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Chairman: Mrs. de REYES (Colombia)

CONTENTS

AGENDA ITEM 82: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (continued)

AGENDA ITEM 85: REVIEW AND CO-ORDINATION OF HUMAN RIGHTS PROGRAMMES OF ORGANIZATIONS IN THE UNITED NATIONS SYSTEM AND CO-OPERATION WITH OTHER INTERNATIONAL PROGRAMMES IN THE FIELD OF HUMAN RIGHTS (continued)

AGENDA ITEM 87: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 82: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (continued) (A/34/367 and Add.1, A/34/499, A/34/357, A/34/389 and Corr.1, A/34/542)

AGENDA ITEM 85: REVIEW AND CO-ORDINATION OF HUMAN RIGHTS PROGRAMMES OF ORGANIZATIONS IN THE UNITED NATIONS SYSTEM AND CO-OPERATION WITH OTHER INTERNATIONAL PROGRAMMES IN THE FIELD OF HUMAN RIGHTS (continued) (E/1979/36; A/C.3/34/L.17)

AGENDA ITEM 87: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/34/398 and Corr.1, A/34/196, A/34/357, A/34/389 and Corr.1, A/34/542; A/C.3/34/L.15, L.16, L.18, L.19 and L.20)

1. Mr. BIALY (Poland) said that the promotion and encouragement of respect for human rights was one of the main purposes of the United Nations; in that connexion, he quoted portions of Article 1, paragraph 3, and Article 55 of the Charter and stressed the important contribution made by the United Nations in that area.
2. The promotion of human rights depended on the existence of broad and growing co-operation among States, especially under the auspices of the United Nations; Poland strongly believed that activities for the development and promotion of human rights and their universal realization and protection must be carried out within the framework of the Charter and in strict compliance with its Article 2, paragraph 7. The over-all efficiency of the United Nations in the field of human rights depended first of all on the way in which Member States strove to achieve the relevant purposes laid down in the Charter. From that standpoint, further progress in the field of the development, universal realization and protection of human rights was both necessary and possible.
3. The United Nations, with the co-operation of Member States, had adopted international instruments which were legally binding upon the parties. As was pointed out in the Report of the Secretary-General (A/34/398), only 22 States had become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, and only 51 States had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid. It should be recalled that apartheid gave rise to violations of human rights in South Africa and that human rights were also being violated in Chile and in the Republic of Korea. That fact confirmed the need for the implementation of the existing instruments on human rights through ratification or accession by Member States.

(Mr. Bialy, Poland)

4. The activities of the United Nations in the field of human rights should be closely linked with actions undertaken to promote and strengthen international peace and security and to further economic and social progress. In that connexion, Poland had taken initiatives which had led, for example, to adoption of the Declaration on Social Progress and Development and of the Declaration on the Preparation of Societies for Life in Peace. Those declarations must be implemented as speedily as possible.

5. With regard to the ideas and suggestions contained in the Report of the Commission on Human Rights (E/1979/36), he said that his delegation was strongly opposed to the creation of new posts and supranational machinery and to any modification of existing structures, which could only have negative repercussions on the cause of international co-operation in the field of human rights.

6. The existing structures could achieve real progress and make a considerable contribution to promoting and realizing human rights, given the political goodwill of Member States. To that end, it was necessary, first, to strive for the maximum effectiveness of the international treaties on human rights through universal ratification or accession and, second, to complete speedily the elaboration of the draft convention on the elimination of discrimination against women and the draft convention on the rights of the child. It was also necessary to improve the activities of the United Nations bodies concerned with human rights, eliminate overlapping in their work and strengthen the co-ordination of their functions on the basis of long-term programmes. In that connexion, an important role had to be played by the Economic and Social Council, the Commission on Human Rights and the Committee on Programme and Co-ordination.

