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at 10.30 a.m.

New York

SUMMARY RECORD OF THE 32nd MEETING

Chairman: Mrs. MAIR (Jamaica)

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31 October 1977

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 81: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (continued)

(a) REPORT OF THE HUMAN RIGHTS COMMITTEE (continued)

(b) STATUS OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND THE OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (continued) (A/32/44, A/32/188; A/C.3/32/4; A/C.3/32/L.7, L.9 and L.11)

1. Mrs. COLLINS (Liberia) said that it would be unjust to deny people their inalienable human rights, as was acknowledged by the international community in the legally binding International Covenants on Human Rights, including the Optional Protocol. The States which ratified those instruments must live up to the commitments which they undertook in so doing or they would be condemned by future generations. The Covenants could not become adequate tools for safeguarding human rights unless they were universally implemented and her delegation therefore strongly supported the adoption of a draft resolution aimed at achieving that end.
2. Mrs. IDER (Mongolia) said that the entry into force of the International Covenants on Human Rights constituted significant progress towards implementing the human rights provisions of the United Nations Charter. It should be noted that it was on the initiative of the socialist countries that those Covenants embodied the principle of self-determination of peoples and of the right of peoples to their own resources, as well as a host of other rights and freedoms which were guaranteed in socialist societies.
3. Her delegation regretted that the number of States parties acceding to those Covenants, as indicated in the report of the Secretary-General in document A/32/188, had increased very slowly. Moreover, it was surprised that those countries which spoke so zealously of freedom and peace, which claimed to be the sole defenders of human rights in their own countries and elsewhere and which waged noisy and hypocritical campaigns allegedly for the promotion of human rights, had let more than 10 years go by before signing them. She therefore stressed the great importance of making the Covenants universal and fully supported draft resolution A/C.3/32/L.9.
4. Her own country had signed and ratified the Conventions in 1968 and 1974 respectively and was consistent in applying their provisions to all citizens regardless of sex, race, nationality, creed or social status. It would submit a detailed report to that effect to the Human Rights Committee and hoped that that Committee would continue its good work.
5. Mr. TEJEDOR (Spain) said that the promotion of human rights everywhere was a major objective of his Government, which was therefore encouraged by the development within the United Nations of a broad framework of resolutions and bodies to implement them, among the most important of which were the Economic and Social Council, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination and the Commission on Human Rights. The adoption and subsequent entry into force of the

(Mr. Tejedor, Spain)

Human Rights Covenants and the establishment of the Human Rights Committee to help implement them represented an important step forward. He welcomed the possibility that that Committee might hold an additional session in the following year.

6. His Government had ratified the Covenants and hoped that an increasing number of States would do likewise so as to make them universal. As part of the process of democratization, Spain's Parliament was preparing a new constitution which would place special emphasis on human rights. His Government would continue to work for the implementation not only of such rights as the right to freedom of thought, freedom of assembly and association, and freedom of conscience and religion but also of the rights of peoples to a decent standard of living, a genuine culture and the opportunity to improve economic and social conditions, and, as a prerequisite to the enjoyment of all those rights, the right to self-determination.

7. The United Nations institutional machinery for the implementation of human rights still left room for improvement and the Covenants should serve as a guide in all future efforts in that direction.

8. Mr. HEINEMANN (Netherlands) said that his delegation had had no objection to having the Chairman of the Human Rights Committee introduce the item, especially since that had seemed to be the wish of the members of that Committee.

9. Although his Government had signed the Covenants and the Optional Protocol in 1969, the procedure for their ratification had not yet been completed. Since, as a consequence of his country's constitutional order, many of their provisions were directly binding and could be invoked before the courts, the Covenants were being thoroughly scrutinized. It was expected, however, that his country would ratify them in the near future. It also intended to ratify the Optional Protocol and to make the declaration provided for in article 41 of the Covenant on Civil and Political Rights, since it was not fully convinced that a State party which was in default in respect of any of its obligations would, as a matter of course, report that fact under article 40 of the Covenant. It therefore hoped that States which had not yet done so would also make the declaration.

10. He expressed his delegation's satisfaction at the way in which the Human Rights Committee had performed its duties. In drafting its rules of procedure, the Committee had prepared the way for serious consideration of the reports of States parties and communications from individuals but at the same time had avoided placing itself in a controversial position. The attitude of the members of the Committee gave rise to high expectations for its future work.

