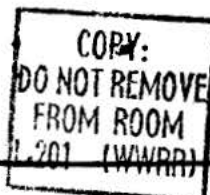


United Nations  
**GENERAL  
ASSEMBLY**  
THIRTY-SEVENTH SESSION  
*Official Records\**



UN LIBRARY

JAN 4 1983



THIRD COMMITTEE  
65th meeting  
held on  
Monday, 6 December 1982  
at 6 p.m.  
New York

UN/SA COLLECTION

SUMMARY RECORD OF THE 65th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

CONTENTS

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

AGENDA ITEM 93: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORT OF THE  
SECRETARY-GENERAL (continued)

\* This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room A-3550, 866 United Nations Plaza (Alcoa Building), and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL

A/C.3/37/SR.65  
13 December 1982  
ENGLISH  
ORIGINAL: FRENCH

The meeting was called to order at 6.30 p.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, 188 and Corr.1 and Add.1, 201, 259, 310, 333, 412, 419, 420, 422, 452, 495, 500, 519, 521, 540, 556, 564, 611, 618; A/C.3/37/1, 5, 7 and Corr.1 and 2 (English only), 8, 9, 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 to 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)

General debate

1. Mr. BELL (Canada) referring to agenda item 12, said that violations of human rights were a continuing source of concern to the international community. Individuals suffering from human rights abuses must be made aware that the international community had not forgotten them, Governments must be reminded of their international human rights obligations and it must be reaffirmed that Governments could not in good conscience remain idle while the internationally recognized rights of human beings were not being fully protected.
2. In recent years there had been increasing evidence of human rights abuses throughout the world because of the untiring efforts of international and national non-governmental organizations and also, unfortunately, because certain Governments were choosing to deal with their economic, social and political problems by abrogating the most basic of human rights: the right to life, to security and to due process of law. While the problems faced by some of those countries could not be minimized, current difficulties, whether economic, social or political, could not justify the violation of human rights and fundamental freedoms.
3. The international community had an obligation to draw attention to such violations, not to condemn Governments but to attempt to improve conditions for individual human beings. Experience had clearly shown that policies based on the denial of human rights could only exacerbate problems by creating more political, economic and civil unrest.
4. The United Nations machinery in the human rights field developed over the past three decades was imperfect and could be unbalanced and selective. Some countries escaped criticism even though they deserved comment in respect of human rights and other countries received attention for the wrong reasons. Nevertheless, Canada retained its faith in a system which, if flawed, had nevertheless achieved a number of significant successes, principally the internationalization of human rights questions. The evolution of the system brought hope for all those oppressed by their own Governments who, as a result of the mobilization of the international community, could hope for an improvement in their fate.

(Mr. Bell, Canada)

5. His delegation had read the considered and balanced report on the situation of human rights and fundamental freedoms in El Salvador (A/37/611) prepared by the Special Representative of the Commission on Human Rights and expressed appreciation to him. The Government of El Salvador was to be commended for having agreed to co-operate with the Special Representative; co-operation of that kind evidenced the desire of the Government of El Salvador to improve the human rights situation in that country. Unfortunately, it also had to be noted that as a result of his investigations, the Special Representative had concluded that despite the improvements over the past year, serious, massive and persistent violations of human rights had continued in El Salvador. His delegation agreed with the Special Representative that civil peace could be achieved in El Salvador only if human rights were respected by all sides and believed that the strengthening of the judiciary in El Salvador would provide the surest protection of human rights in that country. His delegation endorsed each of the six recommendations submitted in the report of the Special Representative.

