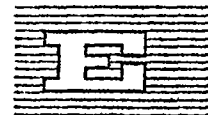


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COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

SUMMARY RECORD OF THE 56th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 10 March 1983, at 3 p.m.

Chairman:

Mr. OTUNNU

(Uganda)

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The meeting was called to order at 3.10 p.m.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION; ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (agenda item 11) (continued) (E/CN.4/1983/L.3, L.4, L.61, L.73, L.80, L.92)

1. Miss CAO PINNA (Italy) said that she would not reiterate the reasons that had led her delegation to sponsor draft resolution E/CN.4/1983/L.61, since other representatives had already made pertinent comments on the subject-matter at the previous meeting. It should simply be noted that the Italian delegation had voted in favour of the adoption of Economic and Social Council resolution 1503 (XLVIII) concerning the procedure for dealing with communications relating to violations of human rights and fundamental freedoms. It was also on the basis of a suggestion by the Italian delegation that the General Assembly had decided to upgrade the Division of Human Rights to the Centre for Human Rights.

2. With regard to the amendments proposed by Brazil (E/CN.4/1983/L.92) concerning the draft resolution contained in document E/CN.4/1983/L.61, further to consultations between the sponsors of the draft resolution and the Brazilian delegation, it had been decided to combine Brazil's second and third amendments in a new operative paragraph 2 which would read as follows:

"2. Considers these proposals a valuable contribution for further consideration of this important question and invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities to resubmit them to the Commission at its fortieth session, taking fully into account the elements of paragraph 1 of Commission resolution 1982/22, the comments made by the Commission at its thirty-ninth session and the present resolution, together with any further comments and recommendations that it deems appropriate;"

3. That wording would replace the text of operative paragraphs 2 and 3 of draft resolution E/CN.4/1983/L.61.

4. Mr. CALERO RODRIGUES (Brazil) said that the spirit of co-operation displayed by the sponsors of draft resolution E/CN.4/1983/L.61 indicated that, in formulating a draft resolution on procedure, delegations holding differing points of view could reach agreement in spite of the difficulties encountered. His delegation agreed to the new text that had just been presented by the representative of Italy to replace paragraphs 2 and 3 of the draft resolution.

5. The new paragraph proposed by Brazil for insertion at the end of the preamble (see E/CN.4/1983/L.92) had been revised and should read:

"Recognizing once again the desirability that major decisions concerning the organization and operation of the United Nations system for the promotion and protection of human rights be adopted on the basis of the widest possible agreement which takes account of different views expressed by the Member States, in order to ensure their effectiveness".

6. The deletion of the word "consensus" should make that paragraph quite acceptable to the sponsors.
7. The sponsors had indicated that the Brazilian amendment proposed for operative paragraph 4 would be acceptable to them provided that it was reworded to read:
- "4. Decides to continue consideration of the question of the establishment of a post of United Nations High Commissioner for Human Rights at its fortieth session with a view to reaching a decision on this matter at the earliest possible time".
8. With that new formulation, the Commission was not compelled to take a decision on the question in the immediate future, but only as soon as possible. He urged all members of the Commission to accept that compromise text, which appeared to be viable even though it was not ideal from the standpoint of some delegations.
9. Mr. BOZOVIĆ (Yugoslavia) said that he did not understand why, in the new text for operative paragraph 2 just proposed by Italy, the Sub-Commission was being invited to "resubmit" the same proposals to the Commission. He saw no reason why the Sub-Commission should be deprived of the opportunity to submit new proposals. As to the last phrase in the next text, he wondered what the "further comments and recommendations" to be submitted by the Sub-Commission could be.
10. Mr. HEREDIA PEREZ (Cuba) proposed that the beginning of the second preambular paragraph of the revised draft resolution should be replaced by the following text:
- "Recalling General Assembly resolution 32/130 of 16 December 1977 and, in particular, subparagraphs (e) and (f) of operative paragraph 1 of that resolution, namely:
- '(e) In approaching human rights questions within the United Nations system, the international community should accord, or continue to accord, priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by situations such as those resulting from apartheid, from all forms of racial discrimination, from colonialism, from foreign domination and occupation, from aggression and threats against national sovereignty, national unity and territorial integrity, as well as from the refusal to recognize the fundamental rights of peoples to self-determination and of every nation to the exercise of full sovereignty over its wealth and natural resources;
- (f) The realization of the new international economic order is an essential element for the effective promotion of human rights and fundamental freedoms and should also be accorded priority;'. "
11. The original text of the second preambular paragraph, as from the words "bearing in mind the study ..." would be retained. He would be grateful to learn the reactions of sponsors of the draft resolution before indicating his reasons for proposing the amendment.

