

SUMMARY RECORD OF THE FOURTH MEETING
held on Saturday, 4 May 1968, at 11.15 a.m..

Chairman:

H.I.H. Princess Ashraf PAHLAVI

Iran

REQUESTS FOR CIRCULATION OF WRITTEN STATEMENTS BY NON-GOVERNMENTAL ORGANIZATIONS,
UNDER RULE 62 OF THE RULES OF PROCEDURE (A/CONF.32/BUR/1 and Add.1 and 2) (continued)

The CHAIRMAN, recalling rule 62 of the rules of procedure, said that the Secretary-General's note on the question under consideration (A/CONF.32/BUR/1) gave the list of organizations that had submitted requests to the General Committee for circulation of their statements. The documents existed in the different working languages, with the exception of the statement by the World Assembly for Human Rights which was available in English and French only, and that by the International Law Association, which was available only in English.

Mr. AGUILAR (Venezuela) considered that all organizations should have the opportunity of making their views known. The Conference would gain valuable information from their statements; after all, obviously it did not necessarily endorse the opinions expressed in the documents it authorized for circulation.

At the invitation of the Chairman, Mr. Özgür (Cyprus) took a place at the Committee table.

Mr. ÖZGÜR (Cyprus) thanked the General Committee for having authorized him to speak. He opposed the circulation of the statements submitted by the World Moslem Congress (ICHR/Misc.2 and Add.1) which expressly accused the Governments of Cyprus, India and Ethiopia of genocide. Without examining the substance of the allegations, which were unfounded, he pointed out that the mere fact that they contained such accusations meant that the statements were not of the general character required under rule 62. His delegation had been very fair, just and democratic when the Third Committee of the General Assembly had studied the question of invitations and now expected the same treatment in return.

Mr. DAPHTARY (India) agreed with the objections raised by the preceding speaker and urged the Secretariat not to circulate the documents of the World Moslem Congress accusing certain States of genocide and openly criticizing the United Nations. It was not fair for organizations to take advantage of the privileges granted to them by the Conference by circulating documents that lacked objectivity and did not meet the requirements set out in rule 62.

The CHAIRMAN proposed that the General Committee should examine the case of each document separately and decide whether or not it should be circulated.

It was so decided.

"General conclusions" of the Geneva NGO Conference on Human Rights
Statement by the Commission of the Churches on International Affairs
Statement by the International Federation of Christian Trade Unions

It was agreed to circulate these statements.

Statement by the International Confederation of Free Trade Unions

Mr. CHIKVADZE (Union of Soviet Socialist Republics) considered that the circulation of that statement would be in conformity neither with the rules of procedure nor with United Nations practice, as it was tendentious and made insulting attacks on certain Members of the United Nations.

It was agreed, by 12 votes to 5, with 2 abstentions, to circulate the statement.

Mr. CHIKVADZE (Union of Soviet Socialist Republics) considered that the vote had been taken prematurely. He would have liked to hear the arguments of those who had voted for a decision that was flagrantly at variance with the rules of procedure.

Mr. WAMBURA (United Republic of Tanzania) said that he too was surprised that a vote had been taken on a request that was at variance with the rules of procedure.

Mr. POPPER (United States of America) considered that the Chairman had been right to put the request to the vote, since no-one else had asked for the floor. He was surprised at the discussion continuing after the vote.

Mr. SCHREIBER (Executive Secretary of the Conference), in reply to a request for an explanation by the representative of Tanzania, said that under the terms of rule 62 it was for the members of the General Committee to assess whether or not the written statements satisfied the requirements of that rule.

Mr. CHIKVADZE (Union of Soviet Socialist Republics) protested in the strongest terms against the decision just taken by the General Committee. He maintained that it was in clear contravention of the rules of procedure to circulate a document which contained explicit accusations. Under rule 32 of the rules of procedure, he formally proposed the reconsideration of the request. A question of principle was involved. He asked that his statement be put on the record.

Mr. KHALAF (Iraq) supported the USSR representative's proposal. He agreed that principles were at stake. The General Committee should not distribute documents indiscriminately.

