



SUMMARY RECORD OF THE 73rd MEETING

Chairman: Mrs. MAIR (Jamaica)

CONTENTS

- AGENDA ITEM 52: INTERNATIONAL YEAR FOR DISABLED PERSONS
- AGENDA ITEM 55: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE  
(continued)
- AGENDA ITEM 78: QUESTION OF THE ELDERLY AND THE AGED (continued)
- AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 62: INTERNATIONAL YEAR FOR DISABLED PERSONS (A/32/288; A.C.3/32/L.51)

1. Mr. ERGUN (Acting Assistant Director, Centre for Social Development and Humanitarian Affairs) expressed regret at the delay which had occurred in the distribution of document A/32/288 and said that the factors that had caused that delay were indicated in paragraphs 4, 5 and 6 of the document.
2. In proclaiming the International Year for Disabled Persons in its resolution 31/123, the General Assembly had requested the Secretary-General to elaborate, in consultation with Member States, specialized agencies and concerned organizations, and submit to the General Assembly at its thirty-second session a draft programme for the Year. Accordingly, in 1977, Member States and the agencies and organizations concerned had been asked to submit proposals for inclusion in the draft programme of the Year. By the end of August, proposals had been received from 31 Governments, 3 specialized agencies, some other United Nations agencies and 9 international non-governmental organizations. An effort had been made to present those proposals in the annex to the Secretary-General's report by grouping them together according to type.
3. The proposals received could be grouped into three types, namely those requesting action by the United Nations and the specialized agencies; those calling for action in general, at international, regional and national levels; and those describing action that the senders, whether Governments or international organizations, intended to take in connexion with the International Year.
4. During the past two months additional proposals had been received which it had not been possible to include in the current text. Three more Governments and two non-governmental organizations had replied. The proposals of those Governments in general contained ideas similar to those expressed in the current document. The replies from the non-governmental organizations referred to specific problems of the deaf and mentally retarded and would be taken into account in the future.
5. Since the resources of the Secretariat were extremely limited, during the coming two years it would be able to take only limited action in preparation for the International Year, as it had not been possible to include appropriations for the Year in the programme budget for 1978-1979. He pointed out that the programme budget for that period had been discussed by CPC in May 1977, while most of the proposals for the International Year's programme had been received during the months from May to September. He also emphasized that the expenditures necessary for the preparation and celebration of the International Year could not be absorbed within the resources currently available to the Centre for Social Development and Humanitarian Affairs.
6. In that regard, the Secretary-General's principal proposal for the observance of the International Year by the United Nations was that a major role should be

played by the statutory United Nations bodies concerned with social questions. The Secretary-General proposed that, in 1981, the Commission for Social Development, the Economic and Social Council and the Third Committee should consider a programme of action for the future in the field of rehabilitation of disabled persons. Such a programme should outline the measures needed to implement the objectives of the International Year for Disabled Persons, as well as the Declarations on the Rights of Disabled Persons and on the Rights of Mentally Retarded Persons. It should also outline the measures necessary to assist developing countries in implementing those objectives and Declarations.

7. The basic objective was to promote rehabilitation services which countries at different levels of socio-economic development could afford to establish and develop. The preparation of the basic document would facilitate the decisions of the Commission for Social Development, the Economic and Social Council and the Third Committee, and would call for consultations with Member States, the specialized agencies and the interested non-governmental organizations. For that reason, it was suggested in the Secretary-General's report that a small secretariat for the International Year should be established to be responsible for the preparatory work and to assist Governments and organizations at the national and regional levels in planning and carrying out activities within the framework of the International Year. A publicity programme should also be launched.

8. In conclusion, he said that the Centre for Social Development and Humanitarian Affairs would appreciate it if the Committee would recommend the measures necessary for the preparatory phase 1978-1979.

9. Miss MARKUS (Libyan Arab Jamahiriya) said that there was a duty to inform the world as a whole on such a noble mission as the rehabilitation of the disabled, while at the same time establishing clear and effective concepts in that field and endeavouring to secure a better future for disabled persons throughout the world. The loss of any faculty, while painful, did not nullify life as a whole. The disabled could use their intellectual and sensory faculties and should be helped to achieve any objectives they might set for themselves.

10. The disabled should be integrated into society and enjoy every conceivable facility to improve their way of life, in any group or nation with due regard to the fundamental human rights established in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants and the various declarations adopted by the United Nations over the years.

11. The disabled must be provided with all social defence services necessary for their rehabilitation, including appropriate treatment, vocational training and selective employment, and must be supplied with all social benefits, without any discrimination whatsoever. The Declaration on the Rights of Disabled Persons established their right to respect for their dignity and enjoyment of life and the benefits of medical treatment.

12. The ILO had stated that there were some 400 million disabled persons throughout the world, which was equivalent to one tenth of the world's population.

(Miss Markus, Libyan Arab Jamahiriya)

That Organization had also stated that the problem was extremely acute in the third world where planners were overwhelmed by the problems of under-development and poverty.

13. Her Government was particularly concerned with the problem of disabled persons, a position based on the fundamental and noble principles contained in the Koran and in Islamic law and on the humanitarian principles on which Arab civilization had always been founded. Her country had made significant progress in implementing the rights of disabled persons. Generally speaking, the assistance provided to disabled persons could be divided into two periods, namely the pre-revolutionary period and the post-revolutionary period, i.e. since 1969.

14. In 1958, the first law on the rights of disabled persons had been enacted, followed by the enactment of a number of laws concerning vocational training for disabled persons. In 1972, measures had begun to be taken to assist the blind through the establishment of welfare societies, with a view to helping the blind to adapt to their disability and to society, and to provide them with assistance in such fields as education and training, so that they could fend for themselves. They were also provided with assistance in establishing contact with one another at the local and international levels.

