

**GENERAL  
ASSEMBLY**

THIRTY-SEVENTH SESSION

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THIRD COMMITTEE

63rd meeting

held on

Monday, 6 December 1982

at 10.30 a.m.

New York

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SUMMARY RECORD OF THE 63rd MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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Distr. GENERAL  
A/C.3/37/SR.63  
13 December 1982

ORIGINAL: ENGLISH

The meeting was called to order at 10.50 a.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/36/855; A/37/3 (Parts I, II and III), A/37/178, A/37/188 and Corr.1 and Add.1, A/37/201, A/37/259, A/37/310, A/37/333, A/37/412, A/37/419, A/37/420, A/37/422, A/37/452, A/37/495, A/37/500, A/37/519, A/37/521, A/37/540, A/37/556, A/37/564, A/37/611 and A/37/618; A/C.3/37/1, A/C.3/37/5, A/C.3/37/7 and Corr.1 and 2 (English only), A/C.3/37/8, A/C.3/37/9, A/C.3/37/10; A/C.3/37/L.47, L.50, L.53, L.54/Rev.1, L.55, L.57/Rev.2, L.58, L.62, L.64, L.67, L.68, L.69, L.70, L.72, L.74-L.77)

AGENDA ITEM 93: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/292, A/37/530, A/37/586; A/C.3/37/L.78)

1. Mr. DIEYE (Special Rapporteur of the Commission on Human Rights on the situation of human rights in Chile), introducing the note by the Secretary-General (A/37/564), said that, unfortunately, not much progress had been made with respect to the situation of human rights in Chile; the Commission on Human Rights and the General Assembly should therefore call for the co-operation of the Chilean authorities, assuring them that the United Nations was not hostile towards their country. As Special Rapporteur, he intended to be as objective as possible, and he asked the international community to take a humanitarian stance regarding the situation in Chile rather than make political judgements. The authorities in Chile had stated that they would no longer co-operate with the United Nations if Chile was judged by a double standard; their feeling was that the Commission on Human Rights and the General Assembly should apply the same measures to other countries as to Chile. The Commission on Human Rights had subsequently appointed other Special Rapporteurs and Special Representatives to investigate the situation of human rights in other countries. That meant that a new situation now existed and Chile's argument was no longer valid. It was therefore essential that the international community should seek the co-operation of the authorities in Chile in order to obtain concrete information on the situation in that country.

2. Because of the lack of co-operation, he had used the same methods in submitting his report to the Third Committee as he had in 1981. It could be seen from the report that no clear-cut answers about the situation were available. Some would interpret the report to mean that the situation of human rights in Chile had improved, while others would say that it had not. To his mind, the basic constitutional framework had not changed; so long as there was no change in policy and so long as the threat to peace continued, there would be no fundamental change in the situation. It was now time for the authorities in Chile to make a gesture that would enable the international community to take note of a qualitative change in the situation there. The security forces still held broad powers, and that was the basis for the violation of human rights in Chile.

3. The right to life, as a basic human right, must be protected by the international community. Mass arrests in Chile had increased considerably. There was no discernible improvement in judicial protection because the security forces believed that they could violate decisions of the Supreme Court with impunity.

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(Mr. Dieye)

It was difficult to obtain information regarding 635 disappeared persons because inquiries were conducted by the military; that was an important area in which co-operation by the authorities would enable the international community to find out the facts.

4. With respect to other rights, he believed that the international community should insist on the right of a person to leave his country and to return. It was very difficult to calculate the number of people that had left Chile, but as everyone knew, it was quite a large number. The authorities in Chile asserted that the numbers given by the United Nations were not correct, but their co-operation was needed if the international community was to be able to verify the figures. According to press reports, the Government had assured the Secretary-General that that situation would improve. However, he had read in a Government circular that persons who had co-operated with the Special Rapporteur or with an international body would not be allowed to return to Chile. He hoped the Chilean Government would give assurances that that was not the case.

5. Since Chile was no longer an isolated case, the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities should seek methods that would enable the Commission to verify violations of human rights not only in Chile but in other countries as well. On the whole, the situation in Chile had not improved; the practice of torture had increased, and its methods had become more sophisticated. That was a serious matter, of which the international community should be fully aware. Accordingly, it should appeal to the Government of Chile and to those bodies whose task it was to ensure that human rights were protected, urging them to do their utmost to restore the rights that had been flouted since September 1973.