6. In his report on the human rights situation in Chile (A/37/564), the Special Rapporteur presented a very bleak picture of the human rights situation in a country where violations of the most basic human rights were almost institutionalized. His delegation was aware that violations of those rights existed in other countries too but was particularly concerned about the systematic refusal of the Chilean Government to co-operate with a Special Rapporteur mandated by both the Commission on Human Rights and the General Assembly. It was particularly disturbing that the Chilean Government was displaying the same attitude to other United Nations bodies such as the International Labour Organisation. In respect of Chile, the human rights mechanisms set up by the United Nations had reached an impasse, mainly because of the obdurate refusal of the Chilean Government to open a dialogue with the international community. His delegation suggested that when the Commission on Human Rights considered the report of the Special Rapporteur on Chile, it should explore every possibility for promoting an effective dialogue between the United Nations and the Chilean Government with respect to the latter's observance of its international human rights obligations; the objective would be to induce the Chilean Government to co-operate with the Special Rapporteur as other countries had done and to enable the United Nations system to treat the question of human rights violations in Chile in the same way as it considered human rights violations perpetrated elsewhere in the world.

7. In contrast to the situation in Chile, there appeared to have been a real improvement in the human rights situation in Bolivia; the co-operation extended by the Bolivian Government to the emissary of the Commission on Human Rights was an example of the fruitful dialogue that could be established between the United Nations and Member States to promote the full enjoyment of human rights.

8. His delegation remained concerned about the human rights situation in Iran, particularly because of reports of summary and arbitrary executions of political detainees and the continuing discriminatory treatment by the Government of members

/...

(Mr. Bell, Canada)

of the Baha'i religion. His delegation's concern was not to interfere in internal affairs or to challenge the authority and religious principles of the Iranian Government but, simply, to remind that Government of its international obligations in respect of human rights and in particular of the obligations deriving from Iran's ratification of the International Covenant on Civil and Political Rights. At its thirty-eighth session the Commission on Human Rights, in resolution 1982/27, had requested the Secretary-General to establish direct contacts with the Government of Iran on the human rights situation prevailing in that country; his delegation hoped that the Secretary-General, if he had not already done so, would enter into a formal dialogue with the Iranian Government on the human rights situation in that country.

9. The human rights situation in Guatemala had both positive and negative aspects. On the positive side, the Government of Guatemala had recently made public declarations indicating its intention to co-operate both with the United Nations, by accepting the appointment of a special rapporteur, and with other human rights organizations such as the Inter-American Commission on Human Rights and Amnesty International. Furthermore, the information available indicated that there had been a reduction in the violence in Guatemala's urban centres. However, reports from credible non-governmental organizations and various church groups indicated that there were human rights violations, of which the peasants and the Indian population in the rural areas of the country appeared to be the chief victims. His Government and the people of Canada were concerned at that situation and hoped that the stated intention of the Government of Guatemala to safeguard human rights would yield specific results and lead to a dramatic reduction in violence for all Guatemalans.

10. The human rights situation in Poland in the past year had been a matter of great concern to his Government, particularly owing to the arbitrary internment of thousands of individuals, oaths of loyalty obtained under duress and, above all, the dissolution of Solidarity, a trade union admired by many for its valiant attempts to better the lot of the Polish working people. His delegation hoped that the positive developments noted recently in Poland would lead to the release of the remaining internees, the abrogation of martial law and national reconciliation.

11. With regard to South Africa, the international community should not only condemn the South African racial laws but also mention all those who had paid a heavy price for their opposition to apartheid in all its forms and had been detained without trial, placed under house arrest at the order of their Government and given prison sentences of unusual severity and length.

12. Over the past few years, the Commission on Human Rights had taken steps to investigate human rights violations on a thematic basis. Studies on such themes as disappearances and summary executions had the advantage of being non-discriminatory and universal in their approach, since all States were treated in accordance with the same criteria. In that regard, consideration should be given to the suggestion made by Mrs. Nicole Questiaux in her report submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities on so-called states of

(Mr. Bell, Canada)

siege or emergency (E/CN.4/Sub.2/490) that the Commission should study, on a continuous basis, the human rights situation in all countries where a state of emergency existed. The United Nations should not limit itself to criticizing the Governments of countries where serious human rights violations had been noted but should also assist those Governments in restoring human rights and fundamental freedoms.