15. There had always been major obstacles to the rehabilitation of disabled persons. The first such obstacle had been caused by colonialism, colonial régimes never having concerned themselves with the disabled. Furthermore, the percentage of disabled persons had increased due to the mines which had been laid throughout the territory during the Second World War, as a result of which a large number of persons had been crippled.

16. In 1974, a vocational training centre and a day-care centre for the mentally handicapped had been established to provide social, educational and rehabilitation services. Education centres and schools had also been set up so that, depending on the degree of their disability, disabled persons could enjoy the benefits of social security and maintain themselves and their families.

17. A decree had recently been issued for the preparation of the International Year for Disabled Persons. It should also be pointed out that the Libyan Arab Jamahiriya participated in all conferences and seminars on the care of the disabled.

18. Introducing draft resolution A/C.3/32/L.51 on behalf of the sponsors, she noted that the preamble recalled resolutions 31/123 proclaiming the year 1981 International Year for Disabled Persons, and resolution 31/93 on the medium-term plan. The most important aspect of the operative part of the draft resolution was that approving the proposals of the Secretary-General contained in document A/32/288 and authorizing him to undertake the measures required to implement those proposals. In paragraph 4, it was decided to establish an Advisory Committee for the International Year for Disabled Persons, and in paragraph 5 it was decided that the task of that Committee should be to consider the programme; in paragraph 9 it was decided to include in the provisional agenda of the thirty-fourth session of the General Assembly an item entitled "International Year for Disabled Persons".

19. Her delegation recommended that draft resolution A/C.3/32/L.51 should be adopted by consensus.

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20. Mr. DINSTEIN (Canada) said that his delegation supported the draft resolution before the Committee to establish an Advisory Committee for the International Year for Disabled Persons to be held in 1981. He welcomed the action of the United Nations in that humanitarian sphere and wished to encourage it to continue the activities that it had begun, since the special needs of disabled people around the world require particularly urgent attention. He urged the Committee to give unanimous support to draft resolution A/C.3/32/L.51, of which Canada was a co-sponsor, since he considered that the Committee's primary task was to promote greater public awareness of the problems of the disabled. The international community had long discriminated against the disabled and ignored their problems.

21. Recent advances on many fronts had stimulated the hope that the handicapped could enjoy their right to live in the community with the services they needed. Much, however, remained to be done in the elimination of architectural obstacles, the improvement of transport and the provision of better opportunities for employment and recreation. It was to be hoped that the Advisory Committee would provide leadership in all those directions.

22. Many non-governmental organizations had been active in the rehabilitation of the handicapped, and the Committee could benefit by their experience. That was particularly true of Rehabilitation International and its 98 associate members. Similarly, the United Nations Centre for Social Development and Humanitarian Affairs had useful experience to offer.

23. Canada had been chosen as the site of the fourteenth World Congress of Rehabilitation International, which would be held in Winnipeg, Manitoba, in June 1980. All levels of federal, provincial and municipal government were helping with the preparation for the Congress so that the event could be a breakthrough in the rehabilitation movement. He wished to extend a cordial invitation to all countries to take part in the Congress.

24. Miss BEAGLE (New Zealand) said that people in her country were conscious of the particular problems of the handicapped; all efforts in that sphere, both governmental and non-governmental, had been directed towards the physical and psychological rehabilitation of the handicapped which would allow them to take part in society with the same human rights as all other citizens. New Zealand legislation had reflected that concern, clearly defining the Government's responsibilities to promote the social, emotional and physical adjustment of the disabled and to elicit from the rest of the population a supportive attitude in regard to the problems of the handicapped. Any programmes in that field, to be effective, must be based on a partnership between the Government and voluntary organizations, relying on the support and understanding of the general public. That formula had been very successful in overcoming the problems of limited resources which could frustrate the practical implementation of any measures adopted to help the disabled.

25. New Zealand's policies were in accordance with the principles laid down in the Declaration on the Rights of Disabled Persons. New Zealand supported the objectives of the International Year for Disabled Persons proclaimed in resolution 31/123, and its proposals regarding the programme for the International Year were embodied in the report of the Secretary-General (A/32/268). Care should be taken,

(Miss Beagle, New Zealand)

however, to see that the Year did not succumb to "international year fatigue" resulting from the proliferation of such events. The major task should be to set up national commissions to organize activities and programmes on the national level. Such an approach would make it possible to adapt activities to the particular needs of each country and region. Her delegation also recommended the involvement of non-governmental organization personnel in the planning and administration of the Year. At the international level, the establishment of a new administrative structure would be unnecessarily cumbersome and expensive; the experience of non-governmental organizations in the sphere should be utilized instead.

26. Her delegation commended the excellent work being done for the rehabilitation of the handicapped by the Department of Economic and Social Affairs, and drew attention to the Department's latest publication on recent trends in legislation concerning rehabilitation services for the handicapped.

27. Mrs. PAPAEPSTATHIOU (Greece) said that disability recognized no class or geographical distinction, being one of the few universal elements of life to which no person was immune. Statistics showed that at least 10 per cent of the population of any country suffered from some form of mental or physical disability. There were more than 400 million disabled people throughout the world, and it was estimated that at least 3 million people were added to that number every year, taking into account such factors as population growth, increased longevity, industrial accidents and other environmental causes.

28. The handicapped were entitled to enjoy all human rights, which they had in common with the remainder of the population, and the Governments of their countries had a duty to take all possible steps to offer them protection, assistance and opportunities for rehabilitation.