6. Mr. TOPCUOGLU (Turkey) said that Turkey's policy with regard to narcotic drugs was, first, to continue the limited and licit production of poppy-straw under strict control, secondly, to struggle effectively against illicit drug trafficking, and, thirdly, to make positive contributions to all international efforts and actions aimed at preventing drug abuse and finding solutions to questions relating to narcotic drugs. His Government was strongly committed to the continued successful control of the licit cultivation of the poppy exclusively for the production of unincised poppy straw; no opium was produced in Turkey. His delegation was pleased to report that Turkey today was not a source of illicit narcotic drugs and was continuing to carry out its obligations towards the international community by implementing all the provisions of the relevant international conventions. Turkey, as a traditional producer of poppy, had adopted the unincised-poppy-straw method in 1975 and had maintained it ever since, solely for humanitarian reasons, with a view to preventing illicit production. To achieve that goal, an important segment of the Turkish population had made significant economic and commercial sacrifices.

7. Turkey believed that such unilateral sacrifices required the full co-operation and reciprocation of the international community. In that connection, he informed the Committee that the alkaloid factory which was an indispensable and integral part of Turkey's new cultivation system had now entered its commercial-production

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(Mr. Topçuoğlu, Turkey)

phase. As a result of the present situation of the market with respect to the surplus of supplies, Turkey was faced with unfair competition from new or expanded producers in the market; it expected importing countries to give it priority.

8. With regard to transit traffic, he said that his Government had intensified its efforts to control and prevent the transit of illicit drugs through Turkish territory; consequently, the number of drug seizures and the quantity of drugs seized had increased considerably in the past year. Turkey regarded that as an encouraging and remarkable development in its fight against transit trafficking. Drug abuse in Turkey was negligible and did not create any important social problems. That was not the case elsewhere. The alarming situation with regard to drug abuse seemed to be getting worse at the international level, and in many countries drug abuse had reached epidemic proportions. His delegation shared the view that confronting and controlling drug abuse required constant national and international effort and a growing commitment to action by all nations.

9. In that context, accurate identification of all aspects of the problem was of vital importance. His Government believed that demand, which was the root cause of the problem, should be adequately understood and should be given the highest priority by the international community.

10. The growing abuse of psychotropic substances in combination with natural drugs, or as a substitute for them, deserved the careful consideration of the international community. His delegation noted with regret that the Convention on Psychotropic Substances had not yet been ratified or acceded to by all the main manufacturing and exporting countries. Another important area was the misuse of chemical substances for the illicit production of drugs, among which the acetic anhydride, the essential chemical in manufacturing heroin, was the most destructive. His Government continued to believe that the establishment of an international control mechanism for acetic anhydride was vitally important. The restoration of global balance between the demand for and the supply of opiates for medical and scientific purposes was yet another important issue which needed urgent solution.

11. There was growing evidence of the link between illegal trafficking and other crimes, especially arms smuggling. Moreover, there was evidence which strongly suggested that international terrorist activities were financed to some extent by drug trafficking in certain parts of the world. His delegation believed that those unfortunate developments in the field of illicit drug traffic should be also carefully studied by the international community with a view to finding ways and means of preventing them through international co-operation.

12. Lastly, his delegation wished to express its appreciation for the assistance received from the United Nations Fund for Drug Abuse Control. The amount of that assistance remained very small when compared to the funds spent by Turkey annually in that field, but his Government attached great importance to UNFDAC assistance. It appealed to all countries to give maximum financial support to UNFDAC, which was the most suitable and favourable form of assistance in that field.

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13. Mr. COORAY (Sri Lanka) drew attention to the conclusions and recommendations adopted by consensus by the participants in a seminar held at Colombo, Sri Lanka, to consider appropriate arrangements for the promotion and the protection of human rights in the Asian region, as contained in the report of the Secretary-General (A/37/422). The recommendation that a programme for teaching, seminars, training and education in the field of human rights should be developed for the Asian and Pacific region was also of interest in relation to the report of the Director-General of UNESCO on the right to education, contained in document A/37/521.

14. With regard to the right to education, his delegation believed that there must be equal access of people, especially youth, to science, so that scientific and technological advances might be used for strengthening international peace and security, for the economic and social development and for the realization of human rights. The International Covenant on Economic, Social and Cultural Rights recognized the right of everyone to education. The General Assembly had invited all States to consider the adoption of appropriate legislative, administrative and other measures to ensure the full implementation of the right to universal education. In Sri Lanka, the Constitution contained provisions for the complete eradication of illiteracy and declared that all persons had the right to universal education at all levels. Access to education in rural areas was fundamental to his country's national development policy because Sri Lanka regarded illiteracy as a denial of the right to education. Accordingly, the development of educational facilities for adults was especially important. Sri Lanka was convinced that the expansion of facilities in States for education, including human rights education, would be a major factor in the promotion of social progress and development, of the new international economic order, of international peace and security and of friendly relations among peoples.

