



**CONTENTS**

	<i>Page</i>
Human Rights Day: draft resolution submitted by the United States of America (A/C.3/L.102) ( <i>concluded</i> ) .....	275
Order of priority of items of the agenda (A/C.3/531) ( <i>concluded</i> ) .....	276

*Chairman:* Mr. G. J. VAN HEUVEN GOEDHART (Netherlands).

**Human Rights Day: draft resolution submitted by the United States of America (A/C.3/L.102) (*concluded*)**

[Item 63]\*

1. The CHAIRMAN drew the Committee's attention to conference room paper No. 11, which contained the text of the draft resolution submitted by the United States (A/C.3/L.102), as amended by Afghanistan, France, Israel, Lebanon, Mexico and Saudi Arabia.
2. He noted that the four paragraphs of the preamble of the draft resolution had been adopted at the previous meeting, and read the operative part, which was worded as follows:

*"Invites* all States and interested organizations to adopt 10 December of each year as Human Rights Day, and observe this day to commemorate the proclamation of the Universal Declaration of Human Rights by the General Assembly on 10 December 1948, and to recognize human progress in this field;

*"Requests* Member States to report annually through the Secretary-General concerning the observance of Human Rights Day."

3. He invited the Committee to take a decision regarding those two paragraphs.
4. Lord MACDONALD (United Kingdom) thought that, as a rule, sad events were "commemorated", while joyful occasions were "celebrated".
5. He therefore suggested the substitution of the word "celebrate" for the word "commemorate" in the first paragraph of the operative part.
6. Mr. CHANG (China) proposed that the end of that paragraph should read: "... and to exert increasing effort in this field of human progress".
7. Mrs. ROOSEVELT (United States of America) accepted the suggestions of the United Kingdom and Chinese representatives.

\* Indicates the item number on the General Assembly agenda.

8. Mr. KAYALI (Syria) considered that 10 December — the date proposed for Human Rights Day — should also be celebrated as a holiday by the United Nations itself. He would not, however, propose an amendment in that sense because he believed that the point was covered implicitly in the words "and interested organizations".

9. The CHAIRMAN put to the vote the USSR amendment (315th meeting) to the effect that the words "24 October" should be substituted for the words "10 December".

*The amendment was rejected by 24 votes to 9, with 12 abstentions.*

10. The CHAIRMAN put to the vote the penultimate paragraph of the United States draft resolution, as amended by the United Kingdom and Chinese representatives.

*The paragraph, as amended, was adopted by 46 votes to none, with 3 abstentions.*

11. The CHAIRMAN invited the Committee to take a decision on the final paragraph of the draft resolution.

12. Mr. SOTO (Chile) proposed the insertion of the words "and interested organizations" after the word "States". Such organizations were invited in the penultimate paragraph to celebrate 10 December as Human Rights Day, and it would be interesting to receive their reports, as well as those of States, concerning their observance of that day.

13. Mrs. ROOSEVELT (United States of America) accepted the Chilean amendment, although she was doubtful whether all interested organizations had the necessary machinery to submit reports on the matter to the Secretary-General of the United Nations.

14. Mr. AZKOUI (Lebanon) wondered whether it would be proper for the United Nations to request reports from organizations which were not linked to it in some way.

15. Mr. BAROODY (Saudi Arabia) noted that while the penultimate paragraph referred to "all States", the final paragraph referred to "Member States" only. For the sake of consistency, he proposed that the beginning of the last paragraph should be amended to read: "Invites all States . . .". The word "invites" was less peremptory than the word "requests" and should remove any doubts concerning the propriety of addressing requests to non-member States and to organizations not related in some manner to the United Nations.

16. Mrs. ROOSEVELT (United States of America) accepted the Saudi Arabian amendment.

17. Mrs. SINCLAIR (Canada) thought it might be more desirable from a procedural point of view if the interested organizations filed their reports with their respective national governments, which would transmit them to the Secretary-General.

18. The CHAIRMAN interpreted the remarks of the Canadian representative as a request for a separate vote on the words "and interested organizations".

19. Miss BERNARDINO (Dominican Republic) thought that most national organizations were in touch with non-governmental organizations enjoying category B status and, through them, with the United Nations.

20. The CHAIRMAN put to the vote the words "and interested organizations".

*Those words were adopted by 20 votes to 12, with 16 abstentions.*

21. The CHAIRMAN put to the vote the final paragraph of the United States draft resolution (A/C.3/L.102) as amended by the representatives of Chile and Saudi Arabia.

