the Irish amendments (freedom of expression, assembly and association and the right to take part in public affairs) were unquestionably very important ones. His delegation would have liked to examine the matter in greater depth with the Irish delegation. It would be preferable, however, to leave consideration of the substance of the amendments until the next session, since there was not enough time for such a discussion at the current session. The sponsors of the draft resolution had been guided by General Assembly and Commission resolutions whose adoption had not given rise to any objections. That was also why it would be better for the Commission to confine itself for the time being to the draft resolution as currently formulated. He therefore requested the Irish delegation not to press its amendments.

15. Mrs. PURI (India) said her delegation, which was one of the sponsors of draft resolution E/CN.4/1983/L.78, considered that the importance of agenda item 15 stemmed from the value which the Commission attached to the right to life, and from the fact that scientific and technological progress could in fact negate that right. The draft resolution recalled the provisions of relevant human rights instruments, and in particular article 6 of the International Covenant on Civil and Political Rights, which she quoted. Her delegation and other delegations of non-aligned countries had consistently stressed, in the General Assembly and the Committee on Disarmament, the need to take immediate measures, as a matter of the highest priority, to avert nuclear war. Draft resolution E/CN.4/1983/L.78 indicated precisely the kind of measures that should be taken to prevent such a calamity which, it was hardly necessary to say, would not only eliminate the right to life, but life itself. Many of those measures had been taken from the Final Document of the first special session of the General Assembly on disarmament. She hoped that draft resolution E/CN.4/1983/L.78 would be adopted without a vote. While respecting the ideas reflected in the amendments proposed by the Irish delegation, she considered that they would require consultations with the sponsors; moreover, they appeared to deviate from the fundamental purpose of the draft resolution.

16. Mr. CHOWDHURY (Bangladesh) stressed that draft resolution E/CN.4/1983/L.78 concerned the vital issue of the right to life. The current arms race might lead to a nuclear catastrophe which would destroy mankind and, more immediately, it constituted an enormous waste of resources. The sponsors had rightly made a link between that question and the establishment of a new international economic order, which was vital for the contemporary world. He considered that the Irish amendments would improve that important draft resolution. The rights mentioned in the amendments were recognized in the International Covenant on Civil and Political Rights and in the Universal Declaration of Human Rights. Moreover the Irish amendments did not depart from the subject matter of the draft resolution and in fact enhanced the text. He hoped that the amendments would be accepted by the sponsors and by the Commission.
17. Mr. O'DONOVAN (Ireland) stressed that his was a neutral country that did not belong to any military bloc. His delegation was extremely interested in draft resolution E/CN.4/1983/L.78. The amendments it had submitted were designed to safeguard rights of capital importance. He therefore hoped that the sponsors of the draft resolution would accept his amendments.
18. Mr. BENE (Sengal) said that he, too, considered draft resolution E/CN.4/1983/L.78 to be extremely significant, and hoped that it would be adopted without a vote. The purport of the amendments submitted by the Irish delegation was somewhat difficult to grasp. The intention was apparently to guarantee freedom of expression, assembly or association in order to enable people to express their concern at the harmful uses of science and technology, and particularly the prospect of a nuclear apocalypse. A more comprehensive formulation of those amendments would undoubtedly make for a consensus.
19. Mr. KONSTANTINOV (Bulgaria) said that his delegation, which was one of the sponsors of draft resolution E/CN.4/1983/L.78, did not object to the Irish amendments, but considered that the rights enumerated in them had already been dealt with in other Commission resolutions. It would therefore be better to concentrate on the specific subject of the draft resolution.
20. Mr. SOKALSKI (Poland) said that his delegation, which was also a sponsor of draft resolution E/CN.4/1983/L.78, was aware of the importance of freedom of expression, assembly and association, but feared that the Irish amendments, however justified they might be in substance, might throw the text out of balance. It would also be possible to try and complement the draft by other references, to the right to development, for instance, which was equally bound up with the right to life. If the draft resolution was recast in that way, the text, which in its present form was balanced, would be distorted.

Draft resolution E/CN.4/1983/L.75\*

21. The CHAIRMAN said that, if there was no objection, he would take it that the Commission decided to accept the amendment to the last operative paragraph of the draft resolution.
22. It was so decided.
23. Draft resolution E/CN.4/1983/L.75,\* as amended, was adopted without a vote.