29. In Greece, for the purposes of establishing a legal framework to guarantee the effective implementation of the principles contained in the Declaration on the Rights of Disabled Persons, two bills had been prepared which awaited parliamentary approval. The first dealt with professional training and the rehabilitation services to be made available to disabled persons of both sexes. It also provided for the mandatory employment of such persons in the public sector, in jobs suitable for their condition. The second bill dealt with special education and social care for the handicapped, providing for the establishment and operation of special schools for vocational training.

30. Some developing countries claimed that other pressing economic problems had to be solved before rehabilitation and employment services for the disabled could be considered. It was true that rehabilitation programmes were expensive, but providing society with the means to recover the economic contribution of disabled persons could not but bring general benefits for all.

31. With regard to the report of the Secretary-General appearing in document A/32/288, she noted with satisfaction the readiness of the United Nations Development Programme, UNICEF, ILO, WHO and various non-governmental organizations to take specific measures for the observance of the International Year for Disabled Persons. Every possible effort should be made to organize international and



(Mrs. Papaefstathiou, Greece)

regional congresses, and the handicapped should be encouraged to take an active part in all programmes. Her delegation hoped that draft resolution A/C.3/32/L.51 would meet with the unanimous support of the Committee.

32. Mr. NOTHOMB (Belgium) said that his country believed resolution A/C.3/32/L.51 to be the logical corollary of the Declaration on the Rights of Disabled Persons, and an excellent opportunity to put its principles into practice. Belgium wished to be added to the list of sponsors of the draft resolution, which he hoped would be adopted without a vote.

33. Miss NICHTER (Argentina) thanked the delegation of Libya for its initiative, which had made it possible to agree to hold the International Year for Disabled Persons in 1981. She hoped that the Secretariat would include the necessary provision for the implementation of resolution 31/123 in the programme budget for the biennium 1980-1981, and that the Centre for Social Development and Humanitarian Affairs could co-ordinate the activities necessary to meet the needs of developing countries for assistance. That point had to be made clear, so that there would be no complaints in the future that the activities planned by the United Nations system had been used to promote the sale of highly sophisticated and expensive equipment to developing countries which could not afford to pay for it, under the pretext of providing technical assistance. In that as in almost all other matters, the solutions should be in keeping with local conditions in the country concerned and the United Nations should not seek to apply methods suitable for developed countries which could afford them, to a developing region of the world, whatever transnational corporations seeking markets might do. Those observations were relevant to paragraphs 32 and 8 of document A/32/288 submitted by the Secretariat.

34. In general, her delegation supported the proposed programme, but insisted that national activities should not place too much stress on the customs exemptions referred to in paragraph 37 (XXXIV) of document A/32/288; they should rather activate the search for inventive solutions to the countless difficulties faced by the disabled in their everyday life.

35. Her delegation wished to reiterate its reservations regarding the discriminatory nature of the definition contained in the first paragraph of the Declaration on the Rights of Disabled Persons.

36. Lady GAITSKELL (United Kingdom) said that her country, in compliance with the objectives of the International Year for Disabled Persons, had appointed a special Minister for the Disabled to co-ordinate all activities being conducted in that area by the Department of Health and Social Security and by voluntary organizations. The aim was to do everything possible to enable the disabled to lead a full, independent and normal life in their community. In recent years, important legislation had come into force providing for increased cash benefits, special health services, vocational guidance and rehabilitation, as well as advantages to particular groups of disabled persons, such as the blind. Cash benefits for sickness and invalidity, industrial injury or illness were also provided, as well as special allowances enabling the disabled to obtain not only medical

(Lady Gaitskell, United Kingdom)

rehabilitation services, but also necessary aids and appliances as well as home helps and other kinds of allowances. Nevertheless, although the Government bore the major responsibility for services to the disabled, the important contribution of non-governmental organizations should not be forgotten.

37. As to the International Year, the United Kingdom felt that since the problems of the disabled were so numerous, the need was for a series of conferences focused on various specific subjects, such as education, employment, access to normal community activities, etc. It was also important to launch a publicity campaign to promote public awareness and understanding of the problems of the disabled. The United Kingdom associated itself with the idea of collaboration between governmental and non-governmental organizations in a joint committee, with the participation of the disabled and their families and the local authorities and government departments concerned, to co-ordinate all arrangements to be taken to implement the objectives of the International Year for Disabled Persons.

38. Mrs. SEMICHI (Algeria) said that Algeria, which was a sponsor of draft resolution A/C.3/32/L.51, understood the importance of the problem of the disabled. The Algerian population included a large number of disabled persons as a result of a long war of national liberation. In that connexion her delegation wished to thank all of the countries whose services and assistance had helped to alleviate the suffering of the Algerian disabled.

39. The International Year for Disabled Persons offered an opportunity to co-ordinate all efforts which interested Governments and organizations had made in that important area, with the ultimate aim of rehabilitating the disabled and helping them to lead normal lives in their societies.

40. She stressed the importance of the subparagraphs of the first preambular paragraph of draft resolution A/C.3/32/L.51, referring to the objectives of promoting all national and international efforts to provide disabled persons with proper assistance, training, care and guidance, and to make available to them opportunities for work. She also stressed operative paragraph 8, which encouraged Member States and organizations concerned to take specific action in the preparation of the observance of the International Year for Disabled Persons. Algeria hoped that the draft resolution, in addition to being adopted, would receive the attention it deserved from all delegations.

41. Mrs. SIBAL (India) said that her country attached great importance to draft resolution A/C.3/32/L.51 and she wanted to stress the importance of establishing, as soon as possible, an Advisory Committee for the International Year for Disabled Persons because that would afford an excellent opportunity to co-ordinate efforts made at all levels to ensure better implementation of the objectives of the International Year.

