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SUMMARY RECORD OF THE **52nd** MEETING

Chairman: Mr. **ABULHASAN** (Kuwait,)

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The meeting was called to order at 10.10 a.m.

ORGANIZATION OF WORK (A/C.3/43/L.2 and L.3)

1. The CHAIRMAN drew the Committee's attention to draft resolutions A/C.3/43/L.2 and L.3, entitled respectively "Strengthening of international co-operation in the field of human rights" and "Programme of work of the Third Committee". He recalled that the General Assembly at its forty-second session had decided, on the recommendation of the Third Committee, to defer consideration of those draft resolutions until the forty-third session. He invited interested delegations to consult among themselves in order to allow the Committee to take appropriate action.

**AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)
(A/C.3/43/L.2, L.3, L.41/Rev.1, L.55, L.57, L.63 and L.83)**

2. Mr. VARKONYI (Hungary) recalled that 40 years earlier, the General Assembly had adopted the Universal Declaration of Human Rights, which incorporated all previous achievements in that field. The Declaration constituted a protest against the outrages upon life and freedom perpetrated by Hitler during the Second World War and a crystallisation of the hope that a repetition of the excesses committed during that war could be prevented. Since its adoption, the Declaration had served as a solid basis for the elaboration of several human rights instruments and the improvement of the relevant national laws.

3. Hungary was fully in agreement with the principles of a universal character formulated in the Declaration and deemed it essential that all States should accede to the international covenants and conventions concluded in the spirit of those principles. Hungary had been one of the first countries to accede to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights.

4. Human rights were not exclusively an internal affair of States. Violation of those rights could poison relations among States, cause unrest in whole regions and threaten international peace and security. Promotion of human rights and fundamental freedoms was therefore the responsibility of the community of nations.

5. Respect for human rights was a process that called for continuous effort. Hungary was seeking to introduce fundamental reforms aimed at strengthening the institutions of democracy and popular representation. It had begun drafting a new Constitution and was preparing a new law on information, which would contain more specific and comprehensive guarantees covering freedom of speech and of the press and the free flow of information. It was planning to introduce a new law on national minorities, which would lay down the principles of an active policy for the protection and promotion of the rights of those minorities. A review of the election law adopted in 1985 was aimed at reflecting political reforms and the right of everyone to take part in the government of the country, and to provide all citizens with an equal opportunity to become candidates and to express their political views. Moreover, travel abroad had been liberalised.

(Mr. Varkonyi, Hungary)

6. Acceptance of human rights instruments did not automatically ensure the implementation of their provisions. Hungary therefore attached great importance to strengthening the system for monitoring compliance in the field of human rights. It accepted the competence of the Human Rights Committee, as laid down in article 41 of the International Covenant on Civil and Political Rights, and was willing to participate in joint international efforts to formulate norms in the domain of human rights and monitor their implementation.

7. Miss AIOUAZE (Algeria) said that since ancient times many societies had recognized the principle of the dignity of the individual. That time-honoured belief had culminated in the adoption of the Charter of the United Nations, which sanctioned fundamental human rights and the dignity and value of the individual. The Charter was the first international treaty in which respect for human rights was treated as a fundamental objective.

8. Realisation of the right of peoples to choose their own future continued to be impeded by violation of the inalienable right of various peoples to self-determination and independence. Self-determination was the most fundamental of human rights and at the same time a prerequisite for the enjoyment of other rights.

9. In Western Sahara and Namibia, for example, the Organisation of African Unity (OAU), the Movement of Non-Aligned Countries and the United Nations had paved the way for a just and definitive solution to the conflicts. In occupied Palestine, the uprising was the response of the Palestinian people to the daily systematic violation of human rights by the Zionist occupiers. In South Africa, the bastion of racism, apartheid must be eliminated if the South African people were to enjoy their inalienable rights and regain their dignity.

10. If the universal promotion and protection of human rights were to be achieved, the conditions essential to the economic and social development of peoples would have to be created. Human rights principles were interdependent and indivisible, and consequently their application would require an effort by the international community as a whole.

11. Miss MARCOULLIS (Cyprus) said that forty years earlier, the United Nations General Assembly, prompted by the misery and destruction engendered by the two World Wars, had proclaimed the Universal Declaration of Human Rights. The Declaration was universal in character, i.e. it was to apply to all individuals irrespective of "race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status". Member States had assumed an obligation not only to promote and respect those rights but also to refrain from committing any acts that could entail their violation.

