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SUMMARY RECORD OF THE 57th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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ORGANIZATION OF WORK

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (A/36/855; A/37/3/Parts I, II and III, A/37/178, A/37/188 and Corr.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 and A/C.3/37/7; A/C.3/37/L.47, L.48, L.50, L.51, L.52, L.53, L.54, L.55, L.57 and L.58); E/CN.4/1485, E/CN.4/1486, E/CN.4/1497, E/CN.4/1502 and E/CN.4/1503)

AGENDA ITEM 93: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORT OF THE SECRETARY-GENERAL (A/37/292, A/37/530 and A/37/586; A/C.3/37/L.5 and L.6)

1. Mr. HERNDL (Director, Centre for Human Rights), introducing agenda item 12, drew attention to the various subitems and the relevant documents before the Third Committee and with respect to the activities of human rights organs during the past year, said that standard-setting activities had continued in various areas. The Commission on Human Rights had continued its consideration of a draft convention on the rights of the child, a draft convention against torture and a draft declaration on the rights of minorities, while a working group of the Commission was considering a draft declaration on the right to development. The Sub-Commission on Prevention of Discrimination and Protection of Minorities was engaged in work relating to the drawing up of a body of principles for the protection of persons detained in mental institutions and a body of principles on the right and responsibility of individuals, groups and organs of society to promote and to protect human rights and fundamental freedoms. The Sub-Commission's working group on the rights of indigenous populations was also entrusted with the task of preparing standards in that area.

2. Various investigations and studies were in progress, particularly in the Sub-Commission. They included studies on the new international economic order and human rights, the human rights of indigenous peoples, slavery, the status of individuals and contemporary international law, and conscientious objection.

3. Several situations of alleged violations of human rights had been discussed in the Economic and Social Council, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities and had been the subject of resolutions adopted in those bodies. At its thirty-eighth session, the Commission on Human Rights had renewed the mandate of its working group on disappeared persons for another year and, with the approval of the Economic and Social Council, had appointed a Special Rapporteur to examine questions related to summary or arbitrary executions. The Special Rapporteur had been requested to submit to the Commission at its thirty-ninth session a comprehensive report on the occurrence and extent of the practice of summary or arbitrary executions, together with its conclusions and recommendations.

4. Lastly, he mentioned some developments related to the provision of advisory services to Governments at their request with a view to helping to enhance respect

(Mr. Herndl)

for human rights. In accordance with a resolution adopted by the Economic and Social Council at its first regular session of 1982, the Secretary-General had provided to the Government of Equatorial Guinea, at its request, the services of two experts to assist in the drafting of a new constitution. In accordance with another decision of the Economic and Social Council, consultations were being carried on with the Government of Uganda, with a view to providing it, at its request, with advisory services and other forms of assistance to help it take appropriate measures to continue to guarantee the enjoyment of human rights and fundamental freedoms.

5. Mrs. OPPENHEIMER (Director of the Division of Narcotic Drugs), introducing agenda item 93, said that the problem of narcotic drugs was in many ways a consequence of other problems confronting both the individual who had had recourse to drugs and the society which found its citizens, particularly its promising younger generation, caught in the conflicts of addiction and the networks of criminality. What was surprising was the growth in the number of persons who now used drugs as an escape from their own lives and of those who were now using all the devices of communication and corruption to stimulate demand and to profit from the trafficking in drugs. That growth could be measured by record levels of seizures from the illicit drug traffic in 1981.

6. It was not easy to be optimistic about the situation with respect to drug abuse and the illicit traffic in drugs in most parts of the world. Summaries of the situation contained in reports from Member States and from other official sources were now being analysed in preparation for the forthcoming thirtieth session of the Commission on Narcotic Drugs. Those sources indicated that although some successes had been achieved, the overall situation continued to cause great concern. Multiple drug use was often reported as a predominant pattern and those affected were predominantly young people, drawn from all strata of many societies. In addition, many reports from Member States showed the determined attempts of traffickers and their agents to stimulate drug abuse by increasing the supply of narcotic drugs or psychotropic substances, in association with related criminal activities of other kinds. Faced with that disturbing situation, the Division of Narcotic Drugs, in co-operation with most of the other intergovernmental organizations concerned, had concentrated on the development of countermeasures to the illicit traffic and it was expected that the Commission would wish to continue to do so. With respect to serious international criminal offences, however, effective action and speedy punishment would be possible only when those provisions of the drug control treaties relating to extradition were fully utilized by the competent authorities of all concerned Member States.