7. Mr. GARVALOV (Bulgaria) said that one of the purposes of the United Nations under the Charter was to promote and encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The United Nations had done a great deal in that regard, contributing to the collapse of the colonial system and to the emergence of a number of independent countries. A number of international agreements in the field of human rights had been drafted within the framework of the United Nations, and as a result, respect for human rights had become one of the generally recognized principles of contemporary international law. Essentially, it must be recognized that the United Nations should facilitate co-operation among States with a view to promoting respect for human rights. The effective enjoyment of those rights depended, above all, on the type of social system in particular countries and on how consistently States implemented the human rights proclaimed in the United Nations Charter and in international agreements.

8. His delegation did not subscribe to the view that the United Nations had primary responsibility for the enjoyment and protection of human rights in Member States. The efforts of the international community should be based on international co-operation, respecting the sovereignty and independence of States and the principle of non-interference in their internal affairs. The promotion of respect for human rights could be conceived and realized exclusively on the basis of peaceful

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(Mr. Garvalov, Bulgaria)

coexistence among States, since history had shown that human rights were violated in conditions of war, aggression, colonialism, racial discrimination and apartheid.

9. The international community should focus its attention on how to eliminate the flagrant violation of human rights and the suppression of the inalienable right to self-determination. The activities of the United Nations to promote co-operation among States in the field of human rights took two forms: (a) the struggle against gross and systematic violations of human rights and (b) the drafting of international conventions and agreements. In the first area, at present there were cases of violations of human rights in southern Africa, in the occupied Arab territories and in Chile, and in addition there was the situation of the Palestinian people. In the second area, some 20 international treaties and agreements had thus far been prepared, including the International Covenants on Human Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Suppression and Punishment of the Crime of Apartheid.

10. Bulgaria had been taking an active part in the efforts of the United Nations to ensure the co-operation of States in the field of human rights and had been among the first countries to ratify the relevant fundamental agreements. One of the primary objectives of the Bulgarian Government and of socialist society was the promotion and encouragement of human rights and fundamental freedoms; in that regard, Bulgaria's present social and economic system provided all the necessary guarantees. Those guarantees were not only of a material nature but were also supported by administrative measures, unlike the case of other countries which usually boasted about the rights granted to their peoples and their minorities.

11. The Commission on Human Rights had accomplished very important work at its thirty-fifth session. Inter alia, it had adopted by consensus a resolution which encompassed almost all areas of mutual agreement and which was based on the main concepts of General Assembly resolution 32/130. The fact that the Commission on Human Rights was the only functional commission of the Economic and Social Council specifically mentioned in Article 68 of the Charter was proof of its importance; for that reason, it was important to study the means for improving its work with regard to determining the basic problems in the promotion and effective enjoyment of human rights and taking appropriate measures. It might be necessary to review and extend the mandate of the Commission, for more than 30 years had elapsed since its adoption by the Economic and Social Council. At that time no one had talked about the right to self-determination, the right to development or the right to live in peace and security, but today those were fundamental rights for all peoples and countries. Updating the mandate of the Commission would adapt its work to the realities of the present.

12. The Commission on Human Rights had adopted its resolution 22 (XXXV) by consensus, making possible its subsequent endorsement by the Economic and Social Council. Bulgaria had taken an active part in the adoption of that resolution,

(Mr. Garvalov, Bulgaria)

which contained basic ideas and specific suggestions, such as enlarging the membership of the Commission, extending the duration of its sessions and the possibility of holding, in certain circumstances, special sessions of the Commission or meetings of its Bureau.

13. Economic and Social Council resolution 1979/36, relating to the extension of the mandate of the Commission on Human Rights, was important in that: first, it reaffirmed that the Economic and Social Council, acting through the Commission on Human Rights, was the only organ of the United Nations responsible for co-ordinating activities concerning human rights in the United Nations system; second, it enhanced the role of the Commission, giving it the necessary powers; and, third, it indicated that the way to enhance the prestige of the United Nations in the field of human rights was to strengthen an organ which was composed, as was the Commission, of delegations representing Member States on the basis of equitable geographical distribution.