*The paragraph, as amended, was adopted by 37 votes to 2, with 9 abstentions.*

22. Before putting the entire draft resolution as amended to the vote, the CHAIRMAN noted that while the text referred to Human Rights Day, the title of the draft resolution was "United Nations Human Rights Day". He suggested that, for the sake of consistency, the title should be changed to "Human Rights Day".

*It was so agreed.*

*The draft resolution, as amended, was adopted by 44 votes to none, with 4 abstentions.*

#### **Order of priority of items of the agenda (A/C.3/531) (concluded)**

23. Lord MACDONALD (United Kingdom) suggested that as the Committee had already decided at its 284th meeting to proceed next to item 6 of its agenda (A/C.3/531): "Freedom of information", it should forthwith decide which of the two remaining items — item 3: "Refugees and stateless persons" and item 7: "Complaint of failure on the part of the Union of Soviet Socialist Republics to repatriate or otherwise account for prisoners of war detained in Soviet territory" — to deal with after that.

24. He proposed that the Committee should consider the item concerning prisoners of war before the question of refugees.

<sup>1</sup> See 284th meeting.

25. AZMI Bey (Egypt) considered that the question of prisoners of war was primarily a political matter, and proposed that it should be referred to the First Committee.

26. Mr. SANTA CRUZ (Chile) thought the Egyptian representative had raised a most serious point which touched upon the Committee's competence. He felt, however, that that issue should be dealt with when the item itself came up for consideration.

27. Mr. KAYALI (Syria) proposed that the Committee should decide forthwith whether the item concerning prisoners of war was primarily political or humanitarian in character.

28. The CHAIRMAN ruled that the Syrian motion was out of order at that stage since it would of necessity involve a substantive discussion of the item itself.

29. Mr. KAYALI (Syria) challenged the Chairman's ruling.

30. The CHAIRMAN put his ruling to the vote.

*The Chairman's ruling was upheld by 37 votes to one, with 9 abstentions.*

31. Mr. AZKOUL (Lebanon) explained that he had voted to uphold the Chairman's ruling on the understanding that the Syrian representative would be free to reintroduce his proposal when the Committee took up the item on prisoners of war.

32. The CHAIRMAN confirmed that that was understood.

33. Mr. PANYUSHKIN (Union of Soviet Socialist Republics) recalled that his delegation had already stated, both in the General Committee and in the General Assembly,<sup>2</sup> that the item on prisoners of war, submitted jointly by the delegations of Australia, the United Kingdom and the United States, was slanderous and intended to foment anti-Soviet propaganda campaigns. His delegation had argued on the basis of facts and had pointed out that the entire matter was clearly within the jurisdiction of the Allied Powers concerned, pursuant to existing agreements which would enable the United States of America, for example, to negotiate directly with the USSR Government.

34. It was well known that the USSR Government had repatriated all prisoners taken during the Second World War. Nevertheless, the General Assembly had, to its discredit, decided to place that slanderous item on its agenda.

35. He proposed that the Committee should follow the order of the items as they were listed on its agenda (A/C.3/531). Hence it should deal with the question of refugees before taking up the matter of prisoners of war. The question of refugees and stateless persons was urgent; hundreds of thousands of persons had been torn from their homes and were living miserable lives. Their real desire was to return home, but they were being victimized by ordinary criminals and paid anti-Soviet propagandists. The General Assembly had long dealt with the problem, but had not yet settled it, although it was most urgent that those unfortunate persons should be repatriated as soon as possible.

<sup>2</sup> See Official Records of the General Assembly, Fifth Session, General Committee, 69th meeting, and Plenary Meetings, 285th meeting.

36. The CHAIRMAN wished, without discussing the substance of the questions involved, to inform the Committee that the Chairman of the Fifth Committee had intimated that he would shortly invite the Third Committee to dispose first of items also involving the Fifth Committee. The item concerning refugees came under that heading, whereas the question of prisoners of war did not.

37. Mrs. ROOSEVELT (United States of America) thought it was difficult to predict whether the item concerning prisoners of war would involve the Fifth Committee. The Third Committee might, for example, propose the establishment of a commission of enquiry, in which case the Fifth Committee would no doubt have to be consulted.

38. She supported the United Kingdom proposal. The contention of the USSR representative did not seem to be logical, for if the item were indeed slanderous, she would have expected the USSR delegation to welcome the earliest possible opportunity of proving its assertion. The only way to do so would be for the USSR to allow thorough verification of the claim that all prisoners of war had been returned. She understood that some prisoners of war had been stigmatized as war criminals or traitors. Surely the relatives of the prisoners of war would be most anxious to know whether they were still alive and to obtain a list of all of them.

39. The item submitted by Australia, the United Kingdom and the United States was not intended to be slanderous but rather to ascertain the fate of many persons concerning whom the outside world still knew nothing. The matter was humanitarian in nature, and the USSR delegation should not feel that there was any reason to oppose its consideration.