42. Mr. MALAFATPOULOS (World Health Organization) said that in recent years the World Health Organization had redirected its past policy with a view to emphasizing preventive measures to decrease disability and to increase the coverage of services. A Headquarters task force had been created in 1974 to design a programme consistent



(Mr. Malafatopoulos, WHO)

with such a policy and to assist regional offices of WHO, and Member States interested in the programme. After extensive consultations, and following resolutions WHA 19.37 and WHA 28.57, the new programme had been formulated, with disability prevention and rehabilitation activities as an integral part of primary health care within the general health services.

43. Activities within the programme would be directed towards disabilities caused by both physical and mental impairment and would be closely co-ordinated with ongoing work in related programmes, such as in mental health. The World Health Organization also envisaged certain specific actions to observe the International Year for Disabled Persons. Among those under consideration the following should be cited: the publication of papers and surveys on different aspects of disability prevention and rehabilitation, technical discussion of a subject concerning disabled persons by the thirty-fourth World Health Assembly in 1981, and the issue of a WHO stamp to commemorate the International Year for Disabled Persons. On the other hand, the WHO regional offices and the WHO representatives in Member States would offer their co-operation to the country representatives of United Nations agencies, to appropriate national authorities and to non-governmental organizations in formulating national programmes and projects within the framework of the International Year.

44. The CHAIRMAN informed members of the Committee that on the following day, Thursday 8 December, the financial implications of draft resolution A/C.3/32/L.51 would be available, and that they could then take a decision on it.

AGENDA ITEM 85: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE (continued) (A/32/218 and Add.1 and 2; A/C.3/L.52, L.53, L.54, L.55, L.56, L.57, L.59 and L.66)

45. Mr. PEDERSEN (Denmark), Rapporteur of the Working Group of the Whole on the Draft Convention on the Elimination of Discrimination against Women, said that he was greatly honoured and pleased to introduce to the Third Committee the report of the Working Group of the Whole on the Draft Convention on the Elimination of Discrimination against Women in document A/C.3/32/L.59.

46. The delegations would recall that the Working Group had been established by a decision of the Third Committee at its 23rd meeting on 19 October 1977 with the purpose of considering and finalizing the Draft Convention on the Elimination of Discrimination against Women completed by the Commission on the Status of Women at its resumed twenty-sixth session.

47. The Working Group had met from 21 October to 2 December 1977 and had held a total of 12 meetings.

48. At its first meeting the Working Group had decided to adopt the rule of silence, meaning that only those delegations which were opposed to a particular phraseology would speak. It was agreed, however, that arguments in favour of an article or a provision could be presented as well.

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(Mr. Pedersen, Denmark)

49. At the same meeting, the Working Group had decided that amendments proposed by the United Nations specialized agencies would be considered only if they were submitted by Governments. The Working Group had also decided to work on a consensus principle and not to vote.

50. During the following meetings, the Working Group had considered the title of the draft Convention, the preambular paragraphs and articles 1 to 10.

51. As could be seen from the report, the Working Group had not taken a decision on the title of the Convention. With regard to the preambular part of the draft Convention, agreement had been reached on nearly all paragraphs. It was only in the case of the eighth preambular paragraph of the original draft and in relation to a new preambular paragraph concerning the position of women in society that a consensus had not been possible, and a decision on those paragraphs had therefore been left open.

52. Of the operative part of the draft Convention which had been considered by the Working Group, i.e., articles 1-10, consensus had been reached on articles 1, 3, 4, 5, 7 and 8 and on a new article 9 concerning women's participation in international work. Furthermore, the Working Group had adopted by consensus article 2 (a), (b), (c), (d), (e) and (g), so that the only outstanding provisions in that article were the introductory sentence and subparagraph (f).

53. It had not been possible to reach a consensus on articles 6 and 10, and for that reason the reservations or alternative texts to those paragraphs were reflected in the report.

54. Owing to lack of time, the report had not been considered and approved by the Working Group. As it was based on the observations made by the Chairperson after each meeting and the written conclusions reached at meetings, which had been available to all interested delegations, he believed that the report was a true reflection of what had happened and been decided upon by the Working Group. He realized that the report was quite long and to some delegations might seem rather confused. It was his hope, however, that his brief introduction of the report would assist delegations in evaluating it. It was also his hope that the paragraphs and articles of the draft Convention which the Working Group had considered at the current session would not be reopened for discussion the following year, when it was to be hoped that a new working group would be established to conclude the work on the draft Convention.

55. Mr. LAMB (Australia) requested that the statement made by the representative of Denmark should be reproduced in extenso.

56. The CHAIRMAN said that that request would be conveyed to the Secretariat.

AGENDA ITEM 78: QUESTION OF THE ELDERLY AND THE AGED (continued) (A/C.3/32/L.58)

57. The CHAIRMAN said that, if there was no objection, she would take it that draft resolution A/C.3/32/L.58 was adopted by consensus.

58. Draft resolution A/C.3/32/L.58 was adopted by consensus.

59. Miss PIZZANELLI (Uruguay) said that draft resolution A/C.3/32/L.58 had the enthusiastic support of her delegation. Uruguay agreed on the need to provide effective protection for the aged, through social security, since every human being had the inalienable right to a decent existence.

60. In that field, there was a very great need for interchange and international review of policy alternatives affecting the elderly, and her delegation was interested in the idea of a world assembly on aging.