12. Mr. BYKOV (Union of Soviet Socialist Republics) said that he welcomed the positive efforts made by the sponsors of draft resolution E/CN.4/1983/L.61 and the Brazilian delegation in trying to work out a more easily acceptable text. Nevertheless, further efforts were required if the draft resolution was to be adopted without a vote. The sponsors of the draft and the Brazilian delegation should more particularly take account of the comments and proposals made by the representative of Cuba and the representative of Yugoslavia, for if they were adopted the text would better reflect the discussion that had taken place in the Commission.

13. His delegation would like changes to be made with respect to certain points in the new text proposed by Italy for operative paragraph 2, which would read:

"2. Considers these proposals, and the various points of view expressed at the thirty-fifth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and at the thirty-ninth session of the Commission on Human Rights, as a valuable contribution for further consideration of this important question, and invites the Sub-Commission to resubmit an in-depth study on the question to the Commission at its fortieth session, taking fully into account the elements of paragraph 1 of Commission resolution 1982/22, the comments made by the Commission at its thirty-ninth session and the present resolution, together with any further comments and recommendations that it deems appropriate;"

14. His delegation would also like the fourth preambular paragraph of draft resolution E/CN.4/1983/L.61 to be recast as follows:

"Recognizing that massive and flagrant violations of human rights in any part of the world are of concern to the United Nations,"

15. Lastly, it would be advisable to mention in the last operative paragraph that the Commission would be considering the question at its next session under item 11 of the agenda, as had been the case in 1982 and at the present session.

16. Mr. CALERO RODRIGUES (Brazil) said, in connection with the amendment proposed by the Cuban delegation for the second preambular paragraph, that he, like many others, attached great importance to General Assembly resolution 32/130. Accordingly, he was hesitant not to endorse the idea of referring to that resolution; however, in his opinion the Cuban proposal would make the text of the paragraph in question unnecessarily cumbersome. Moreover, the scope of General Assembly resolution 32/130 went beyond the question of establishing a post of High Commissioner for Human Rights. Since the new text of operative paragraph 2 proposed by the Italian delegation called on the Commission to take full account of the elements mentioned in paragraph 1 of Commission resolution 1982/22, in which reference is already made to General Assembly resolution 32/130, it was not essential for the latter to be mentioned yet again in an amendment that might well raise difficulties. He therefore asked the representative of Cuba not to press for his amendment.

17. Mr. O'DONOVAN (Ireland) said it was deplorable that two delegations should at the last minute be proposing amendments to a text which had already been carefully negotiated between the sponsors and the Brazilian delegation and was simply procedural.

18. In connection with the formulation of operative paragraph 2, he pointed out to the representative of Yugoslavia that, by 1984, the Sub-Commission would naturally have recast the proposals to some extent. The amendment proposed by Cuba in respect of the second preambular paragraph departed from the consensus and failed to mention a resolution, resolution 37/200, which had none the less been adopted by a very clear majority of Member States. As to the proposals by the Soviet Union, they were not very clear. Why should the Sub-Commission be requested to take account of its own views? Lastly, with regard to the views expressed in the Commission, it was already understood that the Sub-Commission would take them into consideration. He therefore asked the Cuban delegation and the Soviet delegation to withdraw their proposals in order to avoid compromising the consensus.