14. Although resolution 22 (XXXV) of the Commission on Human Rights had been adopted by consensus, showing that the divergent views of the delegations had not prevented them from finding a generally acceptable solution, the present situation of the Third Committee was totally different. Ideas and suggestions which had been dividing Member States for many years were being formulated. That did not contribute to the formation of a consensus, which Members should strive for, in view of the importance which the Charter attached to international co-operation to promote respect for and observance of human rights and fundamental freedoms.

15. Bulgaria was convinced of the need to strengthen the effectiveness of bodies such as the Commission on Human Rights and the Human Rights Committee. The achievement of that goal did not necessarily entail administrative changes. Administrative posts alone did not promote the international co-operation needed to ensure respect for and observance of human rights and fundamental freedoms. Raising the status of the Division of Human Rights would not improve the current capabilities of the Division or enable the Commission on Human Rights and the other organs within the system to achieve better results.

16. If the idea of creating a post of Assistant Secretary-General for human-rights affairs was intended to reconcile the initiative to create a post of High Commissioner for Human Rights with the opinion of States which rejected that initiative, it should be pointed out that the new suggestion evoked the same doubts. The post of the Director-General for Development and International Economic Co-operation had been created through General Assembly resolution 32/197, which had been approved by consensus. For that reason, the Director-General enjoyed the confidence of all Member States. If a post such as the one now being proposed were created, with the opposition of many States, the result would be very different.

17. The existing United Nations machinery in the field of human rights should be strengthened by the adoption of appropriate measures and by avoiding the creation

(Mr. Garvalov, Bulgaria)

of new posts. The present machinery was functioning well, and its improvement should be carried out in accordance with General Assembly resolution 32/130 and resolution 22 (XXXV) of the Commission on Human Rights.

18. The international community should give greater attention to the massive and flagrant violations of human rights resulting from colonialism, neo-colonialism, apartheid, racism, genocide, foreign occupation and the suppression of national liberation movements. In order to facilitate the solution of those problems, the competent bodies in the field of human rights should approve long-term programmes and exclude secondary agenda items and false issues. Greater attention should also be given to the problems of the development of international co-operation aimed at using the results of scientific and technological progress to strengthen peace and security, to promote the national liberation and social progress of peoples, and to deal with the adverse consequences resulting from the activities of transnational corporations, with legal guarantees for trade union rights and with the codification of the rights of women and youth, particularly in so far as they were not provided for in the International Covenants.

19. Mr. VERKERCKE (Belgium) said that the growing interest of international public opinion in matters relating to human rights and the growing number of relevant international instruments in force were positive facts. That was the way to build an international order of human rights which conform to the norms of the Charter of the United Nations, the principles of the Universal Declaration and the aspirations of every human being.

20. The main issues in the work to be accomplished in the future in that field concerned the restructuring of norms and the effectiveness of controls. The creation of norms had developed to such a point that it would soon be necessary to devote more work to their consolidation and rationalization than to further increasing their number. All rights were interdependent, a fact which favoured their parallel realization, but it was not possible to implement them all in the same way; although they had a universal character, they must be adapted to different political systems. No group of States possessed a complete system of human rights which could be rigidly applied everywhere.

21. The monitoring of human rights should be strengthened through measures of global scope. It was to be hoped that a real international jurisdictional system based on regional institutions and with guarantees of impartiality would some day be established. Meanwhile, it was necessary to deal with the most serious and massive cases of human-rights violations; the international community could not be indifferent to them, whether they threatened international peace or not.

22. His delegation would study the proposals which had been made primarily from the point of view of their effectiveness. Consideration should be given to the suggestion made by the Commission on Human Rights that its Bureau should hold intersessional meetings. The results of the work of the Commission on Human Rights, stated in Economic and Social Council resolution 1979/36, had been modest but useful; for that reason that work should continue.