12. Forty years after the adoption of the Declaration, the world situation with regard to human rights remained bleak. Millions of people were illiterate and unemployed, millions were refugees, millions had disappeared and millions had been tortured or arbitrarily executed. Mass and flagrant violations of human rights continued to be committed as a result of acts of aggression and internal

(Miss Marcoullis, Cyprus)

repression. Furthermore, the gap between the rich and poor countries had become wider owing to exploitation, natural disasters, wars and economic deprivation,

13. The promotion of human rights should be free from any political considerations. Adherence to universal ideals should prevail over self-interest, and the restoration of human rights should not await the settlement of political issues but should be used as a means to achieve peaceful solutions.

14. With regard to the situation of human rights in Cyprus, the Cypriot people dreamed of the day when the artificial lines that divided their island would be removed and, once more reunited, they would be able to build a future based on common goals and aspirations.

15. Mr. GHAREKHAN (India) said that in order for the two International Covenants on Human Rights, which elaborated and strengthened the principles of the Universal Declaration, to become truly universal, it was essential that States which had not yet done so, including two permanent members of the Security Council, accede to them.

16. It must be recognized that human rights were not only civil and political but also economic, social and cultural. One could not choose between political liberty, economic development and social justice. Each of those, in the absence of the others, was equally dehumanizing. In that context, his delegation welcomed the adoption of the Declaration on the Right to Development, which must be disseminated and popularised.

17. India, for its part, was seeking to synthesise political democracy with economic development and social justice. Its objective was socio-economic transformation through a non-violent, democratic process. India's commitment to ensuring respect for and the promotion of human rights was second to none. Its Constitution, drawing its inspiration from the Universal Declaration, enshrined certain inalienable rights which were regarded as "fundamental", and the Supreme Court had stated that those fundamental rights represented the basic values necessary to protect the dignity of individuals and to enable every human being to develop his or her personality to the full.

15. With regard to the statement made on behalf of the 12 States members of the European Community on 22 November, no nation could be more interested in the implementation of human rights than former colonies, for the injustices they had suffered at the hands of their oppressors were still fresh in their memories.

19. Apartheid, a system which had been created to perpetuate institutionalized racial segregation under the domination of a privileged minority with a barbarous mentality, was an affront to the human values of liberty, equality, fraternity and the dignity of the individual. A peaceful solution must be found before it was too late.

20. The Palestinian people and the peoples of the other occupied Arab territories were also victims of grave injustice. The only solution to that problem was the

(Mr. Gharekhan, India)

unconditional withdrawal of Israel and the exercise by the Palestinian people of its right to self-determination. **Only** a few days previously, India had **welcomed** the Palestinian Declaration of Independence and **recognized** the independent State of Palestine. His delegation also reaffirmed its solidarity with the people of Cyprus and its support for the unity, territorial integrity, sovereignty, independence and non-aligned status of that country.

21. India supported the conclusions contained in the report ~~of~~ the Special Rapporteur on the question of the use of mercenaries (A/43/735) and condemned all forms of mercenarism as a crime against peace and humanity which threatened the democratic structures of former colonial countries.

22. His delegation wished to sound a note of caution with regard to the report on human rights and **mass** exoduses (A/43/743), in particular part III thereof. It wondered whether it was appropriate that the Office for Research and the Collection of Information should survey existing non-governmental organizations active in that field to the extent that **they** played a role in the monitoring of possible flows of refugees. Non-governmental organizations could not **take over the** role of concerned Member States on that question, for that might lead to interference in the internal affairs of States.

23. With regard to document A/43/170 on regional arrangements for the protection and promotion of human rights in the Asia and the Pacific region, his Government's position had already been stated in document A/43/180, in which it had said that in view of the absence of social or cultural homogeneity in the Asian region, any regional action in the **field** of human rights should be preceded by the widest possible consultations with the Member States concerned and should not in any way detract from the primary importance of existing global institutions.

24. Dame Ann HERCUS (New Zealand) said that prior to the adoption of the Universal Declaration, human rights had barely existed as a branch of international law. Since then, the adoption of the International Covenants and the conventions on racial discrimination, discrimination against **women** and torture had been one of the **most** remarkable developments in international law.