40. AZMI Bey (Egypt) stated that he had originally intended, for personal reasons, to support the procedural proposal of the United Kingdom representative; he would soon be obliged to leave New York, and his delegation would be represented by another expert during the discussion of the question concerning refugees.

41. In view, however, of the Chairman's reference to the wishes of the Chairman of the Fifth Committee, he would abstain from voting on the United Kingdom proposal.

42. Mr. SANTA CRUZ (Chile) thought that items 3 and 7 of the Committee's agenda involved extremely important questions. Both could, however, with goodwill, be settled during the current session of the General Assembly. It was therefore not very important which item the Committee decided to consider first.

43. In view of the message from the Chairman of the Fifth Committee, he would vote for prior discussion of the item concerning refugees and stateless persons.

44. Mr. DEMCHENKO (Ukrainian Soviet Socialist Republic) said that documentary proof would be forthcoming at the proper time to show that the item on prisoners of war was entirely slanderous and designed for anti-Soviet propaganda purposes.

45. He was under the impression that the United Kingdom delegation itself had originally been in favour of discussing first the question of refugees and stateless persons, a question which urgently demanded settle-

ment. There could be no reason to reverse the order of the items, especially since prior discussion of the item on prisoners of war would seriously hamper the work of the Fifth Committee.

46. Hence he supported the proposal of the USSR representative.

47. The CHAIRMAN put to the vote the United Kingdom representative's proposal that the item on the complaint of failure on the part of the USSR to repatriate or otherwise account for prisoners of war detained in Soviet territory should be taken before the item on refugees and stateless persons.

*The proposal was rejected by 13 votes to 10, with 24 abstentions.*

48. Mr. NORIEGA (Mexico) proposed that in the consideration of item 6, concerning freedom of information, part (b): "Interference with radio signals", and part (c): "Question of the freedom of information and of the Press in time of emergency", should be taken up before part (a): "Draft convention on freedom of information", as the Committee was not yet ready to act on that part.

49. Mr. TEIXEIRA SOARES (Brazil) opposed the Mexican proposal. He had assumed that a general debate would be held on freedom of information; hence, he could not see how the Committee could properly begin the discussion of sub-divisions of that question.

50. Mrs. ROOSEVELT (United States of America) said that the Committee had had ample time to prepare for a general debate on freedom of information, but was not ready to discuss the sub-division of that question; she therefore opposed the Mexican proposal.

51. The joint draft resolution on the draft convention on freedom of information submitted by the delegations of Cuba, Egypt, France and the Netherlands (A/C.3/L.110) had been circulated, so the Committee could begin to discuss it immediately.

52. Mr. NORIEGA (Mexico) observed that the joint draft resolution was a completely new document, concerning which delegations had not yet been able to receive instructions from their governments. It could not, under rule 119 of the rules of procedure, be discussed at the current meeting. The United States delegation should in any case be fully cognizant of the problems embodied in parts (a), (b) and (c) of item 6, since the United States was a member of the Economic and Social Council, which had already discussed them fully.

53. Mr. DE LACHARRIERE (France) supported the Mexican proposal with regard to part (a).

54. He also agreed that rule 119 should apply to the question of the consideration of the joint draft resolution.

55. Mr. DEMCHENKO (Ukrainian Soviet Socialist Republic) opposed the Mexican proposal and observed that further documents might be submitted, which would also fall under rule 119; it was probable that there would be amendments to part (b). Furthermore, arguments concerning the three sub-divisions of the item concerning freedom of information might well arise in the general debate; if the order were reversed, they might have to be repeated.

56. Mr. SANTA CRUZ (Chile) thought that a debate on the substance of the draft convention on freedom of information would be a waste of time, as a new procedure was proposed in the joint draft resolution, and if it were adopted the draft convention would not be discussed by the General Assembly at its current session. It would be premature to discuss that draft resolution and the Committee was not yet ready to do so. The question of freedom of information in general had already been exhaustively debated at a number of sessions of the General Assembly and the Economic and Social Council.

57. The Committee should, therefore, either accept the Mexican proposal on the basis of Economic and Social Council resolution 306 B (XI) or else adjourn.

58. The CHAIRMAN put to the vote the Mexican proposal to consider parts (b) and (c) of the item on freedom of information, before part (a).

*The proposal was adopted by 26 votes to 13, with 9 abstentions.*

59. Mr. ALTMAN (Poland) was not yet prepared to discuss part (b) and therefore moved the adjournment of the meeting.

*The motion was adopted by 31 votes to 7, with 5 abstentions.*

The meeting rose at 4.35 p.m.