61. Old people formed a large part of the population of Uruguay, and the Government gave great attention to the question of the elderly and the aged. There was now an agency, the National Co-ordinating Committee for Welfare of the Aged, which served as a focal point for governmental and private efforts in behalf of the aged and which was under the authority of the Ministry of Labour and Social Security. Similarly, geriatric services throughout the country were co-ordinated by the Ministry of Health. She expressed appreciation to the representatives who had submitted the draft resolutions on the item.

62. Mr. HEINEMANN (Netherlands) said that, although his delegation had joined in the consensus on draft resolution A/C.3/32/L.58, it had some reservations concerning the proliferation of special international years and world conferences.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)  
(A/C.3/32/L.42, L.43, L.45, L.46/Rev.1, L.49, L.60, L.61, L.63)

63. Miss RICHTER (Argentina), commenting on draft resolution A/C.3/32/L.46/Rev.1 before the vote, said her delegation's interpretation of the draft resolution was that UNDP would render assistance to Governments submitting country projects in accordance with their own priorities and that that would not necessarily mean that UNDP would have to prepare global projects. That interpretation was in keeping with the resolutions establishing the mandate of UNDP and with those emphasizing the priorities set by Governments themselves in country projects.

64. Mr. SMIRNOV (Union of Soviet Socialist Republics), speaking in explanation of vote, said that, although the provisions contained in draft resolution A/C.3/32/L.46/Rev.1 were somewhat of an improvement on those originally introduced by the United States, his delegation would abstain from voting.

65. The CHAIRMAN put to the vote draft resolution A/C.3/32/L.46/Rev.1.

66. Draft resolution A/C.3/32/L.46/Rev.1 was adopted by 106 votes to none, with 9 abstentions.

67. Mr. AZIZ (Afghanistan) said that his delegation had voted in favour of the draft resolution as an expression of support for a co-ordinated effort by UNCTAD, UNDP, other competent agencies of the United Nations system and international financial institutions, on the understanding that UNDP's contribution would be met with additional resources not included in the IPFs of developing countries and that the contribution of international financial institutions would not be at

(Mr. Aziz, Afghanistan)

the expense of the normal assistance they granted to priority projects of the drug-producing countries. With regard to paragraph 3 of the draft resolution, his delegation's understanding was that development assistance would not be limited to pilot projects but that, in the light of the latter, other projects relating to the narcotics problem would be undertaken.

68. Mrs. SIBAL (India) said she wished to make it clear that she had voted in favour of the draft resolution on the understanding that funds intended for development assistance would not be diverted to the United Nations Fund for Drug Abuse Control, since Governments could not necessarily give that question first priority in their development plans.

69. Mr. HEINEMANN (Netherlands) said that he had voted in favour of the draft resolution, despite some reservations with respect to paragraphs 1 and 4. He regretted that no mention was made of the primary role of such bodies as the Commission on Narcotic Drugs and the Economic and Social Council in formulating intergovernmental policies in that field.

70. U WIN MRA (Burma) said that his delegation had abstained from voting because a basic principle of his Government's policy regarding the problem of narcotic drugs was to rely entirely on internal efforts, which were adapted to economic and social conditions in the country. Since Burma had become independent in 1948, constant efforts had been made to combat that scourge. He gave an account of the measures that had been taken and the progress achieved, including in particular the destruction of many opium fields. If action to destroy the sources of supply was to be fully effective, it must be accompanied by equally strong action abroad aimed at restricting and eliminating the sources of demand and the supply routes. His country was determined to combat the traffic in narcotic drugs, and in doing so it would rely primarily on its own efforts.

71. Mrs. KONGSHEM (Norway) said that she had voted for draft resolution A/C.3/32/L.46/Rev.1 because her Government considered the problem of drug abuse to be of the utmost gravity. Increased drug abuse in Norway in recent years had made that country more conscious than ever of the frightening scope and consequences of the problem and of the need for strengthened action, at both the national and the international level, to combat illicit demand, supply and traffic in narcotics.

72. Her Government was of the opinion that, in the effort to combat drug abuse, greater attention would have to be focused on the matter of production, i.e. on the illicit cultivation of raw materials. A primary goal should therefore be to put an end to such cultivation. Activities in that connexion should take the form of increased technical and financial assistance from the international community, channelled primarily through the United Nations Fund for Drug Abuse Control as the co-ordinating body.

73. She wished to inform the Committee that, because of the importance her Government attached to measures aimed at putting an end to illicit production of

narcotic raw materials, it had decided to offer financial assistance for that purpose within the framework of its development aid programmes.

74. In addition to the impact which it was hoped that crop replacement projects would have on the struggle against drug abuse, they should be so designed as to contribute to the general economic and social development of the countries concerned. Her Government therefore felt that it was appropriate to provide assistance to such projects within the framework of international development co-operation.

75. Mr. SOBHY (Egypt) said that, although his delegation had voted for draft resolution A/C.3/32/L.46/Rev.1, it had reservations concerning operative paragraphs 2 and 3 because of the fact that they affected the development and production priorities of States.

76. Mr. LAMB (Australia) said that his delegation had voted for all the draft resolutions relating to narcotic drugs and hoped to continue to participate in future efforts by the international community to combat drug abuse.

77. He wished to state, in connexion with draft resolution A/C.3/32/L.46/Rev.1, that although he felt the draft would be useful in the struggle against drug abuse, it was his delegation's opinion that the questions dealt with in operative paragraph 2 would have to be redefined.

78. The CHAIRMAN said that the Committee had completed its consideration of the section of agenda item 12 relating to narcotic drugs.