15. Mr. SCHLEGEL (German Democratic Republic), speaking on measures to be taken against neo-facism, said that the recent ninth congress of the International Federation of Resistance Movements, held at Berlin, had urgently appealed for effective measures against facism and war. That appeal was fully consistent with General Assembly resolution 36/162, which had condemned Fascist ideologies and those promoting them, who disregarded the rights of peoples and wished to destroy the basic norms of international co-operation. The United Nations had also demanded that practical measures should be taken against such persons, who formed one of the most dangerous groups opposing détente.

16. Stressing the urgent need to take steps against any further extension of the threat posed by Nazis and neo-Fascists, he drew attention to the unhindered gatherings of former SS men, the officially tolerated propagating of ideologies demanding revenge, the dissemination of Fascist literature in certain countries, the attempt to whitewash Nazi crimes and the growing number of neo-Nazi organizations, all of which had been considered impossible after the Nazi rule of terror. Members of Western parliaments had voiced their concern about the growth of racist agitation, and other prominent persons had pointed to the recent tendency to express neo-Nazi convictions by acts of violence. The neo-Fascist credo was based on a struggle against democratic institutions, on a contempt for humanity, and on racism, violence and terror. The glorification of the crimes perpetrated by Fascist leaders, the dissemination of racist ideas and the incitement to xenophobia

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(Mr. Schlegel, German  
Democratic Republic)

had often culminated in violence, including murder, as could be seen from the outrages committed by neo-Fascist groups at Paris, Munich, Bologna and Hamburg. The worsening economic problems in the capitalist countries had led to an upsurge in neo-Fascist activities, as evidenced by the organization of groups directed against foreigners, the compilation of lists of potential murder victims and the accumulation of caches of arms, ammunition and military equipment.

17. The problem had been treated too lightly in the past, even though history showed that fascism must be nipped in the bud and never be allowed to put its theories into practice. The lessons of the struggle against fascism were becoming increasingly relevant at a time when the imperialist policy of confrontation was seriously threatening all mankind. Reactionary régimes in South Africa and elsewhere were systematically violating human rights and threatening peace through Fascist practices, disregarding the right of peoples to self-determination, pursuing policies of racism and discrimination, and engaging in abduction, torture and the physical destruction of opponents.

18. His delegation fully agreed with the majority of States that it was necessary to fight more vigorously against both institutionalized fascism and the growing neo-Fascist groups, which were increasingly collaborating with each other on an international scale. All appropriate means should be used to oppose their activities. His country's position was guided by the solemn pledge of many courageous anti-Fascist resistance fighters that fascism should never again be allowed to rise. His socialist State, which had emerged from the struggle against fascism and was profoundly anti-Fascist in nature, had eradicated racism, chauvinism and hatred against other peoples within its territory. It would remain consistently committed to the struggle against fascism in all its forms and would pursue an active policy of peace, having vowed that war must never again arise from German soil. Accordingly, it had again prepared a draft resolution aimed at opposing the revival and growth of neo-Fascist dangers by taking decisive measures both nationally and internationally.

19. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic), speaking on measures to be taken against Nazi, Fascist and neo-Fascist ideologies and practices, said that his country, which had lost one quarter of its population and had seen its economy destroyed as a result of Fascist aggression, was deeply concerned at the renewed growth in the inhuman ideology and practice of fascism. Recalling General Assembly resolution 36/162, he said that the intensification of the activities of groups and organizations based on racial intolerance, hatred and terror was not only a threat to human rights and fundamental freedoms in the countries affected but also posed a threat to the peace and security of other nations and to international co-operation in the field of human rights. The threat had recently assumed alarming proportions. It could be seen both in propaganda inciting hatred towards peoples and in threats of murder, acts of terrorism and the glorification of Fascist régimes. In a number of cases, all of that was occurring with the tacit approval of national authorities. Those who called for a rebirth of the spirit of fascism were co-ordinating their activities nationally and internationally, becoming more militant and resorting increasingly to terror. Their activities and views were similar to those which

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(Mr. Ogurtsov, Byelorussian SSR)

in 1939 had led the world into the greatest disaster in its history, resulting in the death of 50 million people and causing injury to countless others, as well as unprecedented destruction. Having vowed to save current and succeeding generations from the scourge of war, the United Nations must take effective measures to oppose all forms of Fascist ideologies and activities, especially when such activities were assuming dangerous proportions.

