



Chairman: Miss Maria GROZA (Romania).

AGENDA ITEM 46

Creation of the post of United Nations High Commissioner for Human Rights: report of the Secretary-General (continued) (A/8035, A/C.3/L.1768, A/C.3/L.1822-1825)

GENERAL DEBATE (continued)

1. Princess ASHRAF PAHLAVI (Iran) said that she was disappointed and concerned, as representative of her country and Chairman of the Commission on Human Rights at its twenty-sixth session, because year after year the item of the creation of the post of United Nations High Commissioner for Human Rights was postponed from one session to the next, although high priority had been assigned to it. The existence of three general attitudes emerged from the report of the Secretary-General (A/8035) and the records of the relevant deliberations of the Commission on Human Rights, and the Economic and Social Council, and the General Assembly: that of members who firmly supported the creation of the post of High Commissioner, as a necessary complement to the system of international instruments for the protection of human rights; that of those who opposed the measure because they deemed it unnecessary to create the new entity until existing resources were fully utilized; and that of those who, though not entirely opposed to the proposal, doubted whether a High Commissioner could effectively overcome the disparity between the standards proclaimed and the reality with respect to human rights. Although her delegation was in favour of creating the post of High Commissioner, it understood the concern and reservations of those representatives who found themselves in difficulties about the issue and recognized that if the Office of the High Commissioner was to fulfil the hopes of its advocates and receive the support of the Member States, it would have to be surrounded by all kinds of safeguards. In that connexion, operative paragraph 4 of the draft resolution recommended by the Economic and Social Council in its resolution 1237 (XLII) for adoption by the General Assembly was of fundamental importance, providing as it did for the establishment of a panel of expert consultants to assist the High Commissioner, in which the principal legal systems and geographical regions would be equitably represented. The composition of the panel would, in fact, guarantee the impartiality of the High Commissioner, and his future would depend on the way in which the panel was selected and on the responsibility entrusted to it, since the High Commissioner and the panel of experts would have to be considered as integral parts of one whole.

2. Her delegation, like many others, believed that extremely valuable work had been done in recent years in implementing human rights. At the national level, human rights commissions had shown themselves capable of solving the problems brought to them and of providing any necessary assistance. In the international sphere, the treaties and conventions prepared under the auspices of the United Nations formed a set of international instruments which was comprehensive enough to ensure respect for human rights. Nevertheless, those instruments needed to be ratified and implemented by all States, an ideal which was still remote. The situation with respect to individual complaints left much to be desired: as matters stood, communications mounted up and no action was taken on them. In those circumstances, the proposal to create the post of High Commissioner for Human Rights, with the necessary safeguards, to deal with the troubles of individuals who considered that their rights had been violated, was to be commended. On the twenty-fifth anniversary of the United Nations, which had served to emphasize once again that human rights were the very foundation of the Organization, it was impossible to close one's eyes to the violations of rights which were a daily occurrence.

3. In conclusion, she rejected the arguments which had been advanced against the creation of the post of High Commissioner: it was not the intention to establish a supra-national entity, since the High Commissioner would be under the direct authority of the General Assembly and could provide assistance and services to a State only with its express consent. Moreover, the financial implications of the measure offered no cause for alarm and all the fears expressed would undoubtedly be dispelled once the High Commissioner, who would have to be a person deserving the trust of the international community, began to carry out his functions.

4. Mr. LISITSKY (Byelorussian Soviet Socialist Republic) said that the item under discussion had, owing to its serious and controversial nature, caused difficulties in the Committee even before the discussion on it had begun. His delegation had already spoken against the proposed creation of the post of United Nations High Commissioner for Human Rights and had become even more firmly convinced that its opposition, which was shared by many other delegations, was based on objective and reasonable grounds.

5. From a legal point of view, the creation of such a post implied a contravention of the provisions of the United Nations Charter, particularly Article 1, paragraph 3, which declared that one of the purposes of the Organization was to achieve international co-operation in promoting and encouraging respect for fundamental freedoms, since such international co-operation could only be made effective by bodies in which the parties were represented and not by the

appointment of an independent official acting unilaterally, as the High Commissioner would be. Moreover, the appointment of the High Commissioner would be an infringement of the principle of representation in the organs established under the Charter to deal with human rights questions. Again, a comparison of operative paragraph 2 of the draft resolution recommended by the Economic and Social Council in its resolution 1237 (XLII) with Article 13, paragraph 1 *b* of the Charter showed that the High Commissioner would be given functions which under the Charter were proper to the General Assembly, a development which would occasion rivalry and a usurpation of powers, and thus undermine the authority of the Assembly. The provisions of the draft resolution he had mentioned also contravened the rules of international law by assigning to the High Commissioner functions which, in accordance with the International Covenants on Human Rights, should be performed by States and by the organs to be established by virtue of those instruments, in which there was absolutely no reference to the creation of a post of High Commissioner. Indeed, the relevant provisions of the Covenants made their implementation a matter for States alone, and the appointment of an official to supervise implementation had no legal justification. It should also be noted that the High Commissioner's interference in the international implementation of the Covenants was being advocated by those very countries which were systematically boycotting their provisions and were not being guided by the principles on which they were based. Moreover, the creation of the post of High Commissioner for Human Rights would be a breach of the legal order governing relations between the United Nations and its specialized agencies, since the Commissioner would be above the whole system, and the vagueness with which the draft resolution defined relations between him and the specialized agencies would make it possible for him to disregard the opinions of those agencies and their member States.