Draft resolution A/C.3/32/L.42 and the draft resolution contained in document A/C.3/32/L.43 (annex I)

79. Miss SHAHKAR (Iran), explaining her vote before the vote, said that if a vote was taken on draft resolution A/C.3/32/L.42, her delegation would vote for it in the belief that it was a constructive, positive initiative; she hoped, however, that the Committee would adopt the draft resolution by consensus.

80. Mrs. de BARISH (Costa Rica) said that she supported the draft resolution submitted by Sweden (A/C.3/32/L.42) because she felt that it sought to redress a wrong done by omission to those who had the courage to stand up for their convictions and were therefore detained or imprisoned and also subjected to torture and other cruel, inhuman or degrading treatment or punishment.

81. With regard to the draft resolution contained in document A/C.3/32/L.43, she felt that it contained positive elements even though there were some which her delegation could not accept. The representative of Morocco had made very pertinent comments concerning the title and operative paragraph 3 and had proposed a drafting change which improved and clarified the wording, thus removing doubts as to its intent.

(Mrs. de Barish, Costa Rica)

82. Operative paragraph 5 also presented difficulties since it made a vague request for comprehensive assistance which lent itself to many different interpretations and could have the effect of encouraging acts of armed intervention. Her delegation could not support the amendment to operative paragraph 4 appearing in annex II because it contained elements that had nothing to do with what appeared, judging from the title, to be the purpose of the draft resolution. Her delegation would therefore vote against that amendment and, if it was incorporated into the draft resolution, would abstain in the vote on the draft.

83. Nevertheless, her delegation maintained the support it had given in the Third Committee and in other bodies to the struggle of the peoples of southern Africa for independence and self-determination and against apartheid, racism and racial discrimination.

84. Mr. NUSEIBEH (Jordan) said that his delegation would vote for the Swedish draft resolution (A/C.3/32/L.42). Although he did not wish to make any comment that might undermine what he felt should be a consensus in the Committee, he noted that his delegation would have liked to see operative paragraph 2 applied to prisoners who had already completed part of their sentence, since that was connected with the question of whether detention should be a punitive or a preventive measure.

85. Mr. EDIS (United Kingdom) said that he would vote for draft resolution A/C.3/32/L.42. Since in the United Kingdom the peaceful expression of political opinions was one of the most zealously protected freedoms, his delegation was in sympathy with what it felt to be the purpose of the Swedish draft resolution, namely the reaffirmation and protection of the constitutional rights of persons who engaged in non-violent political activities, so that they need have no fear of detention or arrest.

86. Together with many other countries in the world, the United Kingdom had vigorously condemned terrorism and other forms of violence aimed at achieving political goals and had co-operated fully in the effort to arrive at international agreements prohibiting such acts. His delegation did not accept the thesis that common crimes could be justified simply because their authors claimed to have political motives, and its support for the draft resolution was based on the understanding that the draft did not uphold that view.

87. His Government was in favour of defending the basic human rights of all persons detained or imprisoned in accordance with law. However, he wished to make it very clear, in connexion with operative paragraph 2, that in the United Kingdom it was the function of the courts, which were independent of the Government, to determine the appropriate sentence to be served by persons found guilty of crimes. The Government had no right to interfere in the imposition of such sentences.

88. The CHAIRMAN said that, if she heard no objection, she would take it that the Committee wished to adopt draft resolution A/C.3/32/L.42 without putting it to the vote.

89. Draft resolution A/C.3/32/L.42 was adopted by consensus.



90. Mr. FILBY (United States of America) said that, although his delegation had joined in the consensus on draft resolution A/C.3/32/L.42, it wished to express certain reservations concerning the wording of the draft.

91. The sixth preambular paragraph was questionable, since it suggested that the categories of persons described in that paragraph should enjoy special treatment in the matter of respect for human rights by contrast with other categories of political prisoners. Since the resolution dealt primarily with the situation of political prisoners, his delegation felt that that paragraph was out of place in the draft.

92. The words "contrary to the principles of the United Nations Charter" should have been added at the end of the seventh preambular paragraph, since otherwise the paragraph seemed to suggest that the detention of persons by reason of their political opinions or convictions was an inevitable occurrence which the international community must accept.

93. With regard to operative paragraph 2, his delegation would have preferred to omit the words "to examine periodically the possibility of releasing such persons", so that the resolution would simply have requested the release of political prisoners.

94. His delegation emphasized that its basic concern with regard to any resolution relating to political prisoners was to avoid any suggestion that the international community in any sense accepted the practice of holding such prisoners. It felt that the same emphasis should be placed on their release instead of merely stressing the need to pay special attention to the human rights of such persons while they were being held.

95. Mr. KEILAU (German Democratic Republic) said that his delegation had joined the consensus on draft resolution A/C.3/32/L.42 although in its view the seventh preambular paragraph was vague and out of keeping with the rest of the resolution.

96. He considered that Fascists, racists, mercenaries, warmongers and aggressors should not be placed on a par with the persons who were persecuted in various countries as a result of their activities on behalf of freedom, independence, peace and social progress and against racism, colonialism and alien domination. History showed that reactionaries of all kinds had always abused the right of freedom of political expression for purposes which were contrary to the principles of the United Nations.

97. The persecution and punishment of persons for their activities on behalf of self-determination, national independence, peace, freedom and social progress ran counter to the spirit and purposes of the United Nations and the provisions of international agreements. Solidarity with such persons was a cause which his country fully supported.

98. In accordance with that humanitarian principle, on which draft resolution A/C.3/32/L.42 was based, his delegation regretted that in the course of the

(Mr. Kellau, German Democratic Republic)

negotiations it had not been possible to word the seventh preambular paragraph in a way which fully corresponded to the objectives of the draft.