11. While his delegation generally supported the Committee's recommendations and wishes, it considered that some of the information required under part II of the guidelines (A/32/44, annex IV) would be relevant to articles other than those in part III of the Covenant on Civil and Political Rights and would therefore be covered by part I of the guidelines, especially subparagraphs (a), (b) and (d). Furthermore, it would suggest the inclusion of an additional request in part II of the guidelines for information on decisions and judgements by the courts with respect to each right set forth in part III of the Covenant.

12. His delegation wished to join the sponsors of draft resolution A/C.3/32/L.7.

13. Mr. CARTAS (Romania) said that his delegation welcomed the fact that many Governments had already ratified the International Covenants on Human Rights and urged that all States which had not yet adhered to them should be called upon to do so. It was pleased to note that that concern had been reflected in draft resolution A/C.3/32/L.9, which his delegation warmly supported.

14. His delegation had thoroughly analysed the contents of the report of the Human Rights Committee (A/32/44) and noted with satisfaction that that body was fully committed to carrying out the tasks expressly assigned to it. It was gratifying that the Committee had worked out comprehensive rules of procedure. He drew attention to rule 68 in particular and also expressed confidence that the implementation of rule 51 would be consistent with the foot-note to that rule.

15. He reiterated his delegation's view that the existing rules and machinery relating to human rights, including those embodied in the international covenants, would be adequate if their provisions as well as the basic principles of international law were scrupulously observed. The interpretation and application of the Covenants must be in strict compliance with the principles of unconditional respect for the national sovereignty and independence of States, of equal rights for all States and of non-interference in the internal affairs of other countries.

16. Mr. VELESKO (Byelorussian Soviet Socialist Republic) said that his delegation was pleased that an increasing number of States had acceded to the International Covenants on Human Rights and stressed the fact that his own country had been one of the first to do so. It was also pleased to note that paragraph 105 of document A/32/44 indicated that most members of the Human Rights Committee had agreed that the debates of the Committee on the reports of the States parties should be conducted in a constructive spirit, taking fully into account the need to maintain and develop friendly relations among Member States in accordance with the principles of the Charter. It hoped that the Committee would continue to act accordingly in carrying out its task.

17. His country was proud that socialism secured the essential conditions for the comprehensive and effective implementation of human rights and for the development of genuine democracy. The Great October Socialist Revolution had guaranteed full social and economic rights and political freedoms for the working people of his country at the very outset. Sixty years later, a new Constitution was about to come into force after being widely and freely discussed by the entire Soviet people. It reflected the continuing expansion of democracy and humanism in socialist society as well as the strengthening of the real rights and freedoms of Soviet people. The major concern and aspiration of Soviet society was to ensure the harmonious development and spiritual and moral enrichment of Soviet man, and the new Constitution accordingly guaranteed all citizens full social, economic, political and personal rights and freedoms - including the rights to work, leisure, health, housing, education, protection in old age and sickness, and so forth.

(Mr. Velesko, Byelorussian SSR)

Soviet citizens had the right to elect, and be elected to, elective State bodies. They were guaranteed freedom of speech, press, assembly, meetings and demonstrations and freedom of conscience. Respect for the human personality and protection of the rights and freedoms of citizens was incumbent upon all State bodies, public organizations and public officials.

18. The International Covenants on Human Rights were extremely important international legal documents for protecting human rights and his delegation therefore fully supported draft resolution A/C.3/32/L.9, especially the second preambular paragraph. It also attached special importance to paragraph 4 because the action it called for would promote international co-operation and the solution of international economic, social, cultural and humanitarian problems, as well as encourage the development of respect for human rights and basic freedoms for everyone, regardless of race, sex, language or religion.

19. His delegation had certain doubts and objections regarding draft resolution A/C.3/32/L.7, however, because it contained certain unacceptable provisions, as a number of previous speakers had already indicated, and it therefore could not support that text.

20. Mrs. KONGSHEM (Norway) said that the adoption and entry into force of the International Covenants on Human Rights and the Optional Protocol represented the successful outcome of long and persistent efforts to translate the Universal Declaration of Human Rights into binding instruments of international law. Her Government, which attached exceptional importance to the universal application of the Covenants, noted with satisfaction that the number of States parties was steadily increasing, but regretted that less than one third of the Member States had ratified them and that only 16 of the States parties had ratified the Optional Protocol. It hoped that the entry into force of the instruments would in itself encourage Member States to accede to them, and appealed to States parties to the Covenant on Civil and Political Rights to consider making the declaration provided for under article 41 of that instrument.