7. With regard to the International Drug Abuse Control Strategy, adopted by the General Assembly in resolution 36/168, she said that the Division of Narcotic Drugs had convened five expert groups in the course of the past several months. Reports of all the meetings would be before the Commission on Narcotic Drugs at its thirtieth session in February 1983. The first of the groups had explored those approaches to the reduction of drug abuse which had most often been reported as successful at the national level, so as to emphasize the positive experience that

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(Mrs. Oppenheimer)

it thus far had been possible to identify. A second group had had a mandate to explore the feasibility of creating an international buffer stock of opiate raw materials for the world's medical needs, or other possible means of handling the stocks built up at great expense in the traditional supplier countries. One group had met to examine the effectiveness of the Single Convention on Narcotic Drugs of 1961, and another, that of the Convention on Psychotropic Substances of 1971. A fifth group had been convened to co-ordinate research on the physical and chemical characteristics of seized heroin in order to trace its origin and movement in the illicit traffic.

8. The progress made in 1982 in carrying out the basic five-year programme of action of the International Drug Abuse Control Strategy had been considerable, and it had not been made without some cost. The arrangements for the programme itself had been based on the premise that a significant portion of the costs involved would be absorbed from resources available under the regular budget in 1982. However, during 1982, staff resources in the Division had been at about two thirds of the established professional staffing table, owing to delays at various stages of the recruitment process. As a result of the staff shortage, delivery of several projects had had to be stretched over a longer lead time, and particular difficulties had been encountered with the creation of suitable information and material for the prevention of drug abuse and with the research projects on the chemical composition of drugs and on the identification and analysis of psychotropic substances. The question of overprogramming in relation to resources was a serious one for a strategy which depended so heavily on the contributions of a wide range of agencies and organizations and on the processing of information from the full gamut of Member States. However, the recommendations of two of the expert group meetings had led to the expectation that the number of projects should be somewhat smaller in 1983 than the total programme proposed in chapter III, section A, of the Commission's report on its seventh special session.

9. Several changes in the organization of the Division of Narcotic Drugs had been introduced on the recommendation of the Administrative Management Service, including the use of word processing equipment, which was now on order. The Bulletin on Narcotics and the Information Letter, which were recurrent publications with wide followings, were being focused respectively on the need for specialized information relating to identified topics and on the co-ordination needs in the common system. In planning the effective delivery of the programme, special efforts had been made to use to maximum strategic effect the resources financed by the United Nations Fund for Drug Abuse Control for activities carried out by the Division to meet the most urgent needs of Member States for training technical personnel and for providing practical support for law-enforcement networks at the regional level. The Division hoped that those innovations would prove useful to Member States and the specialized agencies; in that connection, it was continuing active collaboration with the relevant specialized agencies and other bodies concerned within the United Nations system.

10. Mr. DIENE (United Nations Educational, Scientific and Cultural Organization), introducing the report of the Director-General of UNESCO (A/37/521), said that in UNESCO's view, the full exercise of the right to education was not only an ethical necessity but also a prerequisite for the social progress and economic advancement of all countries. Currently there were some 814 million illiterate adults in the world and about 123 million children of school age who did not attend school. In developing countries as a whole, 41 per cent of adults were illiterate, and that figure rose to 60 per cent in some countries. Women accounted for 60 per cent of illiterates. The great disparities in access to education and in its development meant that a score of industrialized countries shared more than 90 per cent of the world's scientists, while many developing countries lacked the minimum "critical mass" of trained personnel, training facilities and research potential which would enable them to meet their own development needs or to take an active part in the world's research.

11. Referring to Appendix III of the report, containing the section of the Draft Medium-Term Plan which related to education for all, he said that although education systems had expanded between 1970-1980, there had recently been a reduction in the rate of growth of funds allotted to education. The right to education was still far from being fully realized throughout the world, as could be seen clearly from the number of illiterates, which, if current trends continued, would grow to 900 million by the end of the century. In general, that illiteracy went hand in hand with poverty, being most widespread in the most economically and socially disadvantaged areas (A/37/521, appendix III, paras. 2001-2005).