20. Fascist activities were not the internal problem of any one State. They were incompatible with the norms of international life and were a flagrant violation of the principles underlying the exercise of human rights. The whole world must be on its guard against the spread of Nazi and neo-Fascist ideologies and must combat them, particularly on behalf of the millions who had died as a result of such ideologies. The violence against other races advocated by the proponents of fascism and nazism should not be considered a normal or harmless activity, just as neo-fascism and nazism should not be considered to be myths. A particular threat was presented by groups that corrupted young people with the ideas of cruelty and violence which were at the heart of any kind of Fascist ideology. Fascist organizations which aimed particularly at young people, teaching them to praise destruction and bloodletting, should not be treated lightly.

21. The link between fascism and violence was clear: Fascists wanted to create instability through terror in order to create a situation in which they could seize power, or at least increase their influence on the State. Furthermore, those Fascist régimes that did exist were characterized by terror and mass repression and - as, for example, in South Africa - used terror to implement an aggressive foreign policy.

22. Many delegations had previously drawn attention to the increased number of organizations founded on Nazi ideology. Against that background, he was unconvinced by the argument that measures against Nazi, Fascist and neo-Fascist ideologies and practices would run counter to such basic principles as freedom of speech and association. Such dangerous statements essentially gave encouragement to the activities of neo-Fascist groups and organizations. Freedom of speech and association should not be invoked to the detriment of the freedom and rights of other peoples or as an excuse for ignoring neo-Fascism. It was also extremely naive to suggest that neo-Fascist groups and organizations did not represent a real threat, or that the activities involved were unco-ordinated and were carried out by insignificant groups of people. Similar views had been expressed during the rise of fascism and nazism following the first World War. As in the case of a malignant tumor, it was easier to nip fascism and nazism in the bud than to stop them after they had grown strong. For that reason, it was necessary to inform public opinion of the danger of the spread of neo-nazism and fascism and to take protective measures against the influence of such ideologies.

23. The Committee should carefully study the question and should pinpoint further practical steps to disclose and to check the neo-Fascist and similar activities of various groups and organizations. In conclusion, he said that his delegation supported draft resolution A/C.3/37/L.69.

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24. Mr. KASTEN (United States of America), referring to the continuing suppression of human rights and fundamental freedoms in Poland, stressed the importance of that issue for the Polish people and for peace and stability in the world. On 13 December 1981 the Polish authorities had brutally suppressed the attempt of the Polish people to create a genuinely free labour movement which expressed the real will of the workers, to put back into the hands of Polish citizens greater control of their own social, economic, political and cultural destiny, and to breathe new life into a society which had been deadened by a discredited totalitarian system. There had since been no fundamental change in the basic situation: the free Solidarity trade-union movement had been outlawed, the apparatus of oppression remained in force, massive violations of human rights and fundamental freedoms were continuing, and Poland's basic problems had not been resolved.

25. The international community's revulsion at the oppression in Poland was reflected in resolution 1982/26 of the Commission on Human Rights and in the recent overwhelming adoption by ILO of the report on Poland by its Committee on Freedom of Association. It was therefore clear that the international community did not accept the view that repression in Poland was a purely internal matter. It felt that the repressive activities of the Jaruzelski régime were serious violations of Poland's international obligations and commitments and were thus a matter of profound and legitimate concern to all countries. Indeed, the activities of that régime directly violated, inter alia, the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, several ILO conventions and the Helsinki Final Act, to all of which the Government of Poland was a party.

26. The view that as a result of certain gestures by the Jaruzelski Government, there was no further need for concern about the situation of human rights in Poland was unacceptable. While welcoming the long overdue release of Lech Walesa, the leader of Solidarity, and hoping that that move would be followed by the release of other internees, the end of martial law and a renewed dialogue between the Government, Solidarity and the Church, his delegation could not ignore the fact that Mr. Walesa had been imprisoned for 11 months for seeking to achieve expanded rights for Polish workers through free trade unionism, that is to say, activities which the United Nations and other international organizations actively supported and promoted. Despite Mr. Walesa's release, his political activities remained circumscribed by the Polish authorities. Nor could his delegation ignore the fact that the martial-law Government had abolished the Solidarity trade-union movement and had passed new laws prohibiting its restoration and severely restricting all union activities, in blatant violation of numerous ILO Conventions. The repression had been imposed for the express purpose of rolling back the momentum towards political and social change, which had been and continued to be supported by the great majority of Polish citizens. The martial-law Government had thus suppressed the basic right of self-determination, the right of a people freely to decide its own political status and to guide its own economic, social and cultural development.