21. Progress in human rights was essential, not only as a matter of principle but also because of its influence on efforts to strengthen co-operation in other areas. While codifying human rights was an important achievement, the United Nations had a broader responsibility, namely, to ensure that the relevant legal norms were fully implemented by establishing the organs and procedures necessary to encourage Governments to fulfil their obligations. Experience showed that there was no automatic correlation between ratification of human rights instruments and effective safeguarding of human rights. Efforts must now be concentrated on strengthening the international implementation machinery.

22. The establishment of the Human Rights Committee represented a milestone in United Nations efforts to ensure the safeguarding of fundamental human rights. She considered the Committee to be complementary to existing human rights machinery, and increased co-ordination among the various human rights organs would be called for. Her delegation commended the work done by the Committee during its first year.

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(Mrs. Kongsheim, Norway)

The thoroughness and care with which it had approached its task might prove to have a major impact on the future role of the United Nations in the area of human rights. The Committee seemed to have won the confidence of States parties as well as States that were not yet parties to the Covenant on Civil and Political Rights; accession by more States to the Covenant would also increase the Committee's authority and effectiveness.

23. In its report (A/32/44), the Committee had given a clear and concise account of its work. The rules of procedure, based largely on those of the Committee on the Elimination of Racial Discrimination, should prove to be most effective.

24. Her delegation also welcomed the fact that, as a matter of principle, all official documents of the Committee as well as reports and additional information submitted by States parties would be classified for general distribution, thus enhancing public awareness of the contents of the relevant Covenant and of the Committee's work in monitoring the implementation of its provisions. That awareness was of the utmost importance not only in a general educational context but also in making each individual more conscious of human rights and how they could be safeguarded.

25. In examining the reports submitted by States parties under rule 66 of the rules of procedure, no effort should be spared to establish a continuing dialogue between the Committee and the States parties. Such a basis of confidence would be a prerequisite for the Committee's ability to carry out its work satisfactorily. Her delegation also hoped that the Committee would give a positive response to the offer for co-operation and assistance extended by the specialized agencies, particularly ILO and UNESCO, since close co-operation in that field would further strengthen the Committee's efforts to fulfil its mandate.

26. She regretted that the staff assigned to the Human Rights Committee had so far been insufficient (A/32/44, paras. 178-180), despite the assurance in General Assembly resolution 31/86 that adequate resources would be allocated to it. Her delegation considered it vital to ensure efficient servicing for the Committee and would support any proposal to that end.

27. Mr. COOPER (Trinidad and Tobago) said he regretted that his country had not yet ratified or acceded to the International Covenants on Human Rights, the delay being largely due to the work involved in revising the Constitution. The Covenants were now being considered by his country's legal authorities.

28. However, he could assure the Committee that in Trinidad and Tobago the rights of all individuals were embodied in the Constitution, national legislation and judicial decisions and safeguarded in practice, and that they had the support of an enlightened public opinion. The Constitution recognized the existence without any discrimination of a whole range of fundamental human rights, including the right to life, liberty, security of person and enjoyment of property, the right to equality

(Mr. Cooper, Trinidad and Tobago)

before the law and equality of treatment by public authorities, the right to respect for one's private and family life, the right to join political parties and express political views and the right to choose the school in which one's children were to be educated, as well as freedom of movement, conscience and religious belief, of thought and expression, of association and of the press.

29. His delegation welcomed the guidelines set forth in the report of the Human Rights Committee (A/32/44, annex IV), as well as the statement in paragraph 105 to the effect that the main purpose of the consideration of States' reports should be to assist States parties in the promotion and protection of the human rights recognized in the Covenant. The Human Rights Committee had a crucial role to play in offering advice on human rights to States parties, and he was confident that it would be able to discharge its obligations with distinction.