Mr. WAMBURA (United Republic of Tanzania) did not find the Executive Secretary's explanation entirely satisfactory. The General Committee should not vote on a request which was at variance with the rules of procedure. In the particular

case, the violation of the rules of procedure was clear-cut. The objectionable statements in fact contained explicit accusations. A vote should therefore not have been taken. He asked the Executive Secretary to indicate the procedure followed in such cases, for there had surely been precedents.

Mr. CHIKVADZE (Union of Soviet Socialist Republics), speaking on a point of order, said that the Secretariat's explanation was unsatisfactory and did not appear to be objective. He would like to know how the words "of a general character" in rule 62, should be interpreted.

Mr. POPPER (United States of America), also on a point of order, read out rule 32 of the rules of procedure, which dealt with the reconsideration of proposals. He pointed out that neither of the speakers who had taken the floor had opposed reconsideration. He proposed that, in order to avoid wasting time, the provisions of rule 32 should be applied.

Mr. KHALAF (Iraq), on a point of order, said that the United States representative was seeking to channel the discussion in accordance with his own wishes. The USSR representative's question was, however, entirely germane, and the General Committee could not vote until that question had been answered. A re-reading of rule 62 of the rules of procedure showed that, in order to be circulated, written statements had to fulfil three conditions: they must be of a general character, deal with questions of human rights and concern questions on the agenda of the Conference.

Mr. CHIKVADZE (Union of Soviet Socialist Republics), again speaking on a point of order, said that the request had been put to the vote in violation of the provisions of rule 62 of the rules of procedure. He had asked the Executive Secretary for a clarification of the meaning of rule 62 in order to ensure the objectivity of the discussion.

Mr. LOPEZ (Philippines) pointed out that each representative had read rule 62 and had voted on the statement in question in the light of his own interpretation of that rule. He was of the opinion that the Executive Secretary was not authorized to interpret the rules of procedure; each delegation was competent to interpret that text itself and to vote accordingly. He hoped, therefore, that the Executive Secretary would not agree to give an interpretation.

Mr. LUARD (United Kingdom), speaking first on the reconsideration of the decision already taken by vote, said that in his opinion there was no reason to re-open discussion on the statement by the International Confederation of Free Trade Unions.

Turning to the interpretation of the provisions of rule 62, he recognized the importance of that point, but he agreed with the Philippine representative that it was not advisable to insist on an interpretation of the rule by the Executive Secretary. It was only laid down that the statements should deal with general problems concerning human rights; any question concerning human rights was on the agenda of the Conference. Consequently, not only must the vote which had just been taken be looked upon as definitive, but there was no need to ask the secretariat for an interpretation of rule 62, since each delegation was competent to interpret that rule.

Mr. ADEBIYI (Nigeria) endorsed the very clear statements by the representatives of the Philippines and of the United Kingdom. The General Committee had nothing to gain by prolonging discussion. To avoid wasting further time, the motion to reconsider under rule 32 should be put to the vote.

Mr. WAMBURA (United Republic of Tanzania) thought it only natural to ask a member of the Secretariat with a wider experience of such matters for an interpretation of a provision. In his opinion, it was not an excessive demand on the part of representatives and it was the duty of the Executive Secretary to guide delegations by giving them the benefit of his experience.

Mr. SCHREIBER (Executive Secretary of the Conference) said that the General Committee was making the Secretariat's task rather difficult. Some delegations were asking the Secretariat to give them explanations, and even guidance, while other delegations were finding some of the Secretariat's statements tendentious. All that the Secretariat could do was to refer to the relevant rules of the rules of procedure and give general information on procedure. He had done that when the representative of Tanzania had requested explanations. On that occasion, he had only repeated what rule 62 implied and he pointed out to the USSR representative that consequently his explanations could hardly have been tendentious.

Under the rules of procedure it was for the General Committee to decide what statements should be circulated at the Conference; it was not for the Secretariat to give an opinion on that subject.