25. Three fundamental criteria must govern the elaboration of international human rights standards. First, any new standard should attract a very high degree of international consensus. Secondly, new definitions should be subject to precise criteria. Thirdly, repetition, duplication or inconsistency among the provisions of different instruments must be avoided. That was particularly true of the current work on the rights of indigenous populations. The rights enshrined in existing human rights instruments applied equally to indigenous groups and any new standards should therefore focus on rights that were unique to indigenous groups.

26. In addition to standard-setting, the United Nations **must** monitor the implementation of such standards. An important mechanism existed to that end, namely the reporting obligations of States parties to the various human rights instruments. Unfortunately, that mechanism was not functioning as well as it might because of the backlog of overdue reports, delays in the consideration *of* reports once they had been submitted to the relevant bodies, and lack of resources.

(Dame Ann Hercus, New Zealand)

27. In some cases, the United Nations had been forced to investigate the situation of human rights in certain countries in which there was evidence of gross and systematic violations. The system of appointing special rapporteurs to look into the situation in specific countries was useful, for it provided an objective basis for action by the Commission on Human Rights and its parent bodies. Governments must obviously co-operate with special rapporteurs and representatives, since failure to do so only undermined the case for sympathetic consideration by the international community.

20. Miss ENKHTSETSEG (Mongolia) said that the Pretoria minority régime, which persisted in its racist policy of apartheid, was using mercenaries as a means of hindering the exercise of the right of peoples to self-determination. In his report, the Special Rapporteur on the question of the use of mercenaries concluded that mercenary practices had increased and had spread from Africa to other continents. Mercenarism had been vigorously condemned by the United Nations, which had declared it a crime against international peace and security. Her delegation therefore supported the recommendation that the mandate of the Special Rapporteur should be extended for another year.

29. With regard to the situation in Chile, her delegation supported the conclusions and recommendations in the report of the Special Rapporteur, which indicated that the human rights situation in that country still left much to be desired despite the victory which the plebiscite had represented for the country's democratic forces.

30. The situation in El Sa'vador was deteriorating and the General Assembly should once again voice its concern at politically motivated executions and disappearances and the increased activities of death squads.

31. With regard to the situation in the Middle East, her delegation welcomed the declaration of an independent Palestinian State and believed that it would contribute significantly to a just settlement of the crisis in the region.

32. Mongolia reiterated the need to take effective measures at the national level against the threat of the resurgence of fascism and neo-fascism and other forms of totalitarian ideologies and practices. It also actively supported the efforts made by Member States and the United Nations to that end and the proposal to proclaim a week against fascism, neo-fascism and other ideologies and practices based on terrorism, racial hatred and the denial of fundamental human rights and freedoms.

33. Mr. CALDERON (Chile) recalled that Chile had undertaken to establish a full, real and representative democracy with clearly defined goals and time frames. The recent presidential plebiscite had been the culmination of one of the most important stages of the institutional process, and it had taken place in a context of absolute freedom, as many observers of various nationalities could attest to,

34. However, that was not the only decisive factor which had occurred in Chile. As the report of the Special Rapporteur himself pointed out, there was no longer any state of siege or of emergency, political parties were legal and could act

(Mr. Calderon, Chile)

freely, there was no administrative banishment, all exiles were free to return to Chile, the universities were operating normally without military rector, effective measures had been taken to prevent and punish unlawful coercion, the conventions against torture of both the United Nations and the Organisation of American States had been ratified, and all constitutional laws envisaged in the institutionalization process had been enacted and were in force. All that had been done despite an escalation of terrorist activity, difficult economic circumstances that existed throughout the area and the hostility and lack of understanding of many countries.

35. The Government of Chile was co-operating openly, steadily, loyally and fruitfully with the Special Rapporteur and with all international agencies competent in that field; he therefore felt that Chile should be treated in a just, non-discriminatory and non-selective manner both in the Commission on Human Rights and in the Committee.