Draft resolution E/CN.4/1983/L.77

24. A vote was taken by show of hands on draft resolution E/CN.4/1983/L.77.

25. Draft resolution E/CN.4/1983/L.77 was adopted by 32 votes to none, with 9 abstentions.

Draft resolution E/CN.4/1983/L.78

26. The CHAIRMAN announced that the Congo had become a sponsor of the draft resolution.

27. He invited the Commission to vote on the first of the amendments submitted in the course of the meeting by the Irish delegation, which consisted of inserting a new paragraph at the end of the preambular part.

28. The first amendment proposed by the Irish delegation was adopted by 27 votes to 9, with 7 abstentions.

29. The CHAIRMAN invited the Commission to vote on the second of the amendments submitted during the meeting by the Irish delegation, which consisted of inserting a new paragraph after operative paragraph 3, the following paragraphs being renumbered accordingly.

30. A vote was taken by show of hands on the second amendment.

31. The second amendment was adopted by 27 votes to 9, with 7 abstentions.

32. A vote was taken by roll-call on the draft resolution as a whole, as amended.

33. The Libyan Arab Jamahiriya, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Bangladesh, Brazil, Bulgaria, China, Colombia, Costa Rica, Cuba, Cyprus, Fiji, Gambia, Ghana, India, Ireland, Jordan, Libyan Arab Jamahiriya, Mexico, Mozambique, Nicaragua, Pakistan, Poland, Rwanda, Senegal, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Yugoslavia, Zaire, Zimbabwe.

Against: None.

Abstaining: Australia, Canada, Finland, France, Germany, Federal Republic of, Italy, Japan, Netherlands, Philippines, United Kingdom of Great Britain and Northern Ireland, United States of America.

34. Draft resolution E/CN.4/1983/L.78 as a whole, as amended, was adopted by 32 votes to none, with 11 abstentions.

Draft resolution IX ("Human rights and scientific and technological developments - Guidelines, principles and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder") submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in document E/CN.4/1983/4

35. The CHAIRMAN recalled that the United Kingdom representative had, in the course of the meeting, proposed two amendments to the draft. One sought to modify the wording of the fourth preambular paragraph of the text which directly concerned the Commission. The other, affecting the second preambular paragraph of the resolution recommended to the Economic and Social Council, consisted of dividing the paragraph into two by adopting a formulation which the United Kingdom representative had read out.

36. Mr. CHOWDHURY (Bangladesh), speaking in explanation of vote before the vote, said that he would support the amendments proposed by the United Kingdom, on the understanding that they had been prompted by a desire to improve the drafting and that they in no way detracted from the Commission's favourable assessment of the work of Mrs. Daes.

37. The CHAIRMAN said that, if there was no objection, he would take it that the Commission decided to adopt the two amendments submitted by the United Kingdom delegation without a vote.

38. The two amendments submitted by the United Kingdom delegation were adopted without a vote.

39. Mr. PACE (Secretary of the Commission) said that the financial implications of the draft resolution submitted by the Sub-Commission, which covered the travel expenses and per diem of Mrs. Daes, who would have to visit Geneva for consultations with the Centre for Human Rights in 1983 and in 1984, amounted to \$US 3,000.

40. The CHAIRMAN said that, if there was no objection, he would take it that the Commission decided to adopt draft resolution IX of the Sub-Commission without a vote.

41. Draft resolution IX, submitted by the Sub-Commission for adoption by the Commission on Human Rights, as amended, was adopted without a vote.

42. Mr. SCHIFTER (United States of America), speaking in explanation of vote after the vote, said that he was extremely satisfied with the work by Mrs. Erica Daes. That consideration had led him to vote in favour of resolution IX of the Sub-Commission.

43. Resolution E/CN.4/1983/L.78 dealt with a critical aspect of the issues facing the modern world. However, many international forums had been created expressly for the purpose of dealing with questions of disarmament, and the Commission on Human Rights was not one of them. Its role was to help to identify practical measures that would make it possible to preserve peace. Since resolution E/CN.4/1983/L.78 had not been specifically directed towards that end, his delegation had abstained in the vote.