(Mr. Verkercke, Belgium)

23. His delegation understood the difficulties faced by the Division of Human Rights and felt that greater resources must be allocated to the Division. The Member States were responsible for the decisions which had created the Division's excessive workload, and they should not begrudge it the necessary means to implement those decisions. The human-rights sector of the Secretariat should be given a position in keeping with the tasks entrusted to it. In that connexion, his delegation endorsed the suggestion to convert the Division into a Centre for Human Rights.

24. Mr. DIEZ (Chile) said that the point of departure should be the simultaneous reality of the specific individual, who existed before any organization or political system, of States or organized communities made up of individuals, and of associations of sovereign States, such as the United Nations. At the same time, those elements required a multiple approach taking into account considerations of law, politics and international relations.

25. From the legal standpoint his country felt that there should be a procedural régime which was objective, general and permanent. From the political standpoint, motivations which were not strictly humanitarian should be excluded; his country could not accept the politicization of the subject of human rights, although it did not deny the political content of those rights. From the standpoint of international relations, serious efforts must be made to strike a balance between the sovereignty of States and the concern of the international community for human rights.

26. His delegation felt that such considerations could provide the basis for a generally acceptable solution in conformity with the United Nations Charter, which reflected the principles of legal equality among States, non-intervention in the internal affairs of other States, and co-operation both among States and between States and the United Nations. That last principle made it possible to place sovereign States on an equal footing with the United Nations, which was essential for confidence and mutual respect.

27. Work in the field of human rights was being undertaken at two different levels. Their promotion and development included the legislative activity of the United Nations, which could be seen in the more than 47 international instruments already adopted and others which were under consideration. With such a large number there was need for some improvements, and conflicts relating to the relative hierarchy of the various instruments had arisen.

28. At another level, the United Nations should establish permanent, general and universally applicable machinery which would respect the principles of equality of rights of States and the self-determination of peoples and would be based on co-operation between the States concerned and the United Nations in order to deal adequately with situations of conflict. Discriminatory measures taken against any State were in violation of the principles of the Charter and rendered impossible

(Mr. Diez, Chile)

the co-operation which the Charter called for. His delegation therefore felt that the experience gained by the United Nations High Commissioner for Refugees, whose activities were permanent and objective and had not been politicized, could be useful to the Committee at the present stage of its work.

29. His country supported the Costa Rican proposal to establish a post of United Nations High Commissioner for Human Rights. His delegation could understand the concerns of those delegations which, in the light of what had happened in recent years, particularly in Chile, viewed with mistrust and suspicion the possibility that such a course of action or any other might be used to infringe national sovereignty. However, if criteria similar to those governing the activities of the United Nations High Commissioner for Refugees were applied, those fears would be allayed. On that basis his delegation supported the Canadian proposal (A/C.3/34/L.18) to invite the Secretary-General to appoint a Special Representative who would carry out the functions assigned to him in the human rights field in conformity with the Charter. It was his understanding that such an official would function in the conditions of permanence, generality and objectivity which were necessary if politicized, discriminatory or ambiguous treatment of the delicate subject of human rights was to be avoided.

30. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) said that international co-operation in encouraging and promoting respect for human rights and fundamental freedoms was one of the important aims of the United Nations Charter; however, United Nations activities in the field of human rights could not be considered in isolation from efforts to achieve the main objective of the Organization, namely, the maintenance of international peace and security. All United Nations bodies must facilitate in every way the establishment of an atmosphere of lasting peace among peoples. United Nations activities to promote respect for human rights depended to a high degree on how consistent Member States were in working for the fullest implementation of the aims of the Charter and on the extent to which their practical policies were in line with those aims.

31. The Soviet Union, in both its foreign and its domestic policies, constantly and actively contributed to the attainment of the aims of the United Nations. Concern for genuine enjoyment of human rights and freedoms had been the factor underlying functioning of the Soviet State since its establishment and was embodied in its Constitution. The constitutional principles which guided the Soviet Union's relations with other countries included the principle of respect for human rights and fundamental freedoms.