36. Mr. BYKOV (Union of Soviet Socialist Republics) said that he attached special importance to the work being done by the United Nations in the field of human rights. Special mention should be made of the activities to combat racism and racial discrimination and the resolutions of the Commission on Human Rights concerning apartheid. The international community was focusing its attention on solving the question of Namibia, and he welcomed the decision of Cuba and Angola to resolve the situation by means of negotiations,

37. With regard to the situation in the Arab territories occupied by Israel, the international community had already expressed its concern at the violations of the legitimate rights of the Palestinians. His delegation supported the action taken by the Palestinian people and the proclamation of an independent State; that would surely contribute to the resolution of the problem of the Middle East. He urged that work should start on preparations for an international conference in which all parties concerned with peace and respect for human rights would participate.

38. The Committee was considering specific human rights violations, such as torture and the denial of civil, political and social rights. The reports on Chile, El Salvador and other countries also reflected the concern of the international community. In the years following the adoption of the Universal Declaration of Human Rights, the United Nations had developed a whole set of principles and standards in the field of human rights; that was a very significant achievement. However, some countries tended to idealise their own situation and to paint a very gloomy picture of the situation in other countries. They seemed to be convinced that they were right and were unable to recognise situations which involved discrimination, particularly in the social and economic area, or that excluded entire segments of the population from real participation in political and social life. That approach was incorrect and insincere. Every State must truly evaluate the difficulties it encountered, since that was the only way to have more authority to consider the situation in other States without bias. The Soviet Union had entirely abandoned the spirit of confrontation or propagandistic stereotyping because it felt that no situation was ideal and that there were problems everywhere. It maintained its socialist structure, which was designed to overcome

(Mr. **Bykov**, USSR)

obstacles to the exercise of rights and freedoms. All countries **should** attempt, in a spirit of self-criticism, to analyse and overcome such problems as **homelessness** and unemployment, violations of the rights of indigenous populations, problems of migrant workers, violence and drug **abuse**, or the abuse of power.

39. His delegation considered concern regarding the colonialist policy of using mercenaries to be justified because it violated the right to self-determination and inflicted great suffering upon millions of people. It also agreed with the warning concerning the **dangerous** resurgence of Nazi ideology.

40. The United Nations handling of regional conflicts also had an impact on the enjoyment of human rights. In that connection, it was necessary **to** make sure that the Geneva Accords on Afghanistan were faithfully implemented and that a process of national **reconciliation** was promoted in that country. The Soviet Union supported the efforts made by the Secretary-General to see to it that the relevant General Assembly resolutions were implemented and was convinced that it would be necessary to convene an international conference to guarantee the sovereignty, territorial integrity and non-aligned and independent status of Afghanistan, an indispensable condition for resolving the conflict in that country.

41. Similarly, it was necessary to activate the search for a peaceful solution to the problem of Kampuchea, based on the preservation of Kampuchean sovereignty and independence and the avoidance of a recurrence of situations that might lead to genocidal practices. Thus the Soviet Union supported the recent regional initiatives which had made it possible to reopen the Paris dialogue and it hoped an agreement would soon be reached that would help promote respect for human rights. His delegation also supported Cyprus in its desire to preserve its status as an independent, non-aligned State. Generally speaking, it supported the strengthening of the role played by the various **United Nations** organs in the human rights field, in the conviction that that would enhance the authority and prestige of the Organisation in all areas, including that of human rights.

42. Mr. KITTIKHOUN (Lao People's Democratic Republic) said that flagrant human rights violations **continued** to occur in various parts of the world. In South Africa there were still mass murders, arbitrary arrests, forced resettlement and threats to the black population which resisted the apartheid régime. The time had come for all States to take action and to adopt comprehensive mandatory sanctions which would ensure the eradication of apartheid. Human rights violations were also continuing in the Middle East and in Latin America. Pending a solution acceptable to all parties concerned, his delegation urged the occupying Power in the occupied Palestinian territories to respect and fully comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in **T**ime of War and it appealed to all **parties** concerned to ensure that the Esquipulas II Agreement was implemented.

43. Ten years after the fall of the genocidal Pol Pot **régime** in Kampuchea, special reference must be made to the Convention on the Prevention and Punishment of the Crime of Genocide, particularly in view of the fact that 1988 **marked** the fortieth anniversary of **the** adoption of the Universal Declaration of Human Rights and that certain forces still aspired to restore the genocidal clique to power in Kampuchea.