44. Mr. BARAKAT (Jordan) took the Chair.



45. Mr. LONGTE (China) said that, consistent with the continuing concern of the Chinese Government and people about the maintenance of world peace and their opposition to the arms race, and believing that science and technology should be used only for the benefit of mankind, his delegation had voted in favour of resolution E/CN.4/1983/L.78. It wished, however, to point out that the resolution was not based on the existing world situation and proposed no practical measures. It should have stressed that the arms race between the super-Powers was the worst use of modern science and technology, wasted large amounts of human and material resources, was detrimental to human rights and constituted a serious threat to international peace and security. His delegation therefore considered that the two super-Powers should take the lead in reducing their arms and allocating the financial resources thus saved for social and economic development projects in the developing countries. Such a measure was the only practical one.

46. Mr. TALVITIE (Finland) said that his delegation had abstained in the vote on draft resolution E/CN.4/1983/L.78 because of its reservations concerning the fourth preambular paragraph, which referred to General Assembly resolutions that Finland had not been able to support. Nevertheless, it supported proposals designed to help to halt the arms race, both nuclear and conventional, and shared some of the concerns of the sponsors of the resolution regarding the right to life.

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS (agenda item 14) (A/C.3/37/1; A/C.3/37/7 and Corr.1 and 2; E/CN.4/1983/L.65)

47. Mr. HERNDL (Assistant Secretary-General, Centre for Human Rights) observed that the question of the human rights and dignity of migrant workers had long been a matter of concern to the General Assembly, the Economic and Social Council and the Commission on Human Rights. The elaboration of an international convention on the protection of the human rights of all migrant workers and their families had been recommended in 1978 by the World Conference to Combat Racism and Racial Discrimination. The General Assembly, United Nations organs and specialized agencies had organized seminars and undertaken studies on the situation of migrant workers and the General Assembly had repeatedly invited States to adopt appropriate measures to guarantee, under their national legislation, the fundamental human rights of migrant workers and their families.

48. The Working Group established by the General Assembly in 1980 to elaborate the convention had met in the course of the thirty-fifth, thirty-sixth and thirty-seventh sessions of the Assembly, as well as in May 1981 and May 1982. It had concluded its first reading of the preamble to the convention and had begun consideration of the operative part, which it had already been decided would deal with various aspects of the problems confronting migrant workers and their families. At its thirty-seventh session, the General Assembly, in its resolution 37/170, had expressed satisfaction at the substantial progress achieved by the Working Group and had decided, in order to enable the Working Group to complete its task as soon as possible, that it should once more hold an intersessional meeting of two weeks' duration in New York, immediately after the first regular 1983 session of the Economic and Social Council. The Assembly had invited the Secretary-General to transmit the Group's report and the results obtained to Governments and to the international organizations concerned with the question, in order to facilitate co-operation with the Working Group.

49. Mr. CHARFY SAMPER (Colombia) said that the protection of the rights of migrant workers was a complex question involving many and various factors. To begin with it was necessary to avoid assimilating migrants to refugees, for under international law they were two very different categories of persons. Nevertheless, certain expulsion decisions had tragic consequences which sometimes made migrant workers into refugees.

50. A convention on territorial asylum had not yet been drawn up within the United Nations system. In the meantime, other solutions should be found to help the persons concerned when the concept of the right of asylum was no longer applicable. The question of the rights of migrant workers was dealt with by specialized agencies, particularly ILO, and by non-governmental organizations. In certain cases, the Office of the United Nations Disaster Relief Co-Ordinator also had to deal with what amounted to real disaster situations resulting from decisions taken by Governments. However, the Centre for Human Rights also had a responsibility for dealing with migrant workers and ensuring that their inalienable rights were respected.

51. There were already a number of legal instruments on the subject, particularly ILO Conventions Nos. 97 and 143. In addition, the United Nations had undertaken the elaboration of an international convention on the protection of the rights of all migrant workers and their families. However, the main need was for the existing provisions to be effectively implemented and for migrant workers and their families not to be overlooked. The Commission could not disregard violations of the rights of those workers, wherever they occurred in the world. In ILO Convention No. 143 on migration, it was specifically emphasized that close co-operation between the United Nations and the specialized agencies was essential for the measures taken in favour of migrant workers to be effective. The Commission had broader and more comprehensive competence in that regard than did ILO, which was mainly concerned with ensuring the implementation of conventions, and the Commission must promote the adoption of instruments at the bilateral and multilateral levels.