32. The main sectors of United Nations activities in the field of human rights were the elaboration of international agreements and the struggle against mass and flagrant violations of fundamental human rights resulting from the policies of aggression, colonialism, racism and racial discrimination, fascism and the suppression of national liberation movements of colonial peoples, as was the case

(Mr. Troyanovsky, USSR)

in southern Africa, the Arab territories occupied by Israel and elsewhere. The constructive Soviet contributions to the elaboration of important international human rights agreements, such as the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Prevention and Punishment of the Crime of Genocide, were well known. The Soviet Union had ratified the main instruments in that field and it strictly observed their provisions. Many Western States tried to stir up the issue of human rights in other countries rather than deal with their own many human rights problems, perhaps to distract the attention of the public from their domestic situation.

33. The Soviet Union consistently supported the struggle of peoples for the elimination of colonialism and neo-colonialism, racism and apartheid, against acts of aggression and foreign occupation, and for the inalienable right to be masters of their own destiny. By contrast, the Western attitude to those vital questions revealed a flagrant discrepancy between actions and words. Delegations which had remained silent during the discussions of the struggle against racism and apartheid and the rights of peoples to self-determination and which had abstained on or voted against resolutions on those subjects were attempting to promote the establishment of supra-national bodies and administrative posts.

34. The Soviet Union advocated broader co-operation among States in promoting respect for human rights in strict conformity with the United Nations Charter and bearing in mind that responsibility for guaranteeing the rights of nationals in practice was vested in the States themselves. The proposals to establish a post of United Nations High Commissioner for Human Rights and an Under-Secretary-General for Human Rights, to appoint a Special Representative of the Secretary-General for Human Rights and to elevate the status of the Division of Human Rights had as their purpose the establishment of machinery for interfering in the internal affairs of States and the erosion of existing representative bodies so that they could be supplanted by supra-national posts which could be used, under the pretext of defending human rights, to involve the United Nations in Western-inspired propaganda drives and to poison the international atmosphere.

35. His delegation favoured the implementation of the provisions of General Assembly resolution 32/130, which had been adopted without objection and gave a clear indication of the basis on which human rights questions should be solved. Under that resolution the Commission on Human Rights had done important and useful work in studying alternative approaches and ways and means within the United Nations system for improving the enjoyment of human rights, as borne out by the Commission's report and its recommendations, arrived at by consensus and incorporated in resolution 22 (XXXV) and later endorsed by the Economic and Social Council in its resolution 1979/36.

(Mr. Troyanovsky, USSR)

36. The resolution of the Commission on Human Rights had proved that the effectiveness of United Nations activities in the field of human rights should be achieved through greater international co-operation among States within the representative bodies of the United Nations and, first of all, in the Commission itself. On the whole his country endorsed the recommendations in Economic and Social Council resolution 1979/36, although it did not fully agree with some of them. It considered that on the whole the results of the Commission's work were useful and were aimed in the right direction. Despite certain divergencies in the positions of States, the Commission had proved that, with goodwill and willingness to co-operate, it was possible to find mutually acceptable solutions. The Western proposals could therefore only be regarded as measures designed to undermine the prestige of the Commission on Human Rights and disorganize its work in order to prevent it from fulfilling the functions assigned to it by the General Assembly. His delegation felt that the General Assembly should assess the Commission's efforts positively and take note of its report, as well as of the recommendations in Economic and Social Council resolution 1979/36.

37. Mr. NAVA CARRILLO (Venezuela) reiterated his delegation's support for any initiative to strengthen and promote strict respect for, and implementation of, human rights and said that the basis of that support was to be found in Venezuela's National Constitution and in the fact that his country was a party to regional and international conventions and legal instruments in the field of human rights. The election of two Venezuelans to preside over UNESCO's Human Rights Committee and the Commission on Human Rights of the Organization of American States indicated recognition of the fact that Venezuela was committed to making the implementation of human rights a reality not only at the political level but also at the social and economic levels.