12. One of the most basic forms of discrimination, which gave rise to many others and was the source of much inequality, was that which restricted the access of girls and women to education. Moreover, some groups of people, such as those living in certain remote rural or peripheral urban areas, found it difficult to gain access to education. There were other groups, such as disabled persons, migrant workers, refugees or members of national liberation movements, whose education required particular provisions to meet their specific needs. Formal equality of access to education was not always synonymous with effective equality of entry to school or of chances of success (paras. 2011-2014).

13. Emphasizing the link between education, culture and communication, he cited the observations made in paragraphs 5010-5013 of the Draft Medium-Term Plan, which were contained in appendix II of the report.

14. Referring to paragraphs 2017-2018, 2021-2023 and 2025 of the Draft Medium-Term Plan, he said that the democratization of education was inseparable from the idea of lifelong education. Access to education was a prerequisite for any effective participation in the life and progress of societies. The elimination of illiteracy required political will, expressed in massive, comprehensive, concerted and organized action. UNESCO would strive to encourage and support the efforts of Member States to democratize education so as to make it available to everyone, without any kind of discrimination.

(Mr. Diene, UNESCO)

15. The Committee's consideration of the report could contribute to the realization of the right to education only if the role of education was taken fully into account in drawing up and implementing the international development strategy. Development must not be limited to its purely economic aspect but must include educational, social and cultural elements.

16. In conclusion, he thanked the Romanian delegation for its initiative, which had made the General Assembly more aware of various aspects of the right to education.

17. Prince Sadruddin AGA KHAN (Special Rapporteur on human rights and mass exoduses), introducing the study on human rights and massive exoduses (E/CN.4/1503), said that the persistent nature of the problem of mass movements had led to general recognition of the fact that global problems could be solved only at a global level. In undertaking his study, he had felt it desirable to indicate how the international community could contribute to containment, if not prevention, of the ever-growing problem of the displacement of millions of people. Judging from the discussion which had taken place in the Commission on Human Rights and the views communicated to him by Governments and intergovernmental bodies, there were clearly several points of convergence in thinking. First, it was generally recognized that the problem was growing uncontrollably. Secondly, it was understood that although violations of human rights were significant, mass exoduses occurred, on the whole, as a result of many factors. It was equally clear that they were not likely to be averted merely through the promotion of human rights. Thirdly, it was recognized that there was an urgent need to examine appropriate ways and means to contain such exoduses. The efforts currently being made in the Special Political Committee with a view to averting new flows of refugees bore witness to that concern. Fourthly, with respect to recommendations (1 to 5) of the report, it was clear that there was already an adequate awareness of their importance within the United Nations system. While there might be a need to shift emphasis or adjust priorities, he believed that the efforts and the progress made within the United Nations system should suffice to address the aspects covered by those recommendations. He stressed that they were intended to complement, not to detract from, the essential functions currently performed by agencies such as UNHCR, which must continue with the full support of the international community. Those functions were, however, essentially of a humanitarian and social character, dealing with effects rather than causes, while his recommendations aimed at prevention or, at least, containment.

18. Recalling paragraph 5 of resolution 1982/32 of the Commission on Human Rights, he said that the full texts of all replies and comments he had received were available from the Secretariat.

19. He emphasized the inadequacy of the approach adopted towards determining the number of people involved in mass exoduses. Adequate planning became difficult when statistics were based on general conjecture and varied according to their source. A more scientific and more satisfactory approach should be adopted to determine the precise magnitude of the displacement; that was why he had made the recommendation regarding the census mechanism.

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(Prince Sadruddin Aga Khan)

20. The early warning system, referred to in recommendation (7), was required for timely action and to facilitate adequate planning. It was equally important that the situation, once it had arisen, should be monitored with a view to determining the future course of action. Obviously, the system should not be used to fan differences between States or to infringe upon their sovereign prerogatives. No system could function satisfactorily without full co-operation from the Governments of the countries concerned.

21. A purely humanitarian and non-political approach was essential to progress in the highly sensitive area covered by the report. Likewise, in all action that might ensue, the personal authority and guidance of the Secretary-General would remain a decisive factor. Stressing that the study and its recommendations should in no way be confused with the political role of the Secretary-General as envisaged in the Charter, he said that efforts to depoliticize humanitarian problems and to contain mass exoduses could contribute not only to saving human lives and huge financial resources but also to consolidating the structure of peace and security everywhere.