(Mr. Kittikhoun, Lao People's
Democratic Republic)

44. The Declaration on the Right to Development, which the general Assembly had adopted at its forty-first session, was also of particular importance since that right was a prerequisite for the enjoyment of other human rights. For that reason he welcomed the agreement reached within the Commission on Human Rights concerning the Commission's future work on the question of the right to development. At the same time, it was disturbing to see that there were, in a number of countries, organisations that advocated Nazi, Fascist or neo-Fascist ideologies which violated human rights and fundamental freedoms and threatened the purposes and principles set forth in the Charter and even world peace.

45. At the same time, there was no doubt that the United Nations had made great progress in the establishment of universal human rights standards. What was more, there was every indication that the world was moving away from confrontation and towards dialogue and co-operation. In that context protection of human rights should not serve as a pretext for any State to try to impose a specific social system on others. Each nation had a sovereign right to apply the universal standards in many ways in accordance with its socio-political system, its history, traditions and cultures. The human rights issue must be approached with full respect for the values and ideas of others and for the right of peoples to self-determination.

46. Mr. WALTERS (United States of America) informed the Committee that, that morning, he had had the honour of depositing the United States instrument of ratification of the Convention on the Prevention and Punishment of the Crime of Genocide. His delegation believed that the international community had already established a solid foundation for world-wide observance of human rights and fundamental freedoms and that the task ahead was to promote respect for the standards which already existed.

47. Human rights and fundamental freedoms limited the power of the State in relation to the individual. When a State transgressed those limits, the international community had a duty to intervene. In that regard, his delegation reiterated the appeal which it had repeatedly made to South Africa to establish a new constitutional order which recognised equal rights for all South Africans, regardless of race, language, national origin or religion. In an advanced technological age, there was no longer room for apartheid, one of the most reprehensible crimes known to the contemporary world.

48. In Afghanistan, the widespread violations of human rights described by the Special Rapporteur over the past few years continued. The United States welcomed the USSR's decision to withdraw its forces, as provided in the Geneva accords, and had taken note of recent assurances that the withdrawal would be completed by 15 February 1989 at the latest. However, armed confrontations continued, the existence of minefields was impeding the return of refugees and there was no indication that the Afghan people could look forward to the establishment of new conditions which would be characterised by thorough respect for human rights. That, in itself, demonstrated the need to extend the Special Rapporteur's mandate.

(Mr. Walters, United States)

49. The human rights situation in Iran and Iraq continued to be disturbing. In Iran, **religious intolerance** persisted and there was continued evidence of violations of human rights, including torture and executions. In Iraq, the Government had sought to end the Kurdish rebellion by depopulating regions adjoining the Turkish border. It had been confirmed that one of the methods employed had been the use of chemical weapons against the civilian population. It was to be hoped that Iraq would honour its commitment to refrain from the use of chemical weapons in the future.

50. With regard to the situation of human rights in Chile, his delegation was **encouraged** by a number of positive trends. Restrictions on the freedom of expression had been reduced, the Government had signed and ratified the United Nations and Organization of American States conventions on torture and, more importantly, the October plebiscite had permitted the people of Chile to determine the future course of their country's political system. On the other hand, substantial abuses continued to occur. In any event, the resolution on human rights in Chile must reflect the Special Rapporteur's conclusions and recommendations. In **Nicaragua**, the facts spoke for themselves. Between 27 January and 21 March 1988, at least 18 persons, among them women, trade union leaders, one mentally handicapped person and one elderly man, had been victims of abuses of various kinds, including rape, arbitrary detention and murder.

51. Despite those facts, it was important to note that, over the past year, there had been a substantial improvement in the international climate, an improvement which had had a favourable impact on overall respect for human rights and fundamental freedoms. While El Salvador continued to suffer from an insurgency led partly by **terrorist** squads determined to intimidate the civilian population, the country still had a democratic Government, the presidential elections scheduled for the following year promised to be genuinely competitive and the overall **level** of violence seemed to be decreasing.

52. The United States had welcomed the Cuban Government's decision to invite a high-level working group to visit Cuba to examine the situation of human rights in that country and looked forward to the issuance of the working group's report, as well as its consideration by the Commission on Human Rights. Against that background, it was all the more regrettable that the Governments of Eastern Europe continued to violate or seriously restrict human rights.

53. Count YORK von WARTENBURG (Federal Republic of Germany), referring to the question of how to improve international co-operation to avert new flows of refugees, recalled that, several years earlier, his delegation had proposed the establishment of a group of governmental experts to consider all aspects of the question. That initiative had been based on the belief that very little had been done to alleviate the plight of the millions of refugees.