30. Mr. GARVALOV (Bulgaria) considered that the entry into force of the International Covenants on Human Rights - to both of which his country was a party - would strengthen the ability of the international community to encourage respect for human rights and contribute to co-operation between States in achieving the Purposes and Principles of the Charter of the United Nations. States must, however, recognize the universal character of the Covenants; there were some conspicuous absences from the list of States which had ratified or acceded to the Covenants, particularly among certain Western States which were in the habit of making frequent declarations about human rights. The fundamental human right to live in peace could only be secured in conditions of international détente and was a prerequisite for the encouragement of respect for human rights for all, without distinction as to race, sex, language or religion, as laid down in the Covenants. It was only in conditions of international détente that the United Nations and the international community could hope to achieve the universal implementation of multilateral instruments designed to strengthen international security and peaceful relations. It was also important to differentiate between the mere listing of rights and the provision of practical guarantees for their implementation, as in the case of Bulgaria and the other countries of the socialist community. The Bulgarian Constitution stipulated that the constant broadening of democracy was fundamental in the development of the State; the democratic character of the socialist society in Bulgaria was expressed in a wide range of rights and freedoms which were guaranteed to everyone and which covered all the rights included in the International Covenants. Such rights had been proclaimed and guaranteed in his country as early as 1947; Bulgaria had therefore been in a position to play an active role in the elaboration of the Covenants when the United Nations started work on them a number of years later. The Bulgarian Constitution of 1971 went even further in that respect. In Bulgaria the securing of economic and social rights was an important condition for the implementation of civil and political rights, since political democracy and economic democracy were inseparable. His delegation attached the greatest importance to juridical guarantees. Bulgaria had an effective system for guaranteeing and safeguarding human rights and was in complete compliance with the requirements of article 2 of the Covenant on Civil and Political Rights.

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(Mr. Garvalov, Bulgaria)

31. His delegation welcomed the first report (A/32/44) of the Human Rights Committee and appreciated the work it had done during its first two sessions. His delegation would strive to establish fruitful and close co-operation with the Committee in order to help it discharge its mandate. It was important to recall that the Human Rights Committee was not an organ of the General Assembly although it was closely associated with the activities of the United Nations. Its mandate placed the Human Rights Committee in a category with other similar bodies which were not intended to act upon recommendations or instructions either from the General Assembly or from the Secretariat. That point had been emphasized by a number of delegations and was important because it placed the relationship between the Human Rights Committee and the General Assembly in its proper perspective. The Covenants must be considered in their entirety and attempts should not be made to focus attention on one particular aspect or article. Placing undue emphasis on one aspect of the Covenants at the expense of others, thereby disregarding the interrelationship between all their provisions, would establish an undesirable precedent.

32. His delegation believed that the Third Committee should concentrate on proposing recommendations to the General Assembly which would aim at promoting the universality of the Covenants and at encouraging States to accede to them in the interest of full respect for human rights and freedoms.

33. Mr. KUNZ (Czechoslovakia) stated that his Government had always supported efforts by the United Nations to develop international instruments on human rights and consequently considered that the adoption of the two Covenants represented a successful outcome of United Nations efforts to safeguard fundamental human rights and freedoms. Both in their content and in their binding character, the two Covenants represented significant progress in implementing the Universal Declaration of Human Rights. His Government welcomed the fact that the Covenants dealt with economic and social rights, without which full implementation of civil and political rights was not possible. The Covenants could play a significant role in the development of co-operation among States aimed at encouraging universal respect for the human rights of all persons without distinction, and accordingly his Government had ratified both Covenants and was fulfilling its commitments under those instruments.

34. Czechoslovak law provided for the exercise of all the rights included in the Covenants and in some cases its guarantees went further. His Government would continue to support peaceful co-operation between States which, in keeping with the principles of the Charter of the United Nations, would create the necessary conditions for the improvement of man's economic, political and cultural status.

35. His delegation would like to express appreciation of the work done by the Human Rights Committee and of its report. Czechoslovakia's report on its compliance with the Covenant on Civil and Political Rights had already been submitted to that Committee. His delegation was convinced that the Committee would be able to carry out its functions successfully and considered that no further organs should be established. On the question of recommendations to the Human Rights Committee and

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(Mr. Kunz, Czechoslovakia)

other organs set up under the Covenants, he wished to draw attention to the fact that members of the Committee served in their personal capacities.

36. His delegation considered that draft resolution A/C.3/32/L.9 was more accurate and comprehensive than draft resolution A/C.3/32/L.7 in covering the questions under consideration and expressed more exactly the position of his Government and that of many other States. It would therefore vote for that draft resolution.