27. Turning to the justifications offered by the Polish authorities for their repressive action, he said the charge that Solidarity had sought to overthrow the Polish Communist régime was an outright falsehood. Solidarity had never challenged the supremacy of the Communist Party in Poland or demanded Poland's withdrawal from

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(Mr. Kasten, United States)

the Warsaw Pact. On the contrary, it had vowed to observe the Polish Constitution and to recognize the "leading role" of the Polish Communist Party. Its only crime had been to demand those human rights to which the Polish Government had legally committed itself in international agreements: free trade unions, freedom of expression, the reduction of censorship, an end to political trials, and the publication of honest information about Poland's past and present. Nor had Solidarity embarked on a policy of confrontation, as alleged by the Government. Indeed, it had been the Government that had sought to provoke confrontation, by striving to undermine and obstruct the implementation of the historic Gdansk Agreement of 31 August 1981, by deliberately distorting Solidarity's aims in the government-controlled media, and finally by proposing a law prohibiting strikes. Despite such provocations, Solidarity had persisted in its call for a national dialogue, with its leaders and members retaining their commitment to a policy of non-violence. To accuse such a movement of seeking to provoke civil war was an Orwellian inversion of the truth. It was also absurd to charge that Solidarity's activities had been bringing Poland to the verge of economic chaos. Solidarity's leaders had sought to curtail strikes and prevent disruption and had proposed economic reforms to increase productivity and efficiency. In fact, it was the authorities that had blocked every initiative and were concerned solely with the question of political power. The imposition of martial law could only intensify Poland's economic difficulties, as could be seen from official forecasts of a 6 to 7 per cent decline in national income in 1982.

28. Solidarity's only crimes had been its failure to acquiesce in the Polish régime's claim to omnipotence and its temerity in demanding human rights for its members.

29. A full year after the application of martial law, the Polish military régime continued to carry out sweeping acts of repression against nearly all segments of Polish society. The very decree establishing that repression had suspended or limited all fundamental civil rights recognized by the Polish Constitution and by international treaties to which Poland was a party. The actions taken under that and other repressive laws violated numerous provisions of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, which, inter alia, affirmed the individual's right to be free from cruel, inhuman or degrading treatment or punishment. The Polish authorities themselves had acknowledged the killing of strikers and demonstrators in the course of repressive actions. Moreover, thousands of citizens had been wounded and injured during police actions, in which excessive force had been used to suppress public manifestations of dissatisfaction with repression.

30. Thousands of Polish citizens had been convicted of martial-law violations by summary military and civil tribunals, and many others were under arrest and awaiting trial. Sentences for martial-law violations - even minor offences, such as printing and distributing underground news bulletins - had often been severe. Accounts of beatings and physical abuse of prisoners continued to abound, and the régime had generally done all it could to prevent the Catholic Church and the International Committee of the Red Cross from visiting martial-law prisoners in various detention centres. When one such visit had been permitted in January 1982,

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(Mr. Kasten, United States)

ICRC inspectors had reported generally deplorable conditions. For example, 18 to 20 persons often had to share a single room, with a common toilet, internees had been locked up together with common criminals, and some had been sent to psychiatric hospitals.

31. The scale of such police actions as the search of homes and offices, the confiscation of personal documents and property, the telephone monitoring and other forms of electronic eavesdropping, all without legal recourse, had been massive. Tight military and governmental control had been reimposed over the printed and electronic media, and the régime had used a system of ideological verification to subdue dissident voices and produce a uniform media line conforming to military dictates. More than 1,200 print and media journalists had lost their positions in the ideological purge. The creation in March 1982 of a new journalist organization controlled by the régime demonstrated its determination to eradicate all vestiges of public autonomy and assert complete dominance over public life.

32. All types of public assembly and demonstrations without prior permission of the authorities had been expressly banned, with the exception of limited types of religious celebrations. As a result, massive force had often been used by the police to crush non-violent protest actions, in which crowd violence against the police had occurred only after the authorities had forcibly suppressed attempts to hold peaceful demonstrations.

33. Harsh action, including severe prison sentences, had been taken against those attempting to carry on free trade-union activities. Some industrial plants had been militarized, so that, in effect, the workers had been inducted into military service and military principles had been substituted for normal working conditions. Factory directors had been given military command authority, including the power to lengthen working hours and transfer workers without consultation.

34. Another highly effective method of stifling protest involved dismissal from employment and the effective denial of future employment in any State-controlled sector of the economy, thus making the worker concerned dependent on his family for support, a situation made particularly onerous by steep rises in the price of food and other basic necessities.