13. His delegation welcomed the transformation of the Division of Human Rights into a Centre for Human Rights but considered it regrettable that two of the most important documents considered under agenda item 12, the reports on Chile and El Salvador, had not been circulated officially until extremely late in the session.

14. Mr. LOVO CASTELAR (El Salvador), referring to the report of the Special Representative of the Commission on Human Rights on the situation of human rights and fundamental freedoms in El Salvador (A/37/611), observed that in its previous statement his delegation had analysed the phenomenon of violence in El Salvador and had taken that opportunity to criticize the use of sources of information that were discredited by their ideological preferences and political affiliations and were a vehicle for false or exaggerated and biased information. With regard to section VI of the report concerning the situation of refugees and other persons displaced as the result of current events in El Salvador, his delegation wished to draw attention to the establishment of the National Committee for Aid to Displaced Persons (CONADES), which, in one year, had carried out remarkable humanitarian work for the benefit of displaced persons. That national body was working in close co-operation with the International Committee of the Red Cross, the Salvadorian Red Cross and other national and international humanitarian organizations. Moreover, his Government had contacted the United Nations High Commissioner for Refugees, whose Central American programmes it strongly supported, and had decided to submit the convention and protocol relating to the status of refugees to the National Assembly for ratification.

15. Furthermore, in recent decades population pressure had triggered heavy migratory flows, which should have been taken into account in the estimates in the report. Furthermore, the number of people who had emigrated because of natural disasters was extremely high. Lastly, the volume of population movements was also increased by such activities as coffee-bean and cotton picking and the sugar-cane harvest, whose impact was felt throughout Central America. For all those reasons, a simplistic approach should not be taken to population movements, since the factors responsible for such mobility were numerous and extremely diverse.

16. With regard to compliance with the international rules of humanitarian law applicable in armed conflicts dealt with in section VII of the report, his Government was convinced that those rules should be disseminated among the population and had, for that purpose, held lectures on humanitarian law led by Red Cross representatives for the benefit of army and security-force units (including administrative personnel) at all ranks. Moreover, the armed forces high command had given subaltern officers and all soldiers precise instructions concerning treatment of prisoners and respect for their person.

/...

(Mr. Lovo Castelar, El Salvador)

17. With regard to the conclusions in section VIII of the report, on the basis of its earlier analyses, observations and reservations, his Government rejected all the conclusions that were likely to incriminate it either explicitly or implicitly, because the policy pursued by the Salvadorian State was to safeguard the inalienable rights of the individual and to fight for peace, the security of the nation and its population and the observance of law, with a view to ending the crisis that was raging in the country.

18. The structural reforms undertaken by the Government to enable the population to exercise its economic, social and cultural rights fell within the context of that policy, which had recently resulted in the granting of provisional title-deeds to 5,200 peasants and definitive title-deeds to 300 more peasants. Civil and political rights had been strengthened by the political process of democratization, which had culminated in free elections to a constituent Assembly on 28 March 1982.

18a. His Government noted that in the conclusions in the report a clear reference was made to the political will that was prompting it to undertake reforms, particularly in paragraph 100, in which the Special Representative again noted the concern which he had observed in high government spheres in the Republic of El Salvador for the protection of human rights. The Government of El Salvador believed that a number of the recommendations made in the report could constitute a valuable complement to the proposals it had already made and that they showed, moreover, that the Special Representative of the Commission on Human Rights was willing to co-operate in seeking a peaceful and democratic solution to the country's problems.

19. His delegation wished to state formally once again that the Government of El Salvador would never agree to co-operate with Governments or international bodies that set little store by objectivity and impartiality and whose only concern was to interfere in the country's internal affairs under the pretext of investigating human rights. His Government was opposed to that approach and categorically rejected the draft resolution (A/C.3/37/L.77), whose sponsors were playing into the hands of terrorism.