38. During the thirty-third session of the General Assembly his delegation had stated that it could not remain indifferent to the flagrant violation of the human rights of the Nicaraguan people and had informed the members of the Committee of the conclusions that the Commission on Human Rights of OAS had reached after making a visit to Nicaragua and verifying accusations of violation of the most fundamental rights.

39. In their efforts to promote genuine freedom, the President of Venezuela and the Presidents of Bolivia, Colombia and Peru, as well as the representative of the President of Ecuador, had recently signed the Protocol of Panama, an instrument in which they took note with satisfaction of the definite process of democratization which had been initiated in Latin America and recommended, with a view to strengthening that process, that efforts should be made to eliminate the unjust international order and encourage far-reaching material, socio-political and cultural changes that would accelerate the development of the peoples of Latin America.

40. The signatories of the Protocol considered it necessary to propose to democratic countries and countries that were in the process of restoring democracy that a "Peace Fund" to promote social and economic development projects in Latin America should be established, and they expressed their wish to see systems of

(Mr. Nava Carrillo, Venezuela)

government that were the free expression of the will of the people established in the region, in the conviction that representative, social and participatory democracy was the most appropriate way of furthering the realization of the destiny of peoples. The Protocol revealed a genuine desire for concerted action, one of the goals of which was full respect for human rights through the establishment of a just and equitable political, social and economic order.

41. The interrelationship between respect for the rights and fundamental freedoms of the individual, on the one hand, and security and peace, on the other, was indisputable, and violations of those rights were at the root of many crises and conflicts. It was also illusory to envisage an order where peace and security reigned without freeing peoples from fear and poverty and unless, as stated in the preamble to the International Covenant on Economic, Social and Cultural Rights, "conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights". A genuine political will on the part of States to guarantee effective implementation of the Covenants by means of international co-operation could make that concept a reality.

42. His country was convinced of the urgent and immediate need to bring about full, world-wide implementation of human rights. For that reason, it had always supported sanctions and measures within the United Nations aimed at eliminating apartheid and racial discrimination and it regarded protection of human rights as a priority task for the United Nations. In that connexion, his delegation believed that it was necessary to establish machinery that would contribute to ensuring the effective implementation of human rights, and to improve already existing machinery.

43. Mr. DANOVI (Italy) said that his country's position was that human rights were all equal and could not be accorded different degrees of attention or protection. In resolution 32/130 the General Assembly had requested the Commission on Human Rights to undertake an over-all analysis of alternative ways and means of improving the effectiveness of United Nations action in promoting and protecting human rights. The results of that analysis had been published in document A/34/3/Add.21.

44. In the light of developments during 1979, such as the overthrow of four of the most cruel régimes of the present time and the horrifying situation in Kampuchea, where an entire people seemed to be condemned to become a tiny minority in its own territory, the conclusions of the Commission on Human Rights, although positive in themselves, were inadequate in many respects.

45. Once again the opportunity to strengthen United Nations machinery had been missed, and the international community seemed to have refused once again to face what was increasingly becoming one of its major responsibilities. Just as the sovereign rights of States had become much less absolute in the political and economic spheres, since the decisions of Governments were influenced largely by their participation in the life of the international community, serious violations of human rights should not fall within the exclusive jurisdiction of Governments.

(Mr. Danovi, Italy)

46. In the United Nations political and moral pressures were frequently exerted on States to induce them to make decisions that they did not wish to make. In fact, the entire activity of the United Nations was based essentially on the application of such pressure in order to promote the adoption of specific patterns of behaviour. That pressure was, however, not construed as undue interference in the internal affairs of the States concerned. His Government believed that the flexibility applied to the principle of interference in internal affairs should also be applied in cases of human rights violations.

47. His delegation welcomed the developments that had taken place in recent months, such as the decisions of the OAU Summit Conference and the establishment of an Inter-American Court of Human Rights, but it felt that it was too early to propose to the Committee major steps in that field.