37. Mrs. SIRADZE (Union of Soviet Socialist Republics) said that the entry into force of the two Covenants provided a sound basis for international co-operation in the sphere of human rights and constituted a major step in international efforts to promote respect for human rights and fundamental freedoms, as the General Assembly had emphasized in its resolution 31/86.

38. She drew attention to the contrast between the general principles embodied in the Universal Declaration of Human Rights and the specific provisions of the Human Rights Covenants, which had the force of law for States parties to them. In addition, the provisions of the Covenants were significantly broader in scope than the Declaration, and reflected the basic principles of contemporary international law enunciated in the Charter. Her country, which had played an active part in drafting the Covenants and had been one of the first to ratify them, especially welcomed their entry into force.

39. The provisions of the two Covenants had long been part of everyday life in the Soviet Union. As a result of the Great October Socialist Revolution, the widest democratic rights and freedoms were guaranteed to the Soviet people. The new Constitution, reflecting a developed socialist society, marked a further advance in socialist democracy.

40. She recalled that the Commission on Human Rights, in its resolution 4 (XXXIII), had stressed that the need for the full implementation of economic, social and cultural rights was of crucial importance for the enjoyment of civil and political rights.

41. The Soviet Union had repeatedly emphasized that the international protection of human rights should be placed on a contractual basis, and considered that the entry into force of the two Covenants constituted the foundation for the further activities of the United Nations in the area of human rights.

42. The establishment of the Human Rights Committee was expected to give practical assistance to States parties in fulfilling their obligations. Her delegation welcomed its report in document A/32/44. Its rules of procedure and general guidelines constituted a satisfactory basis for its future activities. She was pleased to note the Committee's desire to assist in strengthening détente and the development of friendly relations among States in accordance with the principles of the Charter.

43. The procedure whereby the Committee would consider the reports of States parties would largely determine its success in that important activity. Accordingly,

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(Mrs. Siradze, USSR)

she endorsed the view expressed by the Committee in paragraph 105 of its report that the main purpose of the consideration of the reports should be to assist States Parties in the promotion and protection of the human rights recognized in the Covenant, and that the Committee's debates should be conducted in a constructive spirit.

44. The Committee's decision expressed in paragraph 167 of its report concerning the holding of a third session in 1978 appeared to be premature. It should make maximum use of the two sessions already scheduled for 1978 and it would be a mistake to try to anticipate what progress would be achieved in the course of those sessions. With regard to the Secretary-General's report (A/32/188) concerning the status of the Covenants, her delegation welcomed the increasing number of States that were becoming parties to them, which indicated that the General Assembly's appeals were taking effect. She noted, however, that the States parties did not yet include several States whose representatives in the United Nations organs vociferously defended the rights of the individual. In her delegation's view, the real safeguarding of human rights required participation in the corresponding international agreements, especially the Covenants. The figures given with regard to the status of the Covenants testified to the fact that the possibilities which the instruments provided had in no way been adequately utilized. The implementation of the Covenants required the participation of all countries.

45. Turning to draft resolutions A/C.3/32/L.7 and A/C.3/32/L.9, she said that, in her delegation's view the main purpose of any decisions taken should be to promote international co-operation on the basis of the Human Rights Covenants. The decisions should help to encourage new States to become party to the Covenants, with a view to making the instruments truly universal. The decisions should also reflect a proper understanding of those objectives and the necessary discretion. In her delegation's opinion, those conditions were fulfilled by draft resolution A/C.3/32/L.9, which had been prepared by a broadly representative group of sponsors. It contained all the necessary provisions, formulated in a clear and flexible manner, and deserved the widest support.

46. In contrast, draft resolution A/C.3/32/L.7 gave rise to serious doubts. A number of delegations had already pointed out that it contained unsound and controversial provisions. For example, the inclusion in the draft resolution (para. 5) of an invitation to States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of that Covenant was, in her delegation's view, quite unjustified. Article 41, unlike the other articles of the Covenants, was purely optional. Paragraph 5 contradicted international practice concerning States' freedom of action on the question of optional declarations. She recalled that the text of article 41 as it now stood represented the outcome of prolonged consultations. Attempts to single out that article would cause confusion. As was clear from the Secretary-General's report (A/32/188, para. 5), only six States had thus far made that declaration. Many States parties obviously did not consider such a step necessary. Moreover, two States that had joined in sponsoring draft resolution A/C.3/32/L.7 had themselves not made such a declaration. The inclusion of that provision in the draft resolution did not serve the main purpose of expanding the number of States parties to the Covenant on Civil and Political Rights.