19. Mr. CHOWDHURY (Bangladesh) said that he again wished to emphasize the method of electing the High Commissioner for Human Rights, should a decision be taken to establish such a post. The Sub-Commission had emphasized in its resolution 1982/27 that the High Commissioner should be elected by the General Assembly on the nomination of the Secretary-General. It would be desirable to mention that aspect of the matter in the draft resolution so that the Commission would have an opportunity to reconsider it. He therefore proposed that the final paragraph of draft resolution E/CN.4/1983/L.61 should be supplemented by adding, after the words "with a view to reaching a decision on this matter" the words, "including the manner of election, in case such a post is established".

20. Mr. BYKOV (Union of Soviet Socialist Republics) pointed out to the representative of Ireland that the Soviet proposals were being made precisely in order to facilitate a consensus, in other words, to take account of the various points of view. The present text of draft resolution E/CN.4/1983/L.61 did not reflect a consensus and was ill-balanced. By adopting the Soviet amendments, the Commission would be taking account of all points of view, whether those of the advocates for the establishment of a post of High Commissioner for Human Rights or those of the opponents of such an initiative, who had criticized the way in which the Sub-Commission had fulfilled its mandate in that respect.

21. Mr. HEREDIA PEREZ (Cuba) explained why his delegation was calling for General Assembly resolution 32/130 to be mentioned in draft resolution E/CN.4/1983/L.61. It had been a landmark in the General Assembly's work on two fundamental points: firstly, it urged the international community to accord priority to the search for solutions to massive and flagrant violations of human rights, and secondly, it stated that realization of the new international economic order was essential for the promotion of human rights. Resolution 37/200, on the other hand, was a step backwards from the standpoint of those two basic factors, since it minimized the importance of the new international economic order and, in that respect, ran counter to the interests of the developing countries. Furthermore, many delegations had voted against resolution 37/200 or had abstained or had not participated in the vote. Hence, developing countries, such as Cuba, could not agree to their interests being harmed by a reference to a resolution that was unfavourable to them, to the detriment of another resolution that was favourable to them.

22. Mr. BOZOVIC (Yugoslavia), referring to the Irish representative's comments that the Sub-Commission would doubtless change its proposals, said that it would be preferable to issue a clear invitation to the Sub-Commission to re-examine its proposals and to submit what it deemed necessary to the Commission. As to the second preambular paragraph, if no agreement was reached his delegation would ask for a separate vote on the whole of the paragraph beginning with the words "and 37/200 ...".

23. Mr. OVSIUK (Ukrainian Soviet Socialist Republic) said that, in the second preambular paragraph, it was essential to mention General Assembly resolution 32/130 and not merely resolution 37/200 alone. In fact, 48 countries had voted against resolution 37/200, whereas resolution 32/130 had been adopted without a vote. Failure to refer to it would be incomprehensible.
24. Miss CAO PINNA (Italy) said that the sponsors of draft resolution E/CN.4/1983/L.61 shared the view of the Irish delegation. Without in any way intending to exclude a reference to General Assembly resolution 32/130, the sponsors had simply confined themselves to mentioning the more recent resolutions in which the General Assembly expressly requested the Commission to study the question of the establishment of a post of High Commissioner for Human Rights. The Cuban amendment was unacceptable, since it tended to change the text of a procedural draft into one of substance. Nevertheless, in a spirit of co-operation, the sponsors of the draft could agree to include a reference to "General Assembly resolution 32/130, of 16 December 1977" before the reference to resolutions 36/135 and 37/200.
25. As to the amendments proposed by the Soviet Union, the sponsors agreed to the one which spoke of the "comments made in the Commission at its thirty-ninth session" instead of the comments made "by the Commission". The idea of proposing an in-depth study of the question was unacceptable, since the Commission had already requested a study in its 1982 resolution and the Sub-Commission had, for its part, closely examined the question before adopting its resolution 1982/27.
26. Lastly, the sponsors of the draft were ready to agree to the amendments proposed by Bangladesh, namely, to add to operative paragraph 4 the words "including the manner of election, in case such a post is established".
27. Mr. DAVEREDE (Argentina) said that his delegation was withdrawing one of its amendments in favour of the Cuban amendment, which had the same purpose. He would also agree to withdraw the second Argentine amendment, namely, to delete the words "with appreciation" in operative paragraph 1, provided the draft resolution was adopted by consensus.
28. Mr. HEREDIA PEREZ (Cuba) asked whether Italy and the other sponsors of the draft would agree to delete the reference to resolution 37/200 and replace it by a phrase such as "and other similar resolutions", thus making it possible to bring the two conflicting resolutions closer together, namely resolution 32/130, which was in keeping with the interests of developing countries, and resolution 37/200, which ran counter to their interests.
29. Mr. GONZALEZ DE LEON (Mexico) requested closure of the debate on draft resolution E/CN.4/1983/L.61 and proposed that the Commission should vote on the amendments which had not been accepted by the sponsors of the draft.
30. Mr. BELL (Canada) supported the motion by Mexico for closure of the debate under rule 50 of the rules of procedure.
- 30(a). Mr. BYKOV (Union of Soviet Socialist Republics) said that his delegation insisted on its amendments and urged the sponsors to take them into consideration.
- 30(b). Miss CAO PINNA (Italy) said that it was difficult for the sponsors to agree to the condition posed by Argentina for withdrawal of its amendment to operative paragraph 1, since it seemed unlikely that the draft resolution could be adopted by consensus.