22. He stressed the importance of recommendations (8) and (9), whose purpose was essentially to provide the means needed to help in effectively implementing the measures recommended in the report.

23. While aware that no magic formula existed and that the recommendations were not a complete response to the challenge of violations of human rights and mass exoduses, he was convinced that, if acted upon promptly, they would help to reduce the scale of a problem which was placing an increasing burden on the world community.

24. In conclusion, he read out a letter from the Secretary-General containing observations relating to the study on human rights and massive exoduses. The Secretary-General felt that it was both appropriate and urgent to examine whether and how the international machinery might be improved to deal with the issue. He believed that while some of the recommendations in the report, including the proposals for a reappraisal of developing countries' economic needs in relation to possible causes of mass exoduses, the international labour compensatory facility, the standardization of international aid criteria, the need for an integrated approach to multilateral and bilateral aid, and the use of multidisciplinary assessment teams, could be considered further and acted upon within the existing mandates and resources of the United Nations system, other proposals, such as the establishment of a core of "humanitarian observers" would require the consent of the Governments concerned and, possibly, legislative authority. In so far as that proposal was concerned, the Secretary-General agreed that in many situations an international presence could have an important stabilizing and moderating influence.

25. With respect to the monitoring and assessing of situations which might result in large-scale movements of populations, thereby providing an early warning of problems to come, the Secretary-General had referred to his annual report on the

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(Prince Sadruddin Aga Khan)

work of the Organization, in which he had indicated his intention, in keeping with the preventive role envisaged for the Secretary-General under Article 99 of the Charter, "to develop a wider and more systematic capacity for fact-finding in potential conflict areas". He had felt it self-evident that success in those efforts could also contribute significantly to preventing additional mass movements of populations, and he would be interested to learn, through the consideration of the report by the General Assembly, whether Member States believed that that concept could also be expanded to cover cases in which violations or suppression of human rights might lead to mass exoduses and in which advance consideration and good-offices initiatives might serve to inhibit the deterioration of the situation.

26. The Secretary-General would also be interested to learn the attitude of Member States towards the proposal concerning the appointment of a Special Representative for Humanitarian Questions. Obviously, the establishment of such a post would need to be carefully discussed, since the possible role and the effectiveness of any such representative would require the co-operation and understanding of sovereign States. The terms of reference of the post, the Secretary-General had concluded, would therefore have to be devised in a manner that accurately reflected, on the one hand, the intentions of Member States and, on the other, the existing mechanisms and possibilities of the United Nations system.

27. Mr. PASTOR RIDRUEJO (Special Representative of the Commission on Human Rights) introduced the interim report on the situation of human rights in El Salvador (A/37/611), prepared in accordance with resolution 1982/28 of the Commission on Human Rights.

28. He outlined the contents of the document, noting that for each of the six substantive chapters, efforts had been made to provide a balanced view of the large amount of information, obtained from diverse sources, on events which had taken place after 1 January 1982. The Government of El Salvador had co-operated fully and openly by making available a wide range of documentation, facilitating his stay in the country in September 1982 and arranging meetings with high governmental officials and other civil servants. That co-operation was a clear reflection of the Government's concern to improve the human rights situation. Other parties had also co-operated generously and had expressed their deep concern for human rights.

29. He emphasized that he was not in a position to make any categorical personal judgements on the factual content of the information he had received. Unfortunately, because of the serious and widespread nature of human rights violations in El Salvador, it had been impossible to conduct the investigations needed to verify the accuracy of each assertion in the report. However, in the conclusions of the report, he had been obliged to assume the responsibility of making personal judgements, which related not to the details of events and specific accusations but rather to the comprehensive human rights situation in El Salvador.

30. With regard to chapter IV on the situation with regard to the exercise of economic, social and cultural rights by the Salvadorian people, the information

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(Mr. Pastor Ridruejo)

received indicated that the situation described in earlier reports had not changed essentially. While the Salvadorian people still did not enjoy those rights to any significant degree, he took note of the difficulties stemming from the severe economic crisis and the fact that a substantive improvement in those rights could not be brought about from one day to the next.