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(Mrs. Siradze, USSR)

47. Paragraph 7 of that draft resolution, concerning the allocation of additional resources to the Secretariat for servicing the Covenants, also gave rise to serious objections. While her delegation was aware of the contents of article 36 of the Covenant on Civil and Political Rights, it wished to point out that the Secretariat had already requested, and been granted, additional staff for that purpose. In accordance with established practice, which had been confirmed by the Committee on Programme and Co-ordination (A/32/38) and the Economic and Social Council, the Secretariat was obliged, in implementing new programmes, to employ as far as possible existing resources and staff. Paragraph 7 of draft resolution A/C.3/32/L.7 was entirely a matter for the Fifth Committee. If the relevant unit of the Secretariat really needed additional staff, then its request should be put forward in the usual manner. That provision was consequently unjustified. In view of the foregoing, her delegation found draft resolution A/C.3/32/L.7 unacceptable.

48. Mr. LOPATKA (Poland) said that the entry into force in 1976 of the Human Rights Covenants had represented a turning-point in the history of international endeavours aimed at setting legal standards for human rights and their implementation. The Covenants constituted a specific international code of human rights. The other conventions on human rights were of a supplementary character, whether they had been adopted by the United Nations, by ILO or by UNESCO, or were of a purely regional character. The Covenants were the most important instruments of co-operation in the field of human rights among States having different social and political systems. Everything possible should be done to strengthen and develop those features of the Covenants. Like other States, of the socialist community, Poland had participated actively in drafting the Covenants and had signed them immediately following their adoption by the General Assembly. His country had also brought its legislation into compliance with the standards established in the Covenants. In many respects Polish legislation was more advanced than the requirements stipulated in the Covenants and it continued to be improved. Under the constitutional amendments adopted in February 1976, the human rights of Polish citizens had been further advanced. The principle of equality in regard to rights and duties had been expanded and had eliminated all discrimination on the grounds of sex, birth, race, nationality, religion, education, profession or social origin and position. New rights included the right to consultations and discussions on the problems of the country's development, the right to protection by their country of citizens who were abroad and the right to protection of the environment. The only limitations on the exercise of human rights were the same as those provided for in the Covenants.

49. His Government had ratified both Covenants on 3 March 1977, as soon as the requirements established by the Covenants had been fully met. The catalogue of human rights reflected the social and economic systems of countries as well as the stage of development of the international community. International instruments on human rights should therefore be viewed in historical perspective. The Universal Declaration of Human Rights was the first international act in the field. But, in retrospect, it was clear that the United Nations had made considerable progress in the field of human rights since the Declaration was adopted in 1948. For

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(Mr. Lopatka, Poland)

example, the Declaration did not incorporate such fundamental rights as the right to self-determination and independence, the right of nations to their natural resources, or the economic, social and cultural rights of working people. The Declaration had been adopted at a time when the United Nations had only about 50 Members. The Covenants had been formulated and adopted when more than 100 States had become Members. The thirtieth anniversary of the Universal Declaration of Human Rights should therefore not be celebrated - as seemed to be suggested in document A/C.3/32/1 - against a background which failed to take account of the historical limitations of the Declaration and of the fact that it was not an instrument of international law but a declaration. The Declaration should not overshadow the Covenants and the development of international law in the field of human rights since 1966. The Declaration on Social Progress and Development, adopted by the General Assembly in its resolution 2542 (XXIV), had made a substantial contribution to the policy of social development in the world, including as it did the human factor in policies for economic and social development; it also served the interests of the present membership of the United Nations. His delegation welcomed the suggestion that, in 1978, special efforts should be made to educate people in the spirit of knowledge, understanding and observance of human rights. The same concept was reflected in the Final Act of the Conference on Security and Co-operation in Europe of 1975, which had stipulated that people had the right to know their rights. The matter was of particular importance in countries where there were mass violations of human rights. There was a need to strengthen the effectiveness of international instruments relating to human rights. While that was primarily the duty of the Governments of particular States, it also involved peaceful co-operation among States. There was a direct connexion between social progress and peace. Except in cases of violations of human rights as a result of colonialism, racism and other forms of reactionary government, Poland did not view international co-operation in the field of human rights through the eyes of a prosecutor but rather through the eyes of a social activist.