48. With regard to draft resolution A/C.3/34/L.16, which would be introduced by his country and in which it was proposed that the Division of Human Rights should become a Centre for Human Rights, he said that, according to the report of the Secretary-General on the question of organizational nomenclature in the Secretariat (A/C.5/32/17) submitted to the General Assembly during its thirty-third session, a Centre was a former division of a department, secretariat or office that was established as the focal point of a major programme and usually had a staff of approximately 20 Professionals plus supporting staff. It was clear that the Division of Human Rights qualified for designation as a centre.

49. The purpose of operative paragraph 1 of the draft resolution was to promote recognition of the United Nations increasing concern over problems relating to human rights; the second paragraph reiterated the decision of the Commission on Human Rights that the Centre should be provided with adequate resources, primarily by means of a reassessment of priorities. It was obvious that the proposals in the draft resolution would require follow-up activities, in other words, a definition of what would constitute adequate resources for the future Centre; if the Committee considered it necessary, his delegation would be prepared to add to the draft resolution a provision to that effect.

50. After a procedural discussion in which Miss RICHTER (Argentina), Mr. OZADOVSKY (Ukrainian Soviet Socialist Republic); Mrs. FLORES (Cuba) and Mr. EDIS (United Kingdom) took part, the Chairman explained that the representative of Italy had not formally introduced draft resolution A/C.3/34/L.16 and that he had confined himself to making preliminary remarks concerning it, as he would not be able to attend the meeting during which the draft resolutions would be introduced.

51. Mrs. SISON (Philippines) said that the United Nations played a major role in improving the effective enjoyment of human rights and fundamental freedoms, and the existing system of international human rights instruments had been built under its aegis. The right to self-determination embodied in the Charter had also been of importance in the process of decolonization and in the attainment of independence by colonial countries.

(Mrs. Sison, Philippines)

52. The white minority régimes in Zimbabwe and Namibia continued to defy the international community. That and the hapless plight of some 3 million Palestine refugees during the past 31 years showed the need for strengthening and co-ordinating the activities of the human rights machinery within the United Nations system.

53. In its resolution 32/130, the General Assembly had called for priority to be given to the search for solutions to massive and flagrant violation of human rights. It was her delegation's hope that the over-all analysis requested in that resolution would lead to a strengthening of the human rights machinery of the United Nations system. The implementation of Economic and Social Council resolution 1979/36, requesting United Nations and intergovernmental bodies concerned to provide the Secretary-General with a short survey of their human rights activities and programmes, would also help to reinforce such activities.

54. Although it was encouraging that the Ad Hoc Group of Experts on Southern Africa and the Special Committee against Apartheid had decided to co-ordinate their efforts, an institutionalized form of consultations and communication needed to be developed. Her delegation considered that enlargement of the membership of the Commission on Human Rights would strengthen its role, and it supported the recommendation that public information activities should be expanded.

55. The Philippines recognized the importance of research, education and information on human rights; at the national level, it was engaged in an information programme through the Ministry of Information and the National Media Production Center. Her delegation welcomed the growing recognition of the indivisibility of human rights and the interdependence of civil and political rights with economic, social and cultural rights.

56. Regional arrangements for the promotion and protection of human rights should not be imposed on regions or on individual countries; there must be scrupulous regard for national sensitivities and traditions. In that connexion, the Philippines had offered to act as host to a UNESCO seminar on the teaching of human rights in universities, and had also offered Manila as the site of the proposed UNESCO Centre for International Humanitarian Law. It should be noted that her country's national institutions were progressing in accordance with the guidelines recommended by the Seminar on National and Local Institutions for the Promotion and Protection of Human Rights, as endorsed by the Commission on Human Rights in its resolution 24 (XXXV).

57. People in the Philippines had been developing national and local institutions for the promotion and protection of human rights. For example, they had revived an old tradition, the tanodbayan, the Philippines version of the Scandinavian ombudsman. They had also established barangays, assemblies whose membership of some 42,000 citizens were engaged, beginning at the age of 15, in projects of local and national upliftment. Details had been given in the first report submitted by the Philippines as a State party to the International Covenant on Economic, Cultural and Social Rights and in her delegation's statement on items 73 and 86.