54. The Group of Governmental Experts, which included representatives of all the regional groups, had adopted its final report by consensus. His delegation welcomed the fact that the Secretary-General had again published the recommendations in his progress report (A/43/743). However, the report did not mention the fact that the General Assembly had unanimously endorsed those

**(Count York von Wartenburg,
Federal Republic of Germany)**

recommendations in its resolution **41/70**. In that resolution, all Member States had **recognized** their obligation to **refrain** from creating, or contributing to the creation of, factors which led to massive flows of refugees, and to co-operate with one another with a view to preventing such flows.

55. Unfortunately, recent incidents had shown that the matter was not of merely academic significance. In that regard, he emphasized the importance of the matter and drew attention to the machinery set up by the General Assembly in the resolution in question and to the need to make the Office for Research and Collection of Information fully operational. The Office must work with the Secretary-General in carrying out his mandate and must be provided with the means to enable it to function in an effective and timely manner, as indicated in document A/43/743.

56. Mr. **MAHALLATI** (Islamic Republic of Iran) said that the Committee had two options for dealing with the situation of human rights in Iran. It could adopt the draft decision contained in document **A/C.3/43/L.41** entitled "Situation of human rights in the Islamic Republic of Iran", or it could adopt a decision comprising two very basic elements and worded on the following lines:

"The General Assembly,

"Decides that the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran should receive the full co-operation of the Government of the Islamic Republic of Iran in all respects before the end of 1988, for the purpose of carrying out his mandate;

"W lcomes the expressed commitment of the Government of the Islamic Republic of Iran to fully co-operate with the Special Representative in complete execution of that mandate."

57. The appointment of special representatives or special rapporteurs, or the creation of working groups by the Commission on Human Rights were not ends in themselves. They were elements of implementation machinery established in order to promote the observance of human rights through a combination of political pressure and co-operation.

58. Of the two options, the first - the draft resolution - entailed, to a greater degree, political pressure and, to a lesser degree, co-operation, whereas the second - the decision - relied on co-operation more than on political pressure. Under current circumstances, when a spirit of compromise was again beginning to prevail in the United Nations, if an objective **could** be achieved through co-operation, it would appear to run counter to the philosophy of the Organization to attempt to achieve it through pressure.

59. He officially announced that his country was prepared to join in the adoption by consensus, in the General Assembly, of a draft decision that would enable the Special Representative to carry out his mandate fully in the shortest possible time.

(Mr. Mahallati, Islamic
Republic of Iran)

60. Iraq had imposed war on Iran, which had compelled the latter to devote most of its resources to fighting that war. Consideration of the human rights situation in Iran should not take place in the abstract, but should take account of the country's unique position. Nevertheless, the Islamic Republic of Iran had done its utmost to discharge its obligations to the maximum extent possible. The full co-operation which the Islamic Republic of Iran would give the Special Representative would provide him with a healthy challenge. The Special Representative's source of information had invariably been the People's Mojahedin Organization, a terrorist grouping; as a result the interim report (A/43/705) was filled with bogus allegations, levelled with malice for propaganda purposes. The Islamic Republic of Iran's co-operation with the Special Representative would enable him to describe the true human rights situation in the country.

61. Mrs. RICO (Spain) said that the two existing mechanisms in the field of human rights, namely, the thematic approach and the appointment of Special Rapporteurs to study the situation in particular countries, were the most appropriate means of promoting universal respect for human rights.

62. With regard to the thematic approach, her delegation, which had already referred on other occasions to torture and religious intolerance, wished to comment on summary executions and enforced disappearances. Instances of both abominable practices continued to occur in many parts of the world, as a result of which Spain supported the work of the Special Rapporteur on summary and arbitrary executions and of the Working Group on Enforced or Involuntary Disappearances.

63. With respect to the situation of human rights in particular countries, her delegation welcomed the substantial progress made in the resolution of various regional conflicts, but such progress towards the attainment of peace must not serve as a pretext for overlooking the situation of human rights. Further, her delegation reiterated the need to avoid selective criteria which had led to particular emphasis being placed on complaints of human rights violations in Latin America. That could produce the false impression that in that region human rights violations occurred more frequently than in other regions of the world.