6. Despite its long history and the amendments which had been made to it, the draft resolution recommended by the Economic and Social Council was still unsatisfactory in every respect. Operative paragraph 1 of that text contained no practical concept other than that of creating the post of High Commissioner, and gave no indication of how his office was to be organized or of what "degree of independence" would be required for the performance of his functions, so that, like all incomplete legislation, it would lend itself to arbitrary interpretations and abuses. Operative paragraph 2 was equally imprecise inasmuch as, while it used the terminology of the Charter, it did not explain by what means all prejudice to the functions and powers of organs already in existence in the sphere of human rights would be avoided. Subparagraph (a) of that paragraph provided that the High Commissioner would maintain close relations with the Secretary-General, the General Assembly and other bodies, but it set no criterion for determining whether those relations were, in fact, close, nor did it say what type of assistance and services the High Commissioner would give to Member States. Operative paragraph 2 (d) was even less specific, and no one could guarantee that the High Commissioner would not abuse such vague formulas. There were only two specific ideas in the draft resolution, one in operative paragraph 1, in which it was decided to establish a United Nations High Commissioner's Office for Human Rights, and the other in operative paragraph 3, in

which it was decided that his emoluments would not be less favourable than those of an Under Secretary. The text was an example of the dialectic relationship between form and content: if the content was poor and incomplete, then the form would be poor and monotonous. The text was unsatisfactory in every respect and its lack of clarity was due to the fact that the sponsors had attempted to conceal something and had not wished to say openly that the establishment of the post would duplicate the efforts of the United Nations bodies concerned with human rights.

7. The existing network of United Nations bodies dealing with human rights questions ensured that all such questions would be considered on the basis of the Charter. United Nations activities in the field of human rights had developed and were continuing to expand within the existing system, and all the bodies concerned were representative. In those circumstances, he failed to see what remained to be done in the field of human rights by a High Commissioner.

8. Those who advocated the creation of the post said that the High Commissioner would carry out administrative functions, but one might ask what one man could do against *apartheid*, the colonialist countries or the resurgence of nazism. Individual organs of the United Nations were already dealing with all those matters. The fact that their efforts had not been successful was due, not to the absence of a High Commissioner for Human Rights, but to sabotage and obstruction on the part of some Powers which supported the South African racists and were responsible for large-scale violations of human rights. The fact was that, in practice, the administrative functions of the High Commissioner would amount to no more than the preparation of reports and other documents, in other words, production of further documentation to swell the huge mass that already existed. The Secretariat already had the Division of Human Rights and many subsidiary organs to deal with such matters, as could be seen from the document entitled *The Organization of the Secretariat*.¹ In operative paragraph 2 (a) of the draft resolution recommended by the Economic and Social Council, it was said that the High Commissioner might render assistance and services to such subsidiary organs, but since it was also open to him not to do so, it was hard to see what useful purpose the new post could serve. It should also be recalled that the Secretary-General drew up his reports on the basis of documents prepared by the Division of Human Rights; the High Commissioner was also to prepare reports, which might be deemed to show a lack of confidence in the Secretary-General. In other words, even in the administrative sphere, there would be duplication and the question would arise as to whether the Division of Human Rights should not be abolished. In such circumstances, the best course was to try to improve existing bodies, rather than to contemplate establishing the post of United Nations High Commissioner for Human Rights.

9. In operative paragraph 2 (c) of the draft resolution it was said that the High Commissioner should have access to communications concerning human rights addressed to the United Nations. He pointed out that the practice followed by the United Nations in considering complaints from

¹ Documents ST/SGB/131 and Amend.1-18, Amend.18/Corr.1, Amend.19-26 and Amend.26/Corr.1.

individuals was in complete accord with the provisions of the Charter and the principle of the sovereignty of States, and that the attempts of some United Nations bodies to depart from those provisions had met with failure.

10. In reality, the post of High Commissioner would be a delusion and a deception practised against those who were suffering in South Africa, in countries under colonial domination and in the territories occupied by Israel or the United States. Such people would be led to believe that the High Commissioner was in a position to remedy their ills, but the High Commissioner would be able to do nothing, not even to investigate what was happening in those countries, because there was sure to be a repetition of the example given by the Government of South Africa, which had repeatedly refused the United Nations permission to enter Namibia, or of the conduct of Israel, which had permitted no investigation of violations of human rights in the territories it had occupied. Not only would the High Commissioner serve no practical purpose but he might well adversely affect relations among States, in view of the fact that some States ardently supported the establishment of the post, while others were opposed to it.