31. Chapter V, which referred to the situation with regard to respect for civil and political rights, was closely related to Chapter IV, since violations of those rights were the result of a generalized climate of violence and armed confrontation which, in turn, stemmed from a lack of respect for economic, social and cultural rights. He was most concerned at the political murders of non-combatants. Although there had been only half as many murders in 1982 as in 1981, the situation continued to be very serious. One of the most alarming aspects of the human rights situation, which would be taken into account in the recommendations, was the intolerable contempt for the right to life.

32. Chapter V also contained information on abductions, disappearances and the holding of political prisoners, although the figures given varied according to the sources. Information from various sources was also provided with regard to other terrorist acts, including systematic attacks on the country's economy by the armed opposition.

33. On the basis of all the information received, he concluded that in 1982, because of the continuing serious civil conflict in El Salvador, severe, massive and persistent violations of civil and political rights had continued in the country. In his opinion, responsibility lay, on the one hand, with members of the State apparatus and with violent groups of the extreme right which seemed to have acted in collusion with or have been tolerated by the former and, on the other hand, with armed groups of the extreme left. There were indications suggesting that the majority - but not all - of the attacks on human life, liberty and security, were being perpetrated by members of the State apparatus and violent groups of the extreme right, while terrorist acts against public and private property were generally the work of guerrilla groups.

34. The situation with regard to the attitude of the Salvadorian judiciary, referred to in the last section of chapter V, was still unsatisfactory although there had been a slight increase in judicial activity in 1982. There was little relation between the high number of violations reported and the number of criminal proceedings. The Salvadorian criminal-justice system was clearly designed for a situation of peace and normalcy and not for the serious civilian conflict which now prevailed. After drafting the report, he had received information from the Government of El Salvador on the assassination by terrorists of 35 magistrates in recent years.

35. Chapter VI contained information on Salvadorian refugees and other displaced persons who had been obliged to move because of the violence in their country. Chapter VII was concerned with violations of human rights in the armed conflict between the regular army and the guerrilla forces, a question concerning which he had received less information than in previous years.

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(Mr. Pastor Ridruejo)

36. In the light of the widespread contempt for the right to life, the most fundamental right of human beings, a most emphatic recommendation must be made to both sides to take steps immediately to end the attacks on human lives. He also recommended certain measures to be adopted by the Government of El Salvador which were listed at the end of Chapter VIII of the report.

37. Mr. GERSHMAN (United States of America) said that few problems facing the world community had more serious consequences than drug abuse. In the United States and in a growing number of other countries, drug abuse had reached epidemic proportions. Confronting and controlling drug abuse required constant local, national and international efforts and a growing commitment to action by all nations.

38. Recognizing the need to take urgent action, President Reagan was leading the United States in a renewed commitment to fight drug abuse and the drug trade. A new drug abuse strategy had been endorsed two months earlier by the President after a very successful year of domestic drug-control efforts. The new strategy emphasized foreign-policy initiatives and international co-operation as major components of the programme to reduce drug abuse.

39. The countries that had not yet signed the international conventions relating to drug abuse should do so as early as possible. Furthermore, all States Members of the United Nations should make compliance with obligations under those conventions a high governmental priority. The United States pledged to continue extending its own efforts against drug production and drug trafficking and, as a concerned member of the international community, was willing to assist producer and transit nations alike. It was increasingly clear that the countries most adversely affected by drug abuse were those where the raw materials of harmful products were produced.

40. The international community and the United Nations had an important role to play in drug control. The International Drug Abuse Control Strategy and the related programme of action (General Assembly resolution 36/168) had provided a useful, all-encompassing focus for international efforts.

41. Draft resolution A/C.3/37/L.5, submitted by the Economic and Social Council, had endorsed a list of projects identified by the Commission on Narcotic Drugs for implementation in 1983. It was the view of the United States and other Committee members that implementation of those projects should proceed with the resources that were available. As the list was long and ambitious, the resources available must be well managed in order to accomplish as much as possible.

42. He commended the International Narcotics Control Board for its work, especially its successful monitoring of methaqualone.

43. He was pleased that the Division had convened two meetings of United Nations agencies concerned with drug abuse in 1982, and he urged all agencies with responsibilities in that field, including WHO, FAO, UNESCO and UNDP, to give full

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(Mr. Gershman, United States)

attention to the important contributions they could make. The United States hoped that other nations would help support the United Nations Fund for Drug Abuse Control with their voluntary contributions and other specific support.