35. The suppression of the Polish people's human rights and fundamental freedoms also constituted a massive violation of the Helsinki Final Act, particularly with respect to the continuing Soviet effort to dictate and control events in Poland. Through massive intimidation and interference, the Soviet Union had conspired with the Polish military authorities to deprive the Polish people of its right to self-determination. In the period leading up to the imposition of martial law, Poland had been subjected to continuous Soviet pressure, threats and acts of intimidation, including military manoeuvres, designed to bring about repression in Poland and to stifle the reform process supported by the great majority of the Polish people. Attacks on the Church, private agriculture and the Polish workers' movement continued to be published in the official Soviet press, supplementing Soviet official encouragement for the maintenance of a tough line against the forces of reform in Poland. It was ironic that the so-called "vanguard of the

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(Mr. Kasten, United States)

proletariat" had so avidly sought to crush in Poland the true aspirations of the Polish working class, and also that the Soviet Union, which claimed to be the leader of world revolution, was so rigid, intolerant and fearful that it could not permit peaceful, progressive reform in one of its neighbours. The assumption by any country that it had the right to control another, whether that other country was Afghanistan or Poland, was certainly inconsistent with the Charter of the United Nations.

36. His delegation was convinced that the only way to a lasting solution of Poland's economic and political problems was the rapid and complete restoration of human rights and fundamental freedoms and a return to a genuine process of national reconciliation and self-determination. It therefore called upon the Government of Poland to lift martial-law repression not only in name but in fact and substance, to release all political prisoners, and to return to the process of constructive and uncoerced dialogue with the Polish Church and with Solidarity. It called upon the new leaders of the Soviet Union to abide by the provisions of the Charter of the United Nations and the Helsinki Final Act and to respect the Polish people's right freely to pursue its political, economic, social and cultural development and further called upon them to refrain from the threat or use of force against Poland. It urged Member States to support all United Nations efforts to promote the earliest possible return to a process of self-determination in Poland and the fullest possible restoration of human rights and fundamental freedoms in that country.

37. The United States, together with other countries, had taken a number of measures to encourage improvements in the human-rights situation in Poland. It had also made it absolutely clear that if real improvements did occur, they would meet with a positive response from the United States. His country's actions had been and would continue to be guided by the practical consideration of strengthening respect for human rights in Poland, including the right of free association which the Polish people had exercised in forming the Solidarity movement. The denial of human rights not only affected the Polish people but had done grave damage to world peace. Everyone therefore had a fundamental stake in the genuine termination of repression in Poland and in the revival of the process of peaceful change which had inspired the hopes of the Polish people and of freedom-loving peoples throughout the world.

38. Mr. CHEN Shiqiu (China) said that the United Nations must attach priority to the implementation of the right to education, which was of crucial importance to social progress and national development and closely linked to the enjoyment of all human rights. The problem of unequal access to education remained very serious; nations and races which suffered discrimination and oppression had long been deprived of their right to education, as had been peoples under colonial domination, foreign military occupation and foreign aggression and control.

39. The level of education in most developing countries was relatively low, as a result both of their political and social past and of their economic backwardness. The establishment of a new international economic order was therefore an important condition for the improvement of access to education for people in developing countries.

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(Mr. Chen Shiqiu, China)

40. His country supported and endorsed the proposals for the full implementation of the right to education that were contained in the International Development Strategy for the Third United Nations Development Decade, in the UNESCO Medium-Term Plan for 1984-1989 and in resolutions adopted by the General Assembly at its thirty-fourth, thirty-fifth and thirty-sixth sessions.

41. The programme to develop education was an important component of China's comprehensive programme for economic and social development. The right to an education for all was guaranteed by the Constitution of China and provided for in a series of legislative and administrative measures. While his Government had done much in the past 30 years to develop education and improve the cultural level of the people, education was still backward and the cultural level of the Chinese was not adequate, as reflected in the fact that 23.5 per cent of the population were illiterate or semi-literate. In order to solve those problems, the country was redoubling its efforts by a programme which included the attainment of universal primary education by 1990, the vigorous development of adult education in rural and urban areas, the development of education for minority groups, the restructuring of secondary education, and the reform of higher education with a view to enhancing quality while increasing quantity.

42. Mr. VRAALSEN (Norway), speaking on human rights under agenda item 12, said that developments in 1982 had shown that a stronger dedication to human rights was needed if people all over the world were to enjoy the rights and freedoms to which they were entitled in accordance with universally accepted human-rights instruments. His country was concerned about human-rights violations in all parts of the world; however, for practical reasons, he would restrict himself to some specific situations, to which his Government attached particular importance.