20. Mr. FERGUSON (Australia) said that the protection of human rights was so often mentioned in a political context that there was a danger that it might not be examined with the attention and objectivity that, as one of the fundamental elements of the Charter of the United Nations, it deserved. It should be recalled, therefore, that that concept implied that the mere assertion of human rights did not of itself ensure that they were respected, but that practical measures were required for that purpose, and that the concept was predicated upon the notion of a threat to individual and collective fundamental freedoms. That threat could come from several sources, but the United Nations should concern itself primarily with the responsibilities of Governments, which in many cases had undertaken specific obligations by adhering to international instruments on the subject. Because of the complexity of human rights problems, which was often the result of particular political and economic circumstances, it was difficult to dissociate political attitudes from the consideration of human rights. Member States must, nevertheless, make every effort to do so, for by basing their approach on political considerations

/...

(Mr. Ferguson, Australia)

rather than on humanitarian concerns, they might fail in their primary duty, which was to protect the economic, social and cultural rights, as well as the civil and political rights, of all individuals.

21. In that context, he referred to the adoption in recent years of a thematic or generic approach to human rights violations. That approach, symbolized most strikingly by the activities of the Working Group on Enforced or Involuntary Disappearances, allowed human rights violations to be addressed in a constructive manner with an emphasis on humanitarian concerns, and not on the basis of the political considerations which could so easily intrude into case-by-case scrutiny. His delegation had welcomed the adoption by the Commission on Human Rights of resolution 1982/29, which had been approved by the Economic and Social Council and in which the Commission had decided to appoint a special rapporteur on summary or arbitrary executions. His delegation looked forward to further action on that question on the basis of the report which the Special Rapporteur was to submit to the Commission at its thirty-ninth session.

22. Because of its interest in indigenous populations, which in many parts of the world were victims of intolerance, deprivation and denial of their basic rights, his delegation had fully supported the establishment within the Sub-Commission on Prevention of Discrimination and Protection of Minorities of a working group on indigenous populations. It welcomed the efforts made by the Working Group at its first session and believed that it must concentrate on the articulation of the rights of indigenous populations and of the means by which the enjoyment of those rights could best be assured, in consultation with the representatives of indigenous populations and their organizations.

23. Referring to the humanitarian assistance which Australia provided to refugees as one of the principal contributors to the Office of the United Nations High Commissioner for Refugees and as a major country of resettlement in the Asian and Pacific region, he paid a tribute to the Special Rapporteur on human rights and mass exoduses for the analysis and recommendations contained in the report which he had submitted to the Commission on Human Rights at its thirty-eighth session. In response to the Secretary-General's request, his delegation had submitted comments on the report, which was a significant step towards the comprehension of the complex links between human rights and broader humanitarian concerns and rightly emphasized preventive measures. His delegation would work with other delegations to pursue in the most effective manner the issues raised in the report.

24. The thematic approach to human rights must not prevent the United Nations from addressing specific situations in conformity with the purposes expressed in the Charter. His delegation believed that the General Assembly must take a stand on particular cases of human rights violations, but hoped that all countries would address those issues with the aim of finding humanitarian solutions and strengthening the credibility of United Nations procedures in that field. In that connection, his delegation regretted the politicization which had intruded into the human rights debate in recent years and which had jeopardized its credibility. The concentration of attention on certain situations, which had led many Latin American countries to believe that they had been subjected to biased treatment and an unfair condemnation, was an example of that imbalance.

/...

(Mr. Ferguson, Australia)

25. It was easy to condemn, often for political purposes, Governments for their failure to promote or protect human rights, but it was much more difficult to find practical solutions. Efforts must be focused on the search for such solutions, however. In examining particular situations, it was essential to be conscious of the relationship between civil and political rights and economic, social and cultural rights. Serious human rights violations commonly occurred during periods of social or political upheaval or of domestic difficulties, which were often aggravated by outside interference. Under such circumstances, countries became more vulnerable to violence. Situations in which limitations were imposed on freedom as an integral part of the socio-economic policy of the State and in which violations of individual rights could be institutionalized in the name of the State were in a different category. Whatever the circumstances which gave rise to human rights problems, however, there could be no pretext for the abrogation by States and individuals of their responsibility to protect all human rights, especially the right to life. It must constantly be re-affirmed that all human rights and fundamental freedoms were indivisible and interrelated and that the promotion of one category of rights could never be used to justify the denial or neglect of others.