In the past in the United Nations, when the question had arisen in a different context - the work of the Economic and Social Council - the interpretation of the phrase "of a general character" had not always been very exact or uniform. The Conference Secretariat gave its explanations in good faith and in complete confidence, and it was for the General Committee to take decisions on the point.

Mr. CHIKVADZE (Union of Soviet Socialist Republics) maintained his view that a question of principle was involved, fraught with serious consequences for subsequent discussion. The provisions of rule 62 had to be observed. He was convinced that the Executive Secretary was thoroughly familiar with United Nations practice in that connexion, and in particular the Economic and Social Council document establishing that if the statement referred specifically to a given country it was not of a general character. Hence it would be contrary to United Nations practice, to the provisions of the Economic and Social Council document and to the spirit of the Conference to authorize the circulation of the document in question.

Mr. RESICH (Poland) said that, according to United Nations practice, a distinction was made between recommendations of a general character and recommendations of a specific character; he stressed that the sovereignty of nations or of governments could not be infringed. In his view, the expression "of a general character" in rule 62 clearly meant that the statements should not infringe the sovereignty of nations. His delegation formally moved that the matter should be reconsidered and requested that its motion be put to the vote.

Mr. KHALAF (Iraq) thanked the Executive Secretary for his statement. He did not think that the Secretariat could interpret the rules of procedure. It was for the General Committee to interpret those provisions. However, the USSR representative had put forward the idea that the Executive Secretary could explain what was normal practice in other United Nations bodies; he thought such explanations would be helpful to the General Committee.

The CHAIRMAN put to the vote the Polish motion to re-open the question.

The motion was rejected by 10 votes to 4, with 4 abstentions.

Mr. CHIKVADZE (Union of Soviet Socialist Republics) insisted that it should be put on record that he had asked the Executive Secretary to inform him of the practice followed by the United Nations in situations such as that facing the General Committee at the moment, but had not received a reply to his question.

Mr. SCHREIBER (Executive Secretary of the Conference) said that he did not fully understand what the representatives of Iraq and the Soviet Union wanted. If it was a historical survey of the question, a large number of decisions and documents could be quoted, but they would not necessarily agree in all respects.

Reference had been made to the case of the Economic and Social Council, but the Conference had its own rules of procedure and in any case it stemmed from the General Assembly and not from the Council. Hitherto the practice had been to require that statements from non-governmental organizations should be general and objective if they were to be published. The question was complex, however, and required a flexible approach. It was dealt with in greater detail in document A/CONF.32/6, paragraphs 482 and 483, and in paragraph 477 et seq.

Statement by the International Defence and Aid Fund

Statement by the International Federation of Senior Police Officers

Statement by the International Federation of University Women

Statement by the International Law Association

Statement by the International League for the Rights of Man

Statement by the International Organization of Journalists

Statement by the International Planned Parenthood Federation

Statement by the International Society of Social Defense

Statement by the Open Door International

Statement by the United Towns Organization

Statement by the Women's International Democratic Federation

Statement by the World Assembly for Human Rights

Statement by the World Federation of Trade Unions

It was agreed to circulate these statements.

Statements by the World Muslim Congress

Mr. KHALAF (Iraq) pointed out that the World Muslim Congress had transmitted two quite separate statements. He wished the General Committee to consider them separately and in the chronological order in which they had been submitted, namely document ICHR/Misc.2 first, followed by document ICHR/Misc.2/Add.1.

Mr. TEKLE (Ethiopia) said that his delegation and his Government would take serious exception to the circulation of the statements by the World Muslim Congress which contained insulting allegations in respect of his country. Their circulation would be a breach of rule 62 of the rules of procedure.

His delegation affirmed that there were no religious disputes in Ethiopia, and that the adherents of different religions lived there side by side as brothers.

Mr. DAPHTARY (India) also took exception to the statements by the World Muslim Congress. The circulation of a statement transmitted by a non-governmental organization was a privilege, not a right. In his delegation's opinion the question to be decided was whether the organization concerned had abused that privilege. As the United Kingdom representative had pointed out the need might arise to refer in a statement to a given country by name. However, in the present instance countries and groups of countries were spoken of in unwarranted terms. Moreover, document ICHR/Misc.2/Add.1 referred to problems which the Conference would have no occasion to discuss.