31. In response to the request by the Cuban delegation, she pointed out that the sponsors had agreed to include a reference to resolution 32/130 before the other General Assembly resolutions, in the order of their dates adoption; nothing more could be conceded at the current stage in the work, and it should be noted that the resolution in question was mentioned in resolution 37/200.
32. In connection with the Soviet amendments, the one to insert the words "massive and flagrant" before the word "violations" in the penultimate preambular paragraph would have the effect of limiting the meaning of the text to one single type of violation; resolution 32/130 did indeed cover massive and flagrant violations, but in the present instance the point was to cover certain types of violations of which examples were given. The proposal to specify that the question would be considered under item 11 of the agenda at the next session was unnecessary, but the sponsors could include it in operative paragraph 4, since it merely reflected the usual procedure. Lastly, the amendment requesting an in-depth study of the question was too vague a formula and was not acceptable.
33. Mr. HEREDIA PEREZ (Cuba) said that he could not agree to the solution proposed by Italy on behalf of the sponsors of the draft, namely, to include a straightforward reference to resolution 32/130 and to keep the reference to resolution 37/200.
34. Mr. BYKOV (Union of Soviet Socialist Republics) said it was regrettable that the sponsors could not accept the majority of his amendments, which were simply intended to produce a more balanced text that reflected the various views expressed. His country would not submit its amendments formally, but it could not agree that the draft should be adopted without a vote.
35. The CHAIRMAN said that Bolivia had become a sponsor of draft resolution E/CN.4/1983/L.61. He invited the Commission to vote on the two amendments that were being called for, namely, the second Argentine amendment and the amendment by Cuba.
36. Mr. PACE (Secretary of the Commission) pointed out that the second Argentine amendment consisted in deleting the words "with appreciation" at the beginning of operative paragraph 1.
37. At the request of the representative of Ireland, a vote was taken on the Argentine amendment.
38. The Argentine amendment was rejected by 20 votes to 14, with 7 abstentions.
39. At the request of the CHAIRMAN, the SECRETARY read out the amendment submitted by the Cuban delegation in connection with the second preambular paragraph of the revised version of draft resolution E/CN.4/1983/L.61. The beginning of that paragraph was to be replaced by: "Recalling General Assembly resolution 32/130 of 16 December 1977 and, in particular, subparagraphs (e) and (f) of operative paragraph 1 of that resolution, namely:"; the text of those two subparagraphs would then be cited in full and would be followed by the last part of the preambular paragraph in question ("bearing in mind the study ... High Commissioner for Human Rights,").
40. Mr. O'DONOVAN (Ireland) pointed out that the sponsors of draft resolution E/CN.4/1983/L.61 had already altered the second preambular paragraph by including a reference to General Assembly resolution 32/130.