44. His delegation urged all Governments to join in enforcing the Single Convention and the Convention on Psychotropic Substances. All nations must make an absolute commitment to law enforcement, crop production control and the discouragement of traffickers and users.

45. Mr. VOICU (Romania) said that he had always attached special attention to consideration of the right to education, a fundamental human right enshrined in many international instruments.

46. His delegation, together with the other sponsors of General Assembly resolution 34/170, had sought to focus attention on a concern of general interest, namely, the need to promote the realization throughout the world of a fundamental human right, the right to education. That right was not only an ethical requirement but also an imperative for economic and social progress.

47. It was generally recognized that the right to education was inseparable from the other human rights and freedoms which had been considered by the General Assembly, such as the rights to work, to health, to leisure and to full access to cultural values. Consideration of such a topic in the General Assembly must not be limited to the normative aspects of the promotion of human rights. The theoretical and practical value of the right to education in the modern world demanded more than mere legal recognition. Full enjoyment of the right to education should be a fundamental part of the concerns and activities of the United Nations as it sought to achieve the goals of the International Development Strategy for the Third United Nations Development Decade. He drew attention in that connection to paragraph 164 of the Strategy.

48. With regard to the report in document A/37/521, he reiterated his delegation's conviction that the competence of UNESCO in the sphere of education must be respected by all Member States and that, within the United Nations and UNESCO, efforts must be made to avoid overlapping and duplication of efforts in dealing with educational problems.

49. In more general terms, the revitalization of mankind's creative force, the raising of the level of culture and the improvement of the quality of life depended on education. The implementation of development programmes must include the education and training of members of society to enable them to participate in the development process. At the same time, States must adapt educational models to take account of their specific needs, develop curricula that would stimulate a spirit of initiative, and give education a practical orientation in which research, learning and production would be linked. If education was detached from reality, ossified and inert, it would constitute a serious obstacle to the multilateral development of society.

(Mr. Voicu, Romania)

50. The training of specialists and skilled staff in all areas of activity remained a top national priority. There was a great disparity in the scientific and creative potential of countries throughout the world, with 20 industrialized countries possessing more than 90 per cent of the world's scientists. The high rate of illiteracy in the world, affecting 814 million people in 1980, and the fact that access to education was often discriminatory and undemocratic were two other factors that must be taken into account when the right to education was discussed.

51. The training of skilled national staff required considerable material resources over a long period of time, a fact which should be reflected in the documents on the realization of the right to education. The future of education must be considered in relation to the objectives of the multilateral development of States. The exercise of the right to education, the achievement of economic and social equality, the guarantee of the right to work, education for all human beings without distinction as to sex, nationality or race, and the possibility of participating in the management of public affairs should be reflected in the planning and practice of all States in promoting and protecting human rights.

52. He would not comment on the specific situation in Romania since the discussion on the report presented by his country to the Sessional Working Group of the Economic and Social Council in April 1982 had made clear the extent of the exercise of the right to education in Romania, which provided its citizens with equal and non-discriminatory access to all types of education and culture.

53. On the basis of the report of the Director-General of UNESCO (A/37/521) and the conclusions of the discussion on the item, his delegation, together with other concerned delegations, would submit a new draft resolution on the implementation of that basic human right.

54. Mr. BLUM (Israel) drew the Committee's attention to the continuing deterioration in the situation of Jews in the Soviet Union. With regard to emigration, approximately 330,000 Jews in the USSR had received notarized invitations from relatives in Israel which were intended to enable them to apply for exit visas. However, the Soviet authorities had virtually closed the country's doors in the faces of Jews seeking to exercise their right to leave. The total number of Jews allowed to emigrate during the first nine months of 1982 was roughly half the number that had been allowed to leave each month in 1979. Such unwarranted restriction of Jews' freedom of movement was a flagrant violation of the many human rights conventions to which the Soviet Union was party, including the International Covenant on Civil and Political Rights and the Helsinki Final Act of 1975. That Jewish families should be held hostage to international tensions was illegal and unworthy of a great Power.