(Mrs. Sison, Philippines)

58. Her delegation did not believe that it was opportune to establish a post of United Nations High Commissioner for Human Rights or to adopt the alternative of establishing a post, at the level of Under-Secretary-General, of Special Representative of the Secretary-General for Human Rights and Humanitarian Affairs. Such a person could not be effective, given the multifarious traditions, customs and values of Member States and the complexity of human rights. Moreover, the "political" nature of his office would not allow him to be strictly impartial; for lack of consensus, the concept could not prosper.

59. What was needed was to utilize more effectively the existing human rights machinery in the United Nations system and to strengthen, improve, review and co-ordinate it. It might be that the idea of such an office could be revived in the future, but that might have to await the establishment of the new international economic order and the attainment of the goals of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and the Disarmament Decade. It would also be necessary first to deal with the massive violations committed by the minority racist régimes in southern Africa and to settle the question of Palestine, including recognition of Palestine's right to self-determination and independence. As the Director of the Division of Human Rights had pointed out, the Charter established a direct relationship between international peace and security and the creation of conditions for economic and social progress and development.

60. When there was true emancipation in the world, universal and complete, the idea of establishing such posts could be considered more seriously. Now was not the time, when nations and peoples were destabilized by outside subversive forces, when human dignity in two thirds of the world was in pawn to poverty, disease and hunger, and when the human spirit was so impoverished that money was spent on armaments instead of on improving the lot of mankind.

61. For those reasons, her delegation would not support any proposal that would entail proliferation of human rights bodies; it preferred the continuation of existing arrangements. It agreed with the Indian delegation that the Director of the Division of Human Rights had adequate powers to discharge his mandate and that the full implementation of resolution 32/130 should be encouraged. Her delegation sympathized with the situation of the Division of Human Rights resulting from the inadequacy of resources in the light of the entry into force of more international instruments.

62. As President Marcos had said, the commitment of the Philippines to law and order would not be impaired by any lack of regard for human rights, and the Philippines would permit no question to be raised on the firmness of its allegiance to the Universal Declaration of Human Rights.

63. Mr. HAKKI (Oman) commended the Director of the Division of Human Rights for his excellent introductory statement on the items under consideration, and the Commission on Human Rights for the work done at its thirty-fifth session.

64. Oman's position with regard to human rights was consistent and well known, having been repeatedly stated in many international forums. Although Islam had

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now existed for 13 centuries, the basic concepts and principles of human rights had from the very beginning been embodied in Islamic law, which applied to human activities in every sector of social, economic, political and cultural life.

65. The decisions of the international community reflected in international human rights instruments constituted minimum standards that should be applied at both the domestic and the regional levels. As a matter of both secular and religious principle, Oman condemned racial discrimination and repudiated minority racist regimes and Israel's policy of discrimination against the Arab population. The United Nations must bring pressure to bear on those régimes to force them to accept the minimum standards required by the international community.

66. The questions now before the Committee had been debated for many years. Despite the good intentions of the proposals that had been made, a distinction must be drawn between those which contained useful and practical ideas and those which did not. He rejected any use of the topic of human rights as a pretext for intervening in the internal affairs of other countries in violation of international law and of the United Nations Charter.

67. The creation of new posts or administrative structures was unnecessary, as the fault did not lie in the existing mechanisms. The trouble was that they were not given the means they needed in order to function. The creation of any new institution would have adverse and disruptive effects and lead to duplication of effort, which would weaken the existing mechanisms. He urged the acceptance of solutions that would take into account the dignity of the human person and make the existing organs more effective, rather than proposals aimed at reviving the cold war and international tension.

68. Miss RICHTER (Argentina) announced that Argentina, the Congo, Madagascar, Peru, the Philippines and Zambia had become sponsors of draft resolution A/C.3/34/L.15.

69. She requested the Secretariat to report as soon as possible on the financial implications of the draft resolutions which had been submitted.

The meeting rose at 1 p.m.