41. Miss CAO PINNA (Italy), speaking on behalf of the sponsors of the draft resolution, confirmed that the beginning of the second preambular paragraph now read: "Recalling General Assembly resolutions 32/130 of 16 December 1978 and 36/135 of 14 December 1981 ...".

42. At the request of the representative of Cuba, a vote was taken by roll-call on the Cuban delegation's amendment concerning the second preambular paragraph of draft resolution E/CN.4/1983/L.61.

43. The Federal Republic of Germany, having been drawn by lot by the Chairman, was called upon to vote first

In favour: Argentina, Bulgaria, China, Cuba, Gambia, Ghana, India, Libyan Arab Jamahiriya, Mexico, Mozambique, Nicaragua, Pakistan, Poland, Senegal, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Zimbabwe.

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

Abstaining: Bangladesh, Brazil, Colombia, Costa Rica, Cyprus, Jordan, Philippines, Rwanda, Togo, United Republic of Tanzania, Zaire.

44. The Cuban amendment was adopted by 19 votes to 12, with 11 abstentions.

45. The CHAIRMAN invited the Commission to vote on the whole of draft resolution E/CN.4/1983/L.61, concerning the question of the establishment of a post of High Commissioner for Human Rights, as revised by the sponsors and amended subsequently by the Cuban delegation.

46. Mr. BYKOV (Union of Soviet Socialist Republics) pointed out that he had expressed his delegation's opposition to certain fundamental aspects of the draft resolution and he requested a roll-call vote.

47. At the request of the representative of the Union of Soviet Socialist Republics, a vote was taken by roll-call on the amended version of draft resolution E/CN.4/1983/L.61 as a whole.

48. Finland, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Australia, Bangladesh, Brazil, Canada, China, Colombia, Costa Rica, Finland, France, Germany, Federal Republic of, Gambia, Ghana, Ireland, Italy, Japan, Jordan, Netherlands, Philippines, Senegal, Togo, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay.

Against: Argentina, Bulgaria, Cuba, India, Libyan Arab Jamahiriya, Nicaragua, Pakistan, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Abstaining: Cyprus, Mexico, Mozambique, Rwanda, Uganda, Zaire, Zimbabwe.

49. Draft resolution E/CN.4/1983/L.61 as amended, was adopted by 24 votes to 11, with 7 abstentions.

Draft resolution E/CN.4/1983/L.73

50. Draft resolution E/CN.4/1983/L.73 was adopted without a vote.

Draft decision submitted by the Chairman/Rapporteur of the Working Group of 10 members established under Commission on Human Rights resolution 1982/40 (E/CN.4/1983/L.80).

51. Mr. PACE (Secretary of the Commission) drew attention to changes in connection with the text of the draft decision: the word "decided" in the third line was to be replaced by "decides", and the words "forty-first session" in subparagraph (b) were to be replaced by "fortieth session".

52. Draft decision E/CN.4/1983/L.80 was adopted without a vote.

Report of the open-ended Working Group established under Commission on Human Rights resolution 1982/40(E/CN.4/1983/L.3).

53. Mr. PACE (Secretary of the Commission) drew attention to changes in the draft resolution in paragraph 18 of the Working Group's report (E/CN.4/1983/L.3). In the sixth preambular paragraph, the square brackets were to be deleted and the word "consensus" was to be replaced by "the widest possible agreement". In operative paragraph 2, the square brackets were to be removed and the latter part of the phrase was to be altered to read: "... the long-term programme of work of the Commission and the usefulness of the Working Group;". In operative paragraph 3, the phrase after the word "consider" should read: "in the light of the growing frequency of discussion in the Commission, the proposals made and the varying views expressed at the thirty-ninth session of the Commission, the possibility ...". A new paragraph 4 was to be added, reading: "Considers, on the basis of the experience at the session, that time-limits for interventions have a useful role to play in the conduct and conclusion of the work of the Commission";. The subsequent paragraphs were renumbered 5 to 9, instead of 4 to 8. The Beginning of former paragraph 6, now paragraph 7 (with the square brackets removed), was altered to read: "Decides to consider, at its fortieth session, the amount of time to be allotted to the Working Group, giving priority ...".