52. During the existing period of crisis, however, it was not possible to postpone action on migrant workers until a convention had been finalized. At the latest session of the ILO Governing Body, Algeria had emphasized that migrant workers should not become the scapegoats of countries facing an economic crisis. It was unacceptable to treat a man's work as a commodity like any other.

53. His delegation was fully satisfied with the work of the Working Group on the elaboration of an international convention concerning the question under consideration and thought that the Commission should not merely confine itself to taking note of that work. A question of such importance should not be considered only at the end of the Commission's sessions but should be a priority item on the agenda. Moreover, the non-governmental organizations concerned should also be allowed to participate in work to uphold the rights and dignity of migrant workers. Furthermore, inasmuch as the Sub-Commission was apprised of particular situations relevant to that question, it could use its knowledge to inform the Commission.

54. In conclusion, he called upon the Commission to endorse draft resolution E/CN.4/1983/L.65, of which Colombia was a sponsor and the adoption of which would enable the Working Group to continue its work.

55. Mr. COLLIARD (France) said that his delegation was a sponsor of draft resolution E/CN.4/1983/L.65, since in its view it was important and urgent to draw up a convention on the protection of the rights of migrant workers and their families. The problem was even more acute in times of economic difficulty.

56. The protection of migrant workers was often the subject of bilateral treaties - to cite only two of various examples, the agreement between Algeria and the German Democratic Republic and the agreement between France and Portugal. At the regional level, within the framework of the Council of Europe, there was a European Convention on the Legal Status of Migrant Workers, which had been opened for signature in November 1977. The preparation of a general convention should be the culmination of those partial efforts.

57. While it was for States to actually assure that protection, the definition of the human rights and freedoms of migrant workers was very much a matter falling within the Commission's area of work. His delegation therefore wished to commend the Working Group on the elaboration of an international convention on the protection of the rights of migrant workers and their families, set up by General Assembly resolution 34/172, which had achieved notable results.

58. Miss ILIĆ (Yugoslavia) introduced draft resolution E/CN.4/1983/L.65 on behalf of the sponsors. Since the General Assembly had adopted without a vote resolution 37/170 on the same question, she hoped that the draft resolution, which she read out, would also be adopted in the same manner.

59. Mr. CHOWDHURY (Bangladesh) endorsed draft resolution E/CN.4/1983/L.65, which it should be possible to adopt without a vote. The Working Group had done its work well. It was evident that migrant workers did not enjoy the same rights as workers in general. The Commission should therefore adopt that draft resolution, which related to a very important question.

60. The CHAIRMAN said that, if there was no objection, he would take it that the Commission wished to adopt draft resolution E/CN.4/1983/L.65 without a vote.

61. Draft resolution E/CN.4/1983/L.65 was adopted without a vote.

62. Mr. GONZALEZ de LEON (Mexico), speaking as Chairman of the Working Group, said that the Group's work had been facilitated by the exceptional co-operation between all members, their innovative approach and their conviction.

63. The CHAIRMAN said that the Commission had completed its consideration of agenda item 14.

THE ROLE OF YOUTH IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS, INCLUDING THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE (agenda item 17) (E/CN.4/1983/26; E/CN.4/Sub.2/1982/24; E/CN.4/1983/L.76)

64. Mr. HERNDL (Assistant Secretary-General, Centre for Human Rights) noted that the two questions covered by the agenda item under consideration, namely the role of youth and conscientious objection, had long been on the Commission's agenda.

65. With regard to the role of youth, the Commission, in its resolution 1982/36, had welcomed the General Assembly's designation of 1985 as International Youth Year. The Commission had recognized that the holding of the Year would make it possible to draw attention to the situation, needs and aspirations of young people and to mobilize efforts to secure for youth all their human rights and fundamental freedoms. It had further emphasized the important role of young people in the promotion of their country's political, economic and social development and had decided to examine, at its fortieth session, the question of the exercise by youth of human rights and fundamental freedoms, including the right to education and to work. The report of the Secretary-General on the implementation of the Programme of Measures and Activities in Connection with International Youth Year had been issued as document E/CN.4/1983/26.