26. The continuing reports of human rights violations in Iran had attracted widespread international concern, as exemplified by the adoption of resolution 1982/27 by the Commission on Human Rights. His Government was concerned by the persecution of the Baha'i community in Iran solely on the basis of their religious affiliation, by the large number of summary executions which were apparently taking place there and by the absence of due process in relation to imprisonments and other punishments. Although his delegation recognized that there had been dramatic political and social upheaval in Iran and that criminals must be punished, it appealed to the Government of Iran to protect the fundamental rights of all Iranians, in conformity with its international obligations, and urged the Iranian authorities to co-operate with the Commission on Human Rights and to respond to the legitimate humanitarian concerns of the international community.

27. His delegation supported Commission on Human Rights resolution 1982/26 concerning the situation in Poland following the declaration of martial law and the suppression of the only independent trade union in Eastern Europe. It therefore regretted the fact that the Polish Government had refused to co-operate with the study undertaken pursuant to that resolution, a refusal which could only call into question the readiness of that State to fulfil the obligations imposed by the Charter on all Member States in respect of human rights.

28. His Government, concerned about continuing reports of serious violations of human rights in Guatemala, had made representations to the Guatemalan authorities regarding some cases of violations of human rights about which it felt special concern. His delegation acknowledged that there had been an improvement in the situation in and around Guatemala City since the current administration had assumed power, but noted that the situation in the countryside, especially with regard to the indigenous population, continued to give rise to concern. It welcomed the measures aimed at restoring constitutional government and establishing a human rights commission and the Guatemalan Government's decision to co-operate with the

/...



(Mr. Ferguson, Australia)

Special Rapporteur. It hoped that the latter would be able to formulate practical recommendations that would help the Government to meet its obligations and to effect a reconciliation of the parties concerned in the interest of the rights of the whole population.

29. While recognizing that efforts to address the human rights situation in El Salvador had been unduly influenced by political considerations, he was glad to note that elections had been held there at the beginning of the year, demonstrating the desire of the people of El Salvador to seek an alternative to the path of violence. He hoped that the process of national reconciliation and the building of democratic institutions could be brought to a satisfactory conclusion so that the people of El Salvador would be able freely to determine their political future. He paid a tribute to the Special Representative on the situation of human rights in El Salvador for his report, and noted that according to the Special Representative the persistent violations of human rights were attributable to the civil conflict and the situation in that regard had improved. His delegation further noted the need for the Government to exercise real control over the armed and security forces, to organize educational campaigns in favour of human rights and to ensure continuing economic and social reforms, and likewise noted the Special Representative's suggestion that all political forces should engage in a dialogue with a view to putting an end to the armed confrontation and achieving a genuine peace.

30. In conclusion, he observed that the cases of human rights violations brought before international bodies should be studied by the international community in a spirit of humanitarian understanding devoid of all political motivation; it was necessary to avoid condemnations which were, in the last analysis, ineffectual.

31. Mr. TROCCO (Chile), speaking in exercise of the right of reply, recalled that in his statement the representative of Canada had asserted that Chile had not only refused to co-operate with the Special Rapporteur but had also taken the same attitude towards other United Nations agencies, including ILO. He himself, on the basis of his personal experience, could bear witness to the close co-operation that existed between the Chilean Government and that agency. Chile was one of the few countries that had accepted the two ILO investigatory bodies, namely the Fact-Finding and Conciliation Commission on Freedom of Association and the Commission of Inquiry, whose members had gone to Chile and had recently stressed the assistance they had received from the Chilean Government. The inaccuracy of the statement by the representative of Canada was likewise demonstrated by document GB/221/6/16, submitted to the ILO Governing Body at its 221st meeting, held from 16 to 19 November 1982. That report referred to the communications exchanged between ILO and the Chilean Government, which reflected close co-operation between them. It had also been recognized that the Chilean Government had replied satisfactorily to ILO's requests for information. He therefore urged the representative of Canada to read that document carefully and to be kind enough to admit that he had been wrong.