64. In the case of Afghanistan, the agreements signed at Geneva represented a major advance towards the exercise on the part of the Afghan people of their right to self-determination. Nevertheless, the war was still in progress, and there were continued human rights violations affecting the civilian population in particular.

65. The Special Representative on the situation of human rights in the Islamic Republic of Iran stated in his report that the Government of that country continued to show indications of its willingness to gradually increase its co-operation with the competent organs of the United Nations. Nevertheless, such co-operation had not been enough to enable the Special Representative to verify the accuracy of complaints concerning the execution of political prisoners, ill-treatment and physical and psychological torture, or concerning impediments to the exercise of freedom of thought, expression, conscience and religion.

(Mrs. Rico, Spain)

66. The serious deterioration in the situation in the Arab territories occupied by Israel was very disquieting. It was impossible to remain indifferent to the demolitions, the illegal exploitation of natural resources, the closing of schools and universities, the conditions of squalor prevailing in the refugee camps and, above all, the many victims of Israel's violent repression. The only possible solution to the Middle East conflict was to guarantee self-determination for the Palestinian people within the context of an agreement reflecting the right of all the States of the region, including Israel, to exist within secure and recognised borders.

67. In the case of El Salvador, it was preoccupying to note that there had been a reversal of progress in respect for fundamental rights, particularly the right to life. The current Government remained committed to respect for human rights but its policies were not producing the desired effect. Her delegation fully supported the recommendations contained in the report of the Special Representative of the Commission, and urged the Government of El Salvador and all the authorities, courts and political forces in the country, including the guerrilla organisations, to take measures to initiate a dialogue that would bring an end to the armed conflict dividing the country.

68. Her delegation noted with continuing concern that, despite the praiseworthy efforts of the civilian Government of Guatemala and the progress attained, there was a continuance of serious violations of the law and, in particular, deaths and disappearances, that demonstrated the lack of government control. The strengthening of the democratic process was the only means of bringing about a genuine improvement in the situation that would facilitate full respect for human rights, and, to that end, international assistance and support were necessary.

69. The plebiscite held in Chile had made apparent the unshakeable will of the people to return to a pluralist democratic system. The Government of Spain trusted that all political sectors would act with moderation and display a willingness to engage in dialogue so as not to hamper the transition process. The Special Rapporteur indicated in his report that official violence had not been as widespread in the reporting period as in previous years. That was positive, but much remained to be done in the field of human rights. The Government must put an end to violent deaths, disappearances, unlawful coercion and threats against those who did not agree with its policies.

70. Mr. BIRCH (United Kingdom) said that the emotion generated in the work of the Third Committee was due to the fact that it related to questions of fundamental concern to all the citizens of the world. Some countries believed that complaints of human rights violations in some countries constituted interference in their internal affairs, notwithstanding which, by subscribing to Article 1, 55 and 57 of the Charter of the United Nations, all Member States were bound to promote respect for human rights and fundamental freedoms.

71. Despite the improvement in international co-operation and the progress made towards the resolution of regional conflicts, massive and flagrant human rights violations continued to occur throughout the world, as indicated in the most recent

(Mr. Birch, United Kingdom)

annual report of Amnesty International, covering 133 countries, The Committee had considered in depth the situation in South Africa and the occupied Arab territories, as well as in Afghanistan, Iran, Chile and El Salvador. Yet, according to available information, in Iraq there were continued instances of summary execution, torture and detention without trial; in Syria there were thousands of political prisoners and torture was said to be widespread; in Ethiopia prisoners had been held awaiting trial since 1974; in Somalia there were reports of imprisonment without trial, torture and execution) and in Haiti the recent political changes had not brought an end to the massive human rights violations of the Duvalier régime. All that was without mentioning many other similar situations,

72. With regard to the specific question of political prisoners, his Government had supported a resolution on that matter in the Commission on Human Rights earlier in the year and would return to the question in 1989, As Lenin had written: "We demand immediate and unconditional recognition by the authorities of the freedom of the press and an amnesty for all political prisoners. Until this is done, all words about tolerance . . . will remain a miserable game and an indecent lie. Until freedom of assembly, of speech and of the press is declared, there will not disappear the shameful inquisition which persecutes professions of unofficial faith, unofficial opinions, and unofficial doctrine".

The meeting rose at 12.50 p.m.