55. The administrative harassment of Jews in their efforts to emigrate from the Soviet Union had become even more oppressive in recent years. Invitations to Soviet Jews to join their relatives in Israel were illegally confiscated from the mails, while Jews who did receive invitations were barred from applying for exit visas for highly arbitrary reasons. Those who succeeded in applying often had to wait for a number of years before receiving a reply, which was generally a refusal justified by some absurd pretext.

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(Mr. Blum, Israel)

56. Jews were impelled to try to leave the Soviet Union for a number of reasons; anti-Semitic discrimination pervaded Soviet life and had been intensified in recent years. Jews were treated as outcasts in Soviet society, and yet their requests to leave were considered equivalent to confessions of treason; the prolonged state of anxiety in which they lived was obviously maintained by the authorities as a deterrent to potential emigrants. Some Jews who actively sought to secure their right to leave for Israel had been arrested and sentenced on trumped-up charges. One man, Felix Kochubievsky, had aggravated his offence of seeking to join his sons in Israel by establishing a Soviet-Israel friendship society in the USSR as a complement to the Israel-Soviet Friendship Society which had long been in existence in Israel. There were scores of friendship societies in the Soviet Union, involving people in many States whose official relations with the USSR were not free from problems. However, it appeared that a friendship society involving the Israeli people could not exist in the Soviet Union. Consequently, Mr. Kochubievsky was currently in detention and under criminal investigation for his efforts to promote international friendship and understanding.

57. Soviet Jews who were unjustly imprisoned suffered many hardships. One prisoner, Anatoly Shcharansky, had been placed in isolation and denied all rights to correspondence; his mail had been confiscated and his relatives had been prevented from seeing him since January 1982. In protest, Mr. Shcharansky had declared a hunger strike on 26 September 1982; he was being force-fed by the Soviet authorities and his health was currently in a precarious condition. What was more, the ordeal of such prisoners did not end with their release; rather, they were relentlessly hounded by the Soviet authorities and their right to leave for Israel continued to be denied.

58. The unofficial prohibition of the teaching of Hebrew to Jews continued to be rigorously enforced. As a rule, Jews were excluded from the few officially approved courses where Hebrew was taught for certain narrow State purposes. The private teaching of Hebrew, unlike the private teaching of other languages, was not recognized as legitimate employment, and private teachers of Hebrew were liable to prosecution for "parasitism". The homes of such teachers were raided by the police and Hebrew language instruction materials were confiscated, while the teachers themselves were threatened by the police or the KGB with prosecution on various pretexts. Needless to say, there was no training for teachers of Hebrew and no instructional materials were published or could be imported. The denial to Soviet Jews of such a basic element of Jewish culture as the Hebrew language was characteristic of the Soviet approach to Jewish culture in general. No books were published in any language on Jewish history or culture and no courses or schools existed where Jews might study those subjects. Such policies were aimed at severing Soviet Jews from their heritage and destroying their cultural identity. They constituted flagrant violations by the Soviet Union not only of the Human Rights conventions to which it was party but also of its own laws and Constitution, which purported to ensure equality for all Soviet nationalities.

59. The restrictions placed on Soviet Jews with respect to religious practices were far more onerous than those imposed on members of the Russian Orthodox Church, Baptists, Moslems and other religious groups in the Soviet Union. Facilities for

(Mr. Blum, Israel)

worship and provisions for obtaining religious materials were woefully inadequate. Moreover, unlike other religious denominations, Jews could not organize either central or regional associations and were thus unable to avail themselves of rights granted to such associations under Soviet law.

60. The lack of any improvement in the situation in recent years appeared to indicate that the support expressed during the thirty-sixth session of the General Assembly by the Government of the Soviet Union for the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief was merely another cynical attempt to mislead the world about the bitter realities of Jewish life in the USSR. His delegation strongly protested the denial by Soviet authorities of the right of Soviet Jews to join their relatives in Israel and to live free from discrimination in the Soviet Union. He called upon the Soviet Government to fulfil its legal obligations by ceasing its harassment of Jews who wished to emigrate to Israel and allowing those Jews who chose to remain in the Soviet Union to live as equals among their non-Jewish neighbours.