43. The report of the Special Rapporteur of the Commission on Human Rights on the situation in El Salvador had stated that the situation of economic, social and cultural rights remained unchanged. Furthermore, serious, massive and persistent violations of civil and political rights continued. Even though the number of assassinations had declined, the situation concerning respect for human life was still very serious. He stressed the importance of opening a dialogue with all political forces in El Salvador, including the left-wing opposition, in order to end armed confrontation and thus contribute to genuine social peace and full respect for the rights of the Salvadorian people.

44. In Guatemala, information from various sources seemed to confirm a worsening of the situation, which was characterized by mass executions of civilians in rural areas, the displacement of a large number of persons, and disappearances. His delegation urgently appealed to the Government of Guatemala to do its utmost to find a solution to social and economic problems, which would have beneficial effects in the political field. A positive step in that direction would be the full co-operation of the Government of Guatemala with the Special Rapporteur of the Commission on Human Rights.

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(Mr. Vraalsen, Norway)

45. His Government had evidence of summary and arbitrary executions as well as religious persecution taking place in the Islamic Republic of Iran. While the Iranian Government had claimed that violations of human rights and fundamental freedoms must be considered against the revolutionary background of the country and that the terrorist activities of opposition groups must also be condemned, the international instruments subscribed to by that country contained certain provisions from which it could not derogate. His Government was particularly concerned about the imprisonment, detention without trial, and execution of members of the Baha'i faith and about discrimination against them with regard to employment and education. It was to be hoped that implementation of resolution 1982/27 of the Commission on Human Rights would result in an improvement of the situation of the Baha'is in the Islamic Republic of Iran.

46. His delegation had appealed to the Polish authorities to lift the state of martial law, restore dialogue with the Church and the Solidarity trade-union movement and release the internees in Poland. Recent developments contained some promising elements; if the situation continued to improve, fundamental human rights could be restored and East-West relations would be enhanced.

47. He also expressed his delegation's concern over the Afghanistan problem, the situation in Kampuchea and the plight of Palestinian refugees in Beirut.

48. His delegation had been distressed to learn of the widespread and increased use of summary or arbitrary executions, including extra-legal executions, in States Members of the United Nations. It therefore welcomed the initiative taken to appoint for one year a Special Rapporteur to examine the question of summary and arbitrary executions. It was to be hoped that after presentation of his report, effective action could be taken within the United Nations system to prevent the recurrence of such tragic and deplorable acts.

49. His Government believed that priority should be given to the promotion of the rights of indigenous populations, and it had noted with satisfaction the adoption by the Commission on Human Rights, and subsequently by the Economic and Social Council, of the resolution entitled "Study of the problem of discrimination against indigenous populations". The Council had also authorized the establishment of a working group to review developments pertaining to indigenous populations and give special attention to the evolution of standards. The first annual session of the Working Group had been held in August 1982 and had yielded positive results, as was shown by the large number of participants. His delegation commended the initial approach of the Working Group and would participate actively in its further work.

50. Among various efforts in the field of codification, a Working Group had been actively engaged since 1980 in the elaboration of an international convention on the protection of the rights of all migrant workers and their families. His delegation attached considerable importance to the work of that Working Group and was particularly interested in discussions of part III of the draft convention, dealing with additional rights of migrant workers and members of their families. He stressed the importance of the principle that migrant workers and their family members should enjoy equality of treatment with nationals of the receiving State.

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(Mr. Vraalsen, Norway)

Through equal treatment, illegal migration would be discouraged and possibilities of preventing conflicts between minority groups and the majority populations would be improved. He expressed the hope that the Working Group would be able to speed up its work during the next sessions. Norway and the other co-sponsoring delegations would endeavour to put forward proposals for the final provisions of the draft convention at the forthcoming session of the Working Group.

51. His Government had contributed \$US 100,000 to the Voluntary Fund for Victims of Torture, thus responding to a call made by the Commission on Human Rights, which had recognized the need to provide assistance to victims of torture in a purely humanitarian spirit.

52. Mrs. UMAÑA (Colombia) expressed once again the concern of her delegation, representing a Latin American country, that agenda item 12 was being used for dangerous political purposes. She pointed out that the task of the Committee was to find an agreed solution to problems involving real human suffering; it was not, as some delegations seemed to think, to engage in competitive manoeuvres for the sake of political prestige, under the guise of urgent moral demands, by passing judgement on situations which those delegations really did not understand or care to analyse.