54. The report of the open-ended Working Group established under Commission on Human Rights resolution 1982/40 (E/CN.4/1983/L.3), as amended, was adopted without a vote.

Report of the informal Working Group of 10 members established under Commission on Human Rights resolution 1982/40 (E/CN.4/1983/L.4)

55. The CHAIRMAN suggested that the Commission should take note of the report.

56. It was so decided.

57. The CHAIRMAN invited delegations wishing to do so to exercise their right of reply under item 11.

58. Mr. CHIKETA (Zimbabwe) said that a statement made in connection with his country by the representative of the Christian Democratic World Union had completely ignored the geo-political, historical and factual context. The assertions had been groundless, had displayed utter ignorance, and had doubtless been made for sinister motives rather than concern for human rights. If indeed the statement had been based on any sources, they could only have been unverified, unspecified and certainly unreliable sources. Representatives of organizations that infringed the procedures of the Commission by making wild and destructive statements could only bring discredit on themselves. The Commission might be compelled to make a ruling in that regard and to request the Secretariat to examine the texts of statements by organizations notorious for such behaviour, in order to determine whether they fell within the purview of the items under consideration and whether they were in keeping with the rules of the Commission. Such statements would then receive the attention they deserved and the proper replies.

59. Mr. ODOCH-JATO (Uganda) said it was deplorable that the representative of the Christian Democratic World Union had asserted that persons continued to disappear in Uganda as a result of their ethnic or religious affiliation or for no reason whatsoever. Such a statement was gratuitous to say the least. In its report to the Commission at its thirty-eighth session, the Working Group on Enforced or Involuntary Disappearances had referred to the alleged disappearance of only one person. In its reply to the Working Group, his Government had given full information on the person concerned, who was in fact living abroad. Meanwhile, there had been no complaints about disappearances, and his Government could account for all of the persons living in the country.

60. Save for the dark years of the 1970s, Uganda's tradition of religious pluralism was widely acknowledged. His delegation could confirm that all people living in Uganda enjoyed full freedom of conscience, religion and worship. Moreover, Uganda was one of the sponsors of the resolution concerning the implementation of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (E/CN.4/1983/L.68), only recently adopted by the Commission. His delegation challenged the representative of the Christian Democratic World Union to cite a single instance of a disappearance on the grounds of religious affiliation or any kind of religious persecution since 1980.

61. At the Commission's thirty-eighth session, his delegation had already pointed out that the Christian Democratic World Union's sole source of information in Uganda was a political party which presented a very distorted picture of the human rights situation in Uganda, and a faction of that party had embarked on a violent campaign against the country's democratic process and institutions.

62. Mr. GUERRERO MAYORGA (Nicaragua) said that, in view of the plainly false nature of some of the accusations which had been made, they merely deserved to be treated with contempt.

63. The CHAIRMAN declared that the consideration of item 11 was closed.

QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD (agenda item 13)
(E/CN.4/1983/L.51, L.52)

64. Mr. KALINOWSKI (Poland), speaking on behalf of the 26 sponsors, introduced draft resolution E/CN.4/1983/L.51, concerning the question of a convention on the rights of the child. The preamble referred to the action taken so far by the Commission, the Economic and Social Council and the General Assembly, more particularly resolution 37/190, in which the Assembly had requested the Commission to continue to give the highest priority to the question of completing the draft convention. The preambular part also noted the progress made by the open-ended Working Group during its one-week meeting prior to the thirty-ninth session of the Commission and the widespread interest displayed by numerous Governments and international organizations.

65. In the operative part, the Commission decided to continue at its fortieth session the work on the elaboration of the convention and requested the Economic and Social Council to authorize a one-week session of the open-ended Working Group beforehand. For that reason, a draft recommendation intended for the Economic and Social Council was attached to the draft resolution.