61. He also wished to draw attention to the curtailment of the human rights of the long-established Jewish community in the Syrian Arab Republic. Many Jews in that country had been imprisoned and had had their property impounded, while the community as a whole was prevented from leaving. He appealed to the Syrian Government to respect the basic rights of that Jewish community. He also expressed deep concern at the violations of human rights in the Islamic Republic of Iran, manifested, inter alia, in waves of executions, including the execution of Jews. It was to be hoped that the necessary steps would be taken to end such acts and ensure respect for the lives and rights of the members of all faiths and minorities in that country.

62. Mr. ROSALES RIVERA (El Salvador), speaking with reference to the interim report (A/37/611) submitted by the Special Representative of the Commission on Human Rights, reminded Committee members that his Government had not accepted the resolutions which had preceded the appointment of the Special Representative, and therefore ascribed no validity to his subsequent actions. As stated in paragraph 7 of the report, the Government of El Salvador had authorized the Special Representative to visit that country, although it had not considered the visit official because of its reservations of a legal nature concerning his mandate. Despite those reservations, it had maintained a position of openness and co-operation with respect to the work of the Special Representative. In certain respects, the report represented an improvement over the previous one. In paragraph 8, the Special Representative emphasized the full and open co-operation of the Government of El Salvador with respect to the provision of information and facilities, the freedom of action allowed him and the frankness of the conversations he had had with Government authorities. It should be noted that the same co-operation had been offered in 1981, although General Assembly resolution 36/155 had failed to take note of it. In the same paragraph, the Special Representative also expressed appreciation of that co-operation, which he took as a sign of the Government's concern to improve the situation of human rights of all kinds.

(Mr. Rosales Rivera, El Salvador)

63. Paragraph 9 further acknowledged the Government's concern for human rights as demonstrated by such measures as the establishment of a Human Rights Commission under the Apaneca Pact. Another indication of his Government's spirit of co-operation in the matter was its invitation of 30 September 1982 to the Inter-American Commission on Human Rights to conduct an investigation in the country. His Government fully recognized the competence of the regional system, which was not the case with regard to the United Nations, since discussion of the question of human rights in that forum had often been subject to discrimination and politicization.

64. The report showed that a far-reaching process of structural change had been taking place in El Salvador since 1980, to the benefit of the majority of the population. Critics of the reforms, whatever their ideological viewpoint, were succeeding only in drawing attention to that process. It was clear from the report that even opponents of the Government acknowledged the scope of its reforms, which were described by one opposition group as the most ambitious in the country's contemporary history (para. 41). For all their ups and downs, those reforms were sociologically irreversible, and the elimination of unjust economic and social structures was a prerequisite for peace.

65. The Special Representative had been correct in stating, in paragraph 20, that the holding of elections to the Constituent Assembly on 28 March 1982 had constituted a major event. In fact, that event had dispelled the false notion that conditions were not favourable to the holding of elections, since it was universally agreed that the elections had represented a wide-spread demonstration of the popular will. International political observers should take care not to comment, on the basis of simplistic propaganda which did not reflect national realities, on a situation with which they were barely familiar. A vain attempt had been made to ignore the lesson of the elections and resuscitate the campaign of distortions and clichés aimed at foreign public opinion in the hope of influencing the political development of a sovereign State which was concerned only with meeting the needs of its people.

66. Paragraph 22 of the report described how voting had been carried out. It could be seen from the outcome of the voting that the elections had constituted a genuine plebiscite, for six different political parties had put up candidates and over 85 per cent of the electorate had voted, in spite of attempts by radical leftist opposition groups to persuade the population to boycott the electoral process, as described in the report.

67. Two other important occurrences had been the election of Dr. Alvaro Magaña as the Provisional President of El Salvador and the subsequent adoption of a political timetable aimed at ensuring the holding of a presidential election in 1984. It was to be hoped that the various ideological schools of thought which existed in El Salvador would all actively participate in that election. The democratization process was based on the fundamental concept that a people must be able to determine its own future without foreign interference.

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(Mr. Rosales Rivera, El Salvador)

68. His Government had some criticisms of the report which it would put before the Committee at a subsequent meeting.

ORGANIZATION OF WORK

69. The CHAIRMAN said that if he heard no objections he would take it that the Committee wished to close the list of speakers on items 12 and 93 at 6 p.m. on Wednesday, 1 December 1982.

70. It was so decided.

The meeting rose at 6.05 p.m.