53. The present situation of Colombia was of special interest to those concerned with the enormous difficulties encountered by a developing country in its struggle for peace and for the observance of democratic principles. The state of emergency which had prevailed for a long time in Colombia had been lifted a few months earlier, and very recently, at the request of the President of the Republic, the Colombian Congress had decreed a law of total amnesty, freeing those who had been condemned for their active participation in subversive movements against the State and abrogating the criminality of all political and related acts regarded as crimes until the entry into force of the new law. In referring to that law, the President of Colombia had said that Latin America was experiencing its worst crisis in 50 years and that Colombia, in addition to coping with its severe economic problems, was trying to reconquer regional and national political peace through broad amnesty and rehabilitation of the zones of violence, since in Latin America the struggle against subversion was closely involved with the struggle against underdevelopment. The new law was an honest attempt to improve the difficult social situation in her country. One of the nine articles of the amnesty law was directly designed to solve the most obvious problem caused by a situation of violence: ensuring the return to normal life of the persons affected by guerrilla activities.

54. Thus her Government was doing its utmost to achieve peace, a task which called for an understanding of the fact that those engaged in acts of violence, whether they belonged to the legitimate Government or were struggling against it, were violating human rights. Peacemaking required a profound and unselfish commitment. The President of Colombia was aware that the mere promulgation of the law would not immediately solve the social situation; he was convinced, however, that its success was guaranteed because it reflected the true will of the Colombian people. He had further said that the amnesty law would not bring total peace and that there must be another process which entailed combating underdevelopment in order to create

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(Mrs. Umaña, Colombia)

a true climate of dignity and respect for human rights. That process of consolidating peace should be viewed as an example of the commitment of a Latin American country to maintain respect for freedom and democratic institutions as its most important goal.

55. The Latin American peoples had been the first to copy European models for their democratic institutions almost two centuries earlier. In many Latin American countries and specifically in Colombia, the commitment to a democracy which sought to ensure respect for both individual and collective human rights was a long-standing tradition.

56. The functioning of such a system required enormous efforts, which those born into a historical and cultural tradition of democratic principles sometimes lost sight of. Democracy for such persons constituted an abstract idealism, the automatic functioning of institutional machinery, and that could easily lead them to forget the importance of specific situations, not only in other countries but also in their own. As a result, there could arise in those very countries, within the purest democratic tradition, grievous situations of human suffering, affecting the elderly, foreign workers and persons who were alone, which were not easy to recognize as violations of human rights.

57. Colombia felt that if developing countries were called upon to respect democratic institutions with a view to the realization of human rights, the deep implications of such a call must be understood. If democracy meant a type of government in which each individual participated freely in the election of his country's leaders and in deciding the course of the society in which he lived, that individual would first of all have to be educated to do so. He would have to be a person who was not suffering from hunger and was fully aware of his responsibilities towards his society.

58. Those genuinely concerned for the full realization of human rights in developing countries committed to that kind of democracy must take into account the serious difficulties encountered by such countries not only in making the premises of democracy a reality but also in dealing with accusations of human-rights violations, leveled by an international machinery set up for that purpose, when they sought to defend their institutions against subversive movements which had infiltrated their countries in pursuance of a revolutionary commitment to spread anti-democratic principles. Neither highly politicized discussions nor resolutions fraught with hasty judgements would confer upon the countries making accusations the necessary authority to oblige the peoples accused of violations of human rights to open a dialogue towards peace. The developed countries, with long democratic traditions, which thus involved themselves in shady political game-playing would lose the moral stature expected of them by countries endeavouring to follow their example of democracy. If developing countries, came to feel that their efforts were not being recognized and that accession to international pacts and protocols for the protection of human rights was not leading them along the course they had hoped for but rather was subjecting them to accusations of violence, they might become increasingly convinced that they could best avoid becoming the target of

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(Mrs. Umaña, Colombia)

international political propaganda not by protecting human rights but by negotiating a situation of impunity with the international political parties concerned.

59. In order to ensure the genuine protection of human rights, such extremes must be avoided. To that end, the necessarily imperfect democratic strides made at the cost of great effort in developing countries should be recognized and commended; such efforts should be given not only economic but also moral support.

60. Since human-rights violations could occur in all regions of the world, her delegation requested that countries proposing resolutions calling for the investigation of human-rights situations should accept a simultaneous review of their own situations, regardless of their political or ideological positions, and that the Secretary-General should report on the achievements and difficulties encountered by the various regional organizations responsible for the investigation. The implementation of such proposals would help to ensure that agenda item 12 was not dealt with in a discriminatory political spirit.

The meeting rose at 1.10 p.m.