66. There was no longer any need to underscore the importance of elaborating a convention on the rights of the child, but he did wish to point out that, in a report entitled "The State of the World's Children 1982-1983", the Executive Director of UNICEF noted a slow-down in progress towards protecting the lives of children.

67. Convinced that an international instrument such as the convention on the rights of the child could considerably foster the political will so necessary for better protection of such a vulnerable group, his delegation found it extremely gratifying that the initiative commanded increasing support from the members of the Commission and from other organs of the United Nations; proof of that lay in the lengthy list of delegations acting as sponsors of draft resolution E/CN.4/1983/L.51, since they were from all geographical regions and represented very different social and political systems. It was to be hoped that the Commission would adopt the draft resolution by consensus.

68. The CHAIRMAN announced that the delegations of Bolivia, Colombia, India, Senegal and Togo had become sponsors of draft resolution E/CN.4/1983/L.51.

69. Mr. COLLIARD (France) expressed the great satisfaction with which his delegation had welcomed Economic and Social Council resolution 1982/32 on protection of the rights of children in cases of removal or retention of children, a situation which involved dramatic human aspects. It was gratifying to see the considerable progress achieved in the course of the present session by the open-ended Working Group on the elaboration of the convention on the rights of the child, and he paid tribute to the Polish delegation, which had played such an important role in that work.

70. It should be noted that consideration of the international aspects of the interests of children, an innovative idea in the draft convention, would be effective only when States engaged in co-operation by means of international conventions.

71. Again, his delegation took the view that special attention should be paid to the reports on the exploitation of child labour prepared by Mr. Bouhdiba; the dangers of the exploitation of children could not be minimized and involved problems that were often dramatic, something the Commission had acknowledged when, at its thirty-eighth session, it had adopted resolution 82/21 without a vote.

72. Draft resolution E/CN.4/1983/L.51 was adopted without a vote

73. In reply to a question by Mr. CALERO RODRIGUES (Brazil), Mr. NYAMEKYE (Deputy Director, Centre for Human Rights) said that the services provided by the Conferences Services Division did not differ according to whether working groups met before or during the Commission's sessions, for which reason the costs indicated for the meetings of the Working Group on Minorities, which would be meeting during the next session, were identical to those of the meetings of the Working Group on the elaboration of a convention on the rights of a child, which would be held before the session.

RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES
(agenda item 21) (continued) (E/CN.4/1983/L.5, L.60, L.87)

74. Mr. BOZOVIC (Yugoslavia), Chairman-Rapporteur of the informal open-ended Working Group set up the Commission on Human Rights to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, said that the Working Group had completed the preliminary consideration of the six articles of the operative part of the draft declaration. It had not come to any precise conclusions, a goal which indeed it had not set for itself, but further to a fruitful exchange of views on each article it had prepared the ground for considering the draft declaration at the next session. The only concrete recommendation the Working Group had decided to make at the present stage was to request the Secretary-General to bring articles 1 to 6 of the draft declaration to the attention of Governments, requesting them to indicate their comments and suggestions so as to enable the Commission to complete the elaboration of the draft declaration at its next session.

75. His delegation, as the sponsor of draft resolution E/CN.4/1983/L.60, was making a change in the second preambular paragraph of the draft, which should read: "Having taken note with appreciation of the report of the Working Group ..."

76. The CHAIRMAN said, if he heard no objection, that he would take it that the Commission wished to take note of the report of the Working Group to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (E/CN.4/1983/L.5).

77. It was so decided.

78. Draft resolution E/CN.4/1983/L.60, as revised, was adopted without a vote

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (E/CN.4/1983/L.63, L.85)

79. Mr. CALERO RODRIGUES (Brazil), introducing draft decision E/CN.4/1983/L.63, pointed out that, under the terms of the draft decision, the Commission was asking the Economic and Social Council for authorization for 15 fully-serviced additional meetings, but it would nevertheless do everything possible to avoid having to use them.