99. Mr. LIVERMORE (Canada) said that the question of political prisoners lay at the very root of human rights and fundamental freedoms and his country therefore attached great importance to it. He wished to make the following comments on draft resolution A/C.3/32/L.42, which had just been adopted by consensus. In operative paragraph 1 Member States were requested to take effective measures to safeguard the human rights and fundamental freedoms of detained persons to ensure that they were not subjected to torture or other cruel, inhuman or degrading treatment or punishment, and also to ensure that such persons received a fair hearing by a competent, independent and impartial tribunal. His delegation considered that that paragraph was superfluous, since all States were already morally committed to respect the human rights of such persons, either because they had signed the International Covenant on Civil and Political Rights or simply because they were Members of the United Nations, which implied that they had accepted the principles of the Charter and of the Universal Declaration of Human Rights on which the draft resolution was based. In operative paragraph 2 Member States were called upon to examine periodically the possibility of releasing such persons as an act of clemency or by way of conditional release or otherwise. His delegation could not agree that persons should be kept in prison for committing acts which were not against the law, in exercise of the right to freedom of expression embodied in articles 18 and 19 of the Universal Declaration of Human Rights. The release of such persons was a moral duty of States and could not constitute an act of clemency. It was his country's understanding that that paragraph could apply only to persons who had contravened a criminal law and had been sentenced after a fair and equitable trial.

100. Mr. HOLZER (Austria) said that his delegation had joined the consensus on draft resolution A/C.3/32/L.42 because it unconditionally supported all efforts to promote the protection of human rights and fundamental freedoms and to eliminate violations of those rights in whatever circumstances they occurred. It interpreted the draft resolution as meaning that nothing could justify the arrest and detention of persons seeking to exercise their legitimate rights, such as those embodied in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Operative paragraph 2 could be interpreted in the contrary sense. It was his delegation's understanding that that protection included the groups of persons enumerated in the sixth preambular paragraph, without excluding others.

101. Mr. SMIRNOV (Union of Soviet Socialist Republics) said he wished to explain his vote on draft resolution A/C.3/32/L.42 after the Committee had completed its consideration of draft resolution A/C.3/32/L.43.

102. The CHAIRMAN drew attention to the draft resolution in annex I to document A/C.3/32/L.43, together with the amendment to that resolution in annex II of the same document and an oral amendment submitted by Morocco.

103. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) said that his delegation accepted the amendment submitted by Algeria, Egypt, Iraq and the Syrian Arab Republic contained in annex II to document A/C.3/32/L.43. It also accepted the oral amendment submitted by Morocco, according to which the title and operative paragraph 3 would be worded as follows:

"Protection of persons detained or imprisoned as a result of their struggle against apartheid, racism and racial discrimination, colonialism, aggression and foreign occupation for self-determination, independence and social progress of their peoples.

3. Demands the release of all individuals detained or imprisoned as a result of their struggle against apartheid, racism and racial discrimination, colonialism, aggression and foreign occupation for self-determination, independence and social progress of their peoples:".

104. Furthermore, a change should be made in operative paragraph 7, the last part of which should read: "to the General Assembly at its thirty-third session". In the first preambular paragraph, reference should be made to resolutions A/31/34 and A/32/14 as well as to resolutions 3246 (XXIX) and 3382 (XXX).

105. Mr. RIOS (Panama) said that he had listened carefully to the amendments proposed and wondered whether the amendment to operative paragraph 4 was relevant, since its essence was also contained in the Moroccan amendment.

106. Mrs. WARZAZI (Morocco) thanked the Byelorussian delegation for having accepted the amendments. However, she wished to make a change in the French text, which consisted in deleting the word "et" before the words "pour l'autodétermination".

107. Mr. LAMB (Australia) said that his delegation could not support a consensus on the draft resolution in annex I to document A/C.3/32/L.43. There were certain inaccuracies in the preamble and defects in the wording of the draft resolution. The fifth preambular paragraph, which should be the keystone of the whole draft, was not supplemented by any provision in the operative part. Operative paragraph 6 seemed to imply that the Commission on Human Rights had not previously dealt with the question. In operative paragraph 7, that Commission was asked to perform a task which it had already completed.

108. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) said that he accepted the new amendment proposed by Morocco. With regard to the comments made by the representative of Australia on paragraphs 6 and 7, those paragraphs implied no criticism of the Commission on Human Rights, but merely asked it to pay special attention to the question.

109. Mr. MERKEL (Federal Republic of Germany) wondered whether it would not be advisable to amend paragraph 6 to bring it into line with the amendments to the title and paragraph 3 proposed by Morocco and accepted by the Byelorussian SSR.

110. Mr. ALFONSO (Cuba) said it would be inopportune at the current stage to initiate consultations on the draft resolution under consideration. Nevertheless, it was possible that paragraph 6 failed to do justice to the past work of the Commission on Human Rights. He suggested that the wording of that paragraph should be amended, replacing the word "give" by the words "continue to give". He also considered well advised the suggestion by the Federal Republic of Germany that the order of wording in the title of the resolution should also be used in paragraph 6.

111. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) said that his delegation had no difficulty in accepting the amendments proposed by the delegations of Cuba and the Federal Republic of Germany and in changing the order of wording in paragraph 6 to bring it into line with that of the title and the third preambular paragraph. His delegation could also accept the Cuban suggestion that the words "continue to give" should be included in paragraph 6.

112. Mr. LAMB (Australia) said that after reflecting on the fifth preambular paragraph, he wished to suggest that operative paragraph 5 be amended to incorporate the concepts set forth in the preamble by adding at the end "as well as from discrimination based on sex, language and religion".

113. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that it would be inappropriate to propose further consultations at the current stage, since the process of voting on the draft resolution had begun and the vote should be taken.

114. Mr. LAMB (Australia) said that he had not proposed that the process should be postponed indefinitely. He urged the representative of the Byelorussian SSR not to attempt to speed up the consideration of such an important item.

115. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) said that he was surprised by the observation made by the representative of Australia. It had been some days since a decision had been made on the matter and the attention of all delegations had been drawn to draft resolution A/C.3/32/L.43. Furthermore, that draft had been submitted the previous year, so that there had been a whole year to study it. If the representative of Australia had wanted to make amendments, he could have done so without leaving them until the last minute.

116. The last-mentioned amendment did not seem acceptable, since the Committee had before it an item relating to discrimination against women, which constituted a separate item.

117. He recalled that the Committee had little time left and expressed the hope that the draft resolution could be adopted without further discussion.

118. The CHAIRMAN said that, in view of the lateness of the hour, the Committee should take a prompt decision as to whether it wished to proceed to a vote or to postpone it until later.

119. Mr. KEILAU (German Democratic Republic) supported the Chairman's suggestion.

120. Mr. DIOM (Senegal) wondered whether, in view of the importance of the amendments and the position adopted, it might be advisable for the delegations concerned to hold consultations on the matter. His delegation was interested in adopting a decision on the draft resolution, but would like to have a coherent text.

121. Mrs. SEMICHI (Algeria) drew the attention of the representative of the Byelorussian SSR to the amendment which he had just accepted involving the deletion of the word "et" before the word "autodétermination" in paragraph 3 of the French text. Her delegation was not satisfied with that new text since, in effect, it referred only to the situation of imprisoned individuals struggling against racism, apartheid and racial discrimination, a situation which was already covered in the amendment to paragraph 4 which had just been accepted by the sponsor. At the current time, there existed cases of peoples struggling for self-determination, but whose struggle was not necessarily taking place in a situation of racism or racial discrimination. While she would not insist on a reference to the cases of those peoples, she requested the Byelorussian representative to retain the initial proposal, namely to include the word "et" before the word "autodétermination", which completed the idea expressed in the draft resolution.

122. Mr. ALFONSO (Cuba), referring to the statement made by the representative of Algeria, said that he had taken down verbatim the English text read out by the representative of Byelorussia relating to the title and operative paragraphs of the draft resolution. The Moroccan proposal applied only to the French text and had at no time been accepted formally by the representative of Byelorussia.

123. He expressed concern with regard to the question of procedure before the Committee. What the representatives of Australia and Senegal were proposing was the adjournment of the debate on the draft resolution contained in annex I of document A/C.3/32/L.43. That proposal should be dealt with in accordance with the rules of procedure since it constituted a motion for adjournment of the debate. Except where there was a motion for adjournment of the debate, once the list of speakers had been exhausted, the Committee must proceed to a vote.

124. Mr. DIOM (Senegal) said that his statement had been misinterpreted. He had not asked for a postponement of the decision on the draft resolution. He had simply pointed out that, with all the amendments that had been submitted, the Committee had no consolidated text which enabled it to know exactly what it was being asked to vote on.

125. The CHAIRMAN suggested that, in spite of the reservations of certain delegations, which must be taken into account, the Committee should take a decision on the draft resolution A/C.3/32/L.43.

126. Mr. LAMB (Australia) also explained that he had not proposed that the debate should be adjourned. He had simply said that, since document A/C.3/32/L.43 had not been issued until 30 November and his delegation had not known beforehand that the question postponed at the previous session was to be dealt with at the current session, he would like a number of clarifications. However, if the Committee decided to put the draft resolution to a vote immediately, his delegation would be compelled to vote against it.

127. Mr. SOBHY (Egypt), speaking on behalf of Algeria, Iraq, the Syrian Arab Republic and Egypt, thanked the Byelorussian delegation for accepting the amendment. With regard to the Moroccan amendment, he understood the allusion to the social progress of peoples to refer to the peoples of imprisoned individuals struggling to achieve such progress. However, the struggle for self-determination and independence, against colonialism, aggression and foreign occupation were universal struggles in which all could participate.

128. Mrs. SEMICHI (Algeria) asked whether the French language version of the text to be put to a vote included the word "et" referred to by the representative of Morocco.

129. Mr. MERKEL (Federal Republic of Germany) and Mrs. MARICO (Mali) asked for the new paragraph 6 to be read out.

130. Mr. MOMPOINT (Secretary of the Committee) read out the following text of the new paragraph 6:

"6. Requests the Commission on Human Rights to continue to give particular attention to the question of the release of individuals detained or imprisoned as a result of their participation in the struggle against apartheid, racism and racial discrimination, colonialism, aggression and foreign occupation, for self-determination, independence as well as social progress for their peoples;"

131. Mrs. SEMICHI (Algeria) proposed that the word "et" should be inserted before the words "pour l'autodétermination" in the French text and that a separate vote should be taken on that amendment.

132. Mrs. WARZAZI (Morocco) asked that the word "et" preceding the words "pour l'autodétermination" should be deleted.

133. Mr. RIOS (Panama) proposed that the vote should be postponed until the following meeting.

134. Miss MARKUS (Libyan Arab Jamahiriya) and Mr. OULD SID'AHMED VALL (Mauritania) asked that the vote should be postponed until the following day because of the large number of amendments proposed and because of the confusion in the Committee with regard to those amendments.

135. The CHAIRMAN suggested that, in view of the lateness of the hour, the meeting should be adjourned.

The meeting rose at 1.30 p.m.