66. The question of the role of youth had also been on the agenda of the General Assembly for a number of years. In its resolutions 37/48, 37/49 and 37/50, adopted on the subject at its previous session, the General Assembly had stressed the need to disseminate among youth the ideals of peace, respect for human rights, solidarity and dedication to the objectives of progress and development, as well as the necessary measures to ensure the implementation and follow-up of the Programme of Measures and Activities for the International Youth Year. The Assembly had also emphasized the need to continue efforts aimed at the promotion of youth rights, particularly the right to education and to work, and the need to improve communication between the United Nations and youth and youth organizations.

67. With regard to conscientious objection to military service, the Commission, in its resolution 40 (XXXVII), had requested the Sub-Commission to study the question of conscientious objection in general and the implementation of the General Assembly's decisions in particular. In its resolution 33/165, the General Assembly had, among other things, recognized the right of all persons to refuse service in military or police forces used to enforce apartheid. Subsequently, the Sub-Commission had requested Mr. Mubanga-Chipoya and Mr. Eide to analyse the various dimensions of conscientious objection to military service and its interrelationship with the promotion of human rights.

68. At its thirty-fifth session, the Sub-Commission had examined the preliminary report on the question (E/CN.4/Sub.2/1982/24). In its resolution 1982/30, it had requested Mr. Mubanga-Chipoya and Mr. Eide to prepare a final report based on the comments received on their preliminary report and to develop principles related to the question of conscientious objection.

69. Mr. OGURTSOV (Observer for the Byelorussian Soviet Socialist Republic), speaking on behalf of the sponsors of draft resolution E/CN.4/1983/L.76, who had been joined by Czechoslovakia, said that young people made up half of the world's population and played an important role in the social and economic life of all countries. In preparing draft resolution E/CN.4/1983/L.76, the sponsors had based themselves on Commission resolution 1982/36 and on the three General Assembly resolutions on the subject of youth which had been adopted in 1982.

70. He then read out draft resolution E/CN.4/1983/L.76. The sponsors had made a change in operative paragraph 4, where the words "fortieth session" should be replaced by "forty-first session".

71. There should be no difficulty in adopting the draft resolution by consensus, since it was no different from the other resolutions already adopted by the Commission on the question.

72. Mr. MÜHLETHALER (World Association for the School as an Instrument of Peace) noted that on an earlier occasion his Association had submitted to the Commission a number of specific proposals relating to International Youth Year. In particular, it had advocated the holding of seminars on participation by young people, and the broadcasting of television programmes by Mondovision.

73. In its resolution 36/29, the General Assembly had appealed to interested organizations to take measures to promote the rights of young people, particularly the rights to education, vocational training and work. Some organizations had complied with the wishes of the General Assembly, and UNESCO was shortly to hold an international conference on the teaching of human rights.

74. With regard to conscientious objection, the World Association for the School as an Instrument of Peace particularly appreciated the efforts made by the Sub-Commission to analyse the various aspects of conscientious objection to military service. Too many people claimed they wanted peace, while condemning those who refused to make war. Mr. Mubanga-Chipoya and Mr. Eide were to be congratulated on their preliminary report on the question (E/CN.4/Sub.2/1982/24), and it was to be hoped that their final report could be submitted to the Sub-Commission at its next session. In that way, the Commission would be able to study the question of conscientious objection at its next session on the basis of the Sub-Commission's report and in the spirit of articles 18 and 19 of the Universal Declaration of Human Rights.

75. It was difficult to understand why the Commission should consider the question of the role of youth only once every two years when, from its next session, the Commission should actually devote at least two successive meetings to examining the problems of youth and conscientious objection.

76. The CHAIRMAN said that, if there was no objection, he would take it that the Commission wished to adopt draft resolution E/CN.4/1983/L.76 without a vote.

77. Draft resolution E/CN.4/1983/L.76 was adopted without a vote.

78. Mr. BORCHARD (Federal Republic of Germany) said that, although his delegation had joined in the consensus on the draft resolution just adopted, it wished to enter a reservation regarding the reference in operative paragraph 1 to the exercise of sovereignty over natural wealth and resources. That did not correspond to any obligation under international law.

79. The CHAIRMAN said that the Commission had completed its consideration of agenda item 17.

The second part of the summary record of the meeting was issued as document E/CN.4/1983/SR.54/Add.1.