80. At the request of Mr. FURSLAND (United Kingdom), Mr. PACE (Secretary of the Commission) said that, in 1981, the Commission had held 92 meetings and had been authorized to hold 90; in 1982, it had held 97, with authorization for 90; at the present session, the Commission, which had at its disposal 60 meetings with summary records and 15 without summary records, had held 55 meetings with summary records and 30 without summary records.

81. Mr. FURSLAND (United Kingdom), noting that the figures confirmed his impression that the Commission's additional meetings at previous sessions, had been much greater than the 15 additional meetings envisaged in draft decision E/CN.4/1983/L.63, said it was likely that, in view of the way the situation was developing, the Commission would need a still higher number of meetings at its next session. Accordingly, it would perhaps be wise to arrange for 30 additional meetings for that session.

82. Mr. BYKOV (Union of Soviet Socialist Republics) said that the draft decision submitted by the Brazilian delegation was realistic. His own delegation would admittedly prefer the Commission to remain content with the number of meetings it had been allotted, but if more had to be requested, 15 additional meetings should be considered as the maximum. If meetings were held too close together, delegations could not make sufficient preparations for meetings on the following day; the less prepared they were, the longer their statements were, for it was more difficult to arrive at an overview than to engage in a step-by-step analysis.

83. The time-limit on statements at the present session had already made it possible to cut down the number of additional meetings and such a measure should be continued in the future.

84. Mr. O'DONOVAN (Ireland) said that, regardless of the number of additional meetings available to it, the Commission still had to fall back on a very large number of night meetings, something which was prejudicial to its work and its decisions. Admittedly, negotiations on certain resolutions sometimes presented difficulties for political reasons, but more often than not delegations have insufficient time to study the numerous documents, resolutions and amendments. Consequently, it might be advisable to envisage imposing a time-limit on statements not only for observers and non-governmental organizations but also for the members of the Commission. Perhaps the Brazilian delegation or Soviet delegation would add to draft decision E/CN.4/1983/L.63 a proposal of that kind, possibly establishing a time-limit of 20 minutes for statements by Member States, 15 minutes for observers and 10 minutes for non-governmental organizations. If the Commission could not find a rational solution to the problem and continued to request additional meetings, it would find itself compelled either to extend the session or to hold two four-week sessions.

85. Mr. BEAULNE (Canada) said that, like the Irish representative, he thought it would be useful to put a time-limit on statements by representatives of States, something which was common practice in sovereign parliaments, and nobody dreamed of taking offence at it. The Chairman could waive the rule in exceptional cases.

86. Mr. BYKOV (Union of Soviet Socialist Republics) said that it was premature to decide now to impose a time-limit for the members of the Commission. On the other hand, at the next session, it was a matter that would have to be studied carefully right from the start; for example, it would be necessary to urge moderation on certain non-governmental organizations whose sole purpose was to engage in defamation; delegations were compelled to answer their accusations, which made for a loss of valuable time.

His delegation wished to reiterate that it was unreasonable to ask for more than 15 additional meetings, not only for budgetary reasons but also because delegations must have a minimum of respite between meetings.

87. Mr. CALERO RODRIGUES (Brazil) said it was true that the 15 additional meetings would not suffice, but he appealed to delegations to face reality: it was a minimum figure which had more chance of being accepted. Moreover, if 15 meetings were not enough, the secretariat could, when the time came, negotiate further meetings, as it had done at the present session.

88. The CHAIRMAN invited the Commission to decide on the amendment proposed by the Canadian delegation, namely, to replace the figure 15 by the figure 20 in subparagraph (a) of the operative part of draft decision E/CN.4/1983/L.63.

89. A vote on the amendment by the Canadian delegation was taken by a show of hands.

90. The amendment was adopted by 21 votes to 6, with 10 abstentions.

91. A vote on draft decision E/CN.4/1983/L.63, as amended, was taken by a show of hands.

92. Draft decision E/CN.4/1983/L.63, as amended, was adopted by 29 votes to none, with 9 abstentions.

The meeting rose at 6.20 p.m.