50. His delegation considered that the means of monitoring the observance of human rights which had by now been envisaged by international law were sufficient. There were enough, possibly too many, organs of international supervision in that field. He believed that, at the international level, the full realization of human rights involved improvement of the atmosphere of international co-operation and strengthening of détente and international confidence, ratification of the Covenants and other international instruments of a universal nature, close and positive co-operation of States in the international protection of human rights, close co-operation between United Nations organs and the specialized agencies as well as with regional organs of control, and wider dissemination of knowledge about human rights, particularly through the education of the younger generation.

51. His delegation supported draft resolution A/C.3/32/L.9, which rightly expressed appreciation of the work of the Human Rights Committee and gave guidance for the further implementation of the Covenants.

52. Mr. McGREGOR (Canada) said that his delegation fully supported draft resolution A/C.3/32/L.7, of which it was a sponsor.

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(Mr. McGregor, Canada)

53. The Covenants and the Optional Protocol should be viewed as an interrelated package of legal instruments and could be considered from two points of view. In the first place, the Covenants were a set of norms which defined standards of behaviour and treatment. His delegation agreed with those who believed that more rigorous definition was required of some of the more general concepts set forth in the Covenants and it therefore supported current efforts to supplement the Covenants where that was necessary or desirable. On the other hand, it had to be recognized that the Universal Declaration and the Covenants addressed themselves to human rights situations in many regions with different cultural, economic, social and political systems. Second, and of greater importance to his Government, the Covenants outlined what was potentially the most valuable human rights machinery yet developed to ensure compliance with freely assumed obligations. The establishment of the Human Rights Committee, the provision of article 41 of the Covenant on Civil and Political Rights, and the reporting obligations of States parties would eventually provide means whereby abuses of human rights could be examined and arbitrated in an atmosphere free of political polemic. His Government recognized that human rights were a legitimate subject of international concern and scrutiny. Only two choices were open: either to devise means of discussing human rights issues in an orderly, expert fashion, or to continue to treat them as elements in bilateral relations.

54. Draft resolution A/C.3/32/L.7 met the concerns of his delegation in that it did not require States to divest themselves of elements of sovereignty or to endorse procedures which they might currently question, but invited them to consider optional procedures which could both elevate the level of debate on human rights and ease the frequently contentious atmosphere in which questions that divided countries were dealt with.

55. Lady GAITSKELL (United Kingdom) stated that her Government had ratified both Covenants and had submitted its first report to the Human Rights Committee as required under article 40 of the Covenant on Civil and Political Rights. Her delegation urged those countries which had not done so to ratify the Covenants.

56. Her delegation welcomed the report of the Human Rights Committee and recognized the importance of its work. She hoped it would develop a meaningful dialogue with each State party; that would not only be useful in particular situations but would encourage, in each, a deepening commitment to an improvement in human rights. Her delegation would continue to encourage the Committee to adopt an independent and rigorous approach to its work. It supported the Committee's request for additional assistance from the Division of Human Rights (A/32/44, paras. 178-180), as well as the view expressed in paragraph 167 of the Committee's report that the Committee should hold three sessions in 1978, provided there was sufficient work to justify it. Her delegation would also have been prepared to agree to the wish of the Committee that its Chairman should present its annual report to the General Assembly, as suggested in paragraph 185. While a decision had already been taken on that point, consideration could perhaps be given at an appropriate time to inviting the Chairman to appear before the Economic and Social Council. Her delegation considered that the role of the Council in relation to

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(Lady Gaitskell, United Kingdom)

the Human Rights Committee was a question that needed to be looked into further. She therefore welcomed the proposal that there should be a more explicit reference to the role of the Economic and Social Council in any resolution the Third Committee might adopt. Her delegation supported draft resolution A/C.3/32/L.7, which represented a positive response to the views expressed in the Committee's report and was likely to assist its work in general. Draft resolution A/C.3/32/L.9 did not take account of those factors.

The meeting rose at 12.55 p.m.