/...

32. Mr. BELL (Canada), speaking in exercise of the right of reply, thanked the Chilean delegation for having politely drawn his attention to an error which had, according to that representative, been made in the Canadian delegation's statement on agenda item 12. He assured the Chilean representative that his delegation would study the question carefully and correct its statement should that appear to be appropriate.

AGENDA ITEM 93: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS (continued)  
(A/37/292, A/37/530, A/37/586)

33. Mr. TAKEI (United Nations Educational, Scientific and Cultural Organization) said that for just over a decade, UNESCO had been an active participant in the concerted United Nations action aimed at combating drug problems. UNESCO's action had focused on the education of young people and adults, both in and out of school, and on the promotion of research and the dissemination of its findings. It went without saying that UNESCO's multidisciplinary functions allowed it to tackle that intricate problem from the educational, sociological and cultural angles simultaneously.

34. Until quite recently, the role of education in preventing drug abuse had been virtually overlooked, emphasis having been placed on legal controls and the repression of drug trafficking. The marked changes in the pattern of drug abuse that had occurred after the Second World War had led to recognition of the need for preventive education, which was currently universally acknowledged to be one of the most effective means of minimizing the negative effects of drug abuse.

35. UNESCO's efforts in the field of preventive education were aimed at reducing the demand for drugs, thus supplementing the measures directed against drug production, trafficking and supply. Those activities, which had begun in 1971 in response to an appeal from the General Assembly of the United Nations, were directed in the first instance at the developed countries, emphasis being laid firstly, on the use of drugs by young people in industrialized countries and secondly, on in-depth studies of the various social and cultural factors that contributed to drug abuse. Subsequently, the programme had been extended to less industrialized areas such as Latin America, the Caribbean, Africa and Asia; efforts were being made to tackle the problem in the light of the social, cultural and political settings in the countries concerned.

36. In that context, UNESCO had mobilized its resources for a programme of practical action including technical meetings, training courses, fellowships, pilot projects and the dissemination of information, oriented mainly to educators, educational psychologists, social service workers and media specialists. Those activities had a direct impact on the practical solution of the problem and made the authorities in a growing number of countries aware of the gravity of the problem. Recent UNESCO activities in that field included the meeting on the co-ordination of school and out-of-school education concerning drug use (Lisbon, 1980), the meeting on the social reintegration of ex-drug users (Hong Kong, 1980), which had emphasized a regional approach to the problem, the training course for French-speaking countries (Gabon), which had provided an opportunity for practical testing of the materials proposed in the experimental projects carried out in six

(Mr. Takei, UNESCO)

African countries and for the drafting of very specific work programmes, and the pilot programme carried out in Brazil for the training of educators who were to promote and carry on throughout the country activities designed to furnish parents and students with better information on the question and to provide leisure-time occupation and training for young people.

37. In that connection, he emphasized that UNESCO's contribution to those programmes complemented that of the United Nations Fund for Drug Abuse Control and that Member States likewise made a substantial contribution. During the forthcoming programme period, UNESCO would continue to seek to learn more about the economic, social and cultural factors involved in the use of drugs and would also study the more general problem of social maladjustment.

38. Lastly, he drew attention to a booklet on drug education entitled "Drugs demystified" and to an issue of the UNESCO Courier (January 1982) devoted to drug use and abuse in different parts of the world. Those publications, copies of which were available to interested delegations, had created considerable public awareness of the problems associated with drugs and of the proposed solutions.

The meeting rose at 7.40 p.m.