Mr. KHALAF (Iraq) repeated his request that the General Committee should consider separately the two statements by the World Muslim Congress and take them in the chronological order in which they had been submitted. He added that he saw no reason to oppose the circulation of document ICHR/Misc.2: after all, the treatment of populations in the occupied territories of the Middle East was an item on the Conference agenda, and the document in question dealt with that subject. As the Executive Secretary had said, one of the conditions warranting a decision to circulate a statement was that it should deal with an item on the Conference agenda. His delegation accordingly considered that document ICHR/Misc.2 should be circulated.

Mr. LOPEZ (Philippines) reminded the meeting of the vote it had taken in connexion with the statement by the International Confederation of Free Trade Unions. He favoured the circulation of the statements by the World Muslim Congress. The present Conference was concerned with human rights and the right to freedom of thought, expression and debate was one of man's fundamental rights. To show true understanding, the members of the Conference must allow for the expression of all shades of thought, particularly those which they did not share. At all events most Member States were represented at the Conference and were at liberty to refute any statements which presented matters in wrong light.

It went without saying that his delegation did not share all the ideas expressed in the documents which the General Committee had decided to circulate, but it believed that all non-governmental organizations were entitled to make their point of view known to the Conference.

It was agreed, by 16 votes to 1, with 3 abstentions, to circulate document ICHR/Misc.2.

It was agreed, by 10 votes to 1, with 9 abstentions, to circulate document ICHR/Misc.2/Add.1

Statement by the World Union of Catholic Women's Organizations

Statement by the World Veterans Federation

It was agreed to circulate these statements.

Mr. OULD EREBIH (Mauritania), explaining his vote, said that he had voted for the circulation of all the statements but that, as in the case of the Philippine delegation, that did not mean that his delegation shared the ideas contained in the documents which were to be circulated. In any case there was nothing new in the documents being circulated; their contents were no secret but on the contrary were already well known to many representatives.

Mr. SLIM (Tunisia) also fully endorsed the views of the representative of the Philippines. The fact that a delegation voted for the circulation of a statement did not mean that it endorsed any allegations (against a given country or government) which the statement might contain.

The CHAIRMAN invited the Committee to consider the requests listed in the addenda to the Secretary-General's note (A/CONF.32/BUR.1/Add.1 and 2).

Statement by the International Federation of Women Lawyers

Statement by the Anti-Apartheid Movement

Statement by the World Federation of United Nations Associations

It was agreed to circulate these statements.

APPOINTMENT OF A DRAFTING COMMITTEE UNDER RULE 47 OF THE RULES OF PROCEDURE (continued)

The CHAIRMAN urged the members of the General Committee, for technical reasons, not to reverse its decision to appoint a five-man drafting Committee.

Mr. SLIM (Tunisia) supported the Chairman's request.

Mr. PAOLINI (France) said that his delegation was prepared to defer to the Chairman's wishes. He reminded members, however, that his delegation had stressed at the previous meeting the advantages of including the representative of a French-speaking country in the drafting committee.

He regretted that it was not possible to elect, as had been done in 1948 before the adoption of the Universal Declaration of Human Rights a language concordance committee on which all the official United Nations languages would be represented.

Mr. ADEBIYI (Nigeria) and Mr. AGUILAR (Venezuela) supported the Chairman's request.

The CHAIRMAN proposed the appointment as members of the Drafting Committee of Mr. Fernandez Artucio (Uruguay), Mr. Daphtary (India), Mr. Janković (Yugoslavia), Mr. Kanyeihanba (Uganda) and Mr. Macdonald (Canada).

Mr. WAMBURA (United Republic of Tanzania) considered that the Committee should take account of the French representative's objection.

The CHAIRMAN pointed out that the Drafting Committee could invite representative speakers of different languages as well as other participants in the Conference to work with it in an advisory capacity from time to time.

The membership proposed by the Chairman was approved.

The meeting rose at 1 p.m.