11. The question had been under consideration for several years, at a cost of thousands of dollars, and the object of the exercise was to establish a post that would enable one person to live comfortably. It should not be forgotten that the financial implications of establishing the post would be equivalent to the contribution of five small countries. Byelorussia, in any event, did not intend to contribute to the payment of such costs and it believed that other countries would take a similar position. It was clear, therefore, that the High Commissioner would not receive the unanimous support of States and that his activity would be unilateral and thus incompatible with the *raison d'être* of the United Nations, which should be a universal organization. The creation of the post would not help to improve the present position of the United Nations, and might, indeed, complicate and worsen its position.

12. In conclusion, he urged all members of the Committee to weigh carefully all the aspects of the question, to consider the undesirable financial, legal and practical consequences it might have, and, in short, to reject the proposal to establish the post.

13. Miss SOLESBY (United Kingdom) said that her delegation was strongly in favour of the establishment of a United Nations High Commissioner for Human Rights. In her view, all members of the Committee agreed that the major problem for the United Nations in the human rights field was not so much to formulate new human rights instruments, nor to adopt resolutions, but rather to secure the effective implementation of those which already existed. The problem of implementation was inevitably one of great sensitivity for Governments because it so closely involved their sovereignty over internal affairs. Moreover, the differences, in type and degree, among violations of human rights were such that it was impossible to find a uniform type of machinery for use in all situations. Although some situations called for public debate in the Committee, in the Economic and Social Council or in other human rights organs, the disadvantage of that method was that the Governments concerned regarded public references as a provocation. Consequently, better results could some-

times be obtained with a minimum of drama and public attention. That was the role she saw for the High Commissioner for Human Rights. He would be an independent and impartial individual of high personal ability and tact, who, backed by the authority of the United Nations, would keep a watchful eye on the whole human rights situation, advise United Nations bodies and Member States at their request, lend his good offices in cases of dispute and make discreet representations, if necessary, to Governments.

14. The High Commissioner would have no power to compel a reluctant Government to implement the rights of its subjects. His role would rather be to inform Governments discreetly of the implications of a situation and to encourage Governments that were ready to recognize their obligations but were, like everyone else, sometimes guilty of aberrations. Such a role represented no threat to the sovereignty of Governments.

15. In her view, the draft resolution which was recommended in Economic and Social Council resolution 1237 (XLII) for adoption by the General Assembly, provided an effective and sensible mandate for the High Commissioner. It was worded in such a way as to enable the High Commissioner to work in a flexible and discreet manner and it ensured the necessary degree of independence and prestige for his Office. On the other hand, it provided ample safeguards against three possible dangers, namely, infringement of Government's sovereignty, duplication of effort within the United Nations system and insufficient knowledge of the varied legal systems. She pointed out the safeguards provided in paragraphs 1, 2, 2 (a), 2 (b), 2 (d), 4 and 5. Operative paragraph 1 specifically placed the High Commissioner "under the authority of the General Assembly". Under operative paragraph 3, the High Commissioner was to be appointed by the General Assembly on the recommendation of the Secretary-General. Operative paragraph 2 (a) ensured that he would work in close co-operation not only with the General Assembly but with all the relevant organs of the United Nations system. The draft resolution gave the High Commissioner the scope he required for taking initiatives in promoting human rights, and operative paragraph 2 (b) established that the "assistance and services" of the High Commissioner would be provided to any Member State "at the request of that State". The draft resolution ensured that he would have the necessary authority to take decisions, while providing under paragraph 4 for a panel of experts to advise him, the members of which would be appointed "having regard to the equitable representation of the principal legal systems and of geographical regions". The provisions of operative paragraph 2 (c) were closely united with the task of the Sub-Commission on Prevention of Discrimination and Protection of Minorities as laid down in Economic and Social Council resolution 1503 (XLVIII), under which the Sub-Commission would consider situations "which appear to reveal a consistent pattern of gross and reliably attested violation of human rights". The Sub-Commission's action was of a formal nature: the High Commissioner's would be informal.

16. She wished to refer briefly to the contradictory nature of the objections that had been made in the Committee in that regard. On the one hand it was said that the United

Nations High Commissioner for Human Rights would be impotent and ineffective, while on the other hand it was said that he might interfere in the domestic affairs of States. Neither objection was valid. The mandate given to the High Commissioner would be flexible enough to prevent him from jeopardizing the domestic sovereignty of States, while not preventing him from exercising his influence in a flexible manner and helping Governments accord fair treatment to their nationals.

17. In conclusion, she felt that the time had come to take a practical decision and hoped that the Committee would not be prevented from taking a positive stand.

18. Mr. ERDENECHULUUN (Mongolia) said that respect for human rights was best guaranteed by the goodwill of States and the promotion of co-operation among them. The creation of another international post, no matter how much prestige it might carry with it, would not bring about any fundamental change in that situation. Furthermore, the documents on the creation of the post of United Nations High Commissioner for Human Rights assigned him unlimited powers which were at variance with the provisions of Articles 1 and 56 of the United Nations Charter. For example, in operative paragraph 5 of the draft resolution recommended by the Economic and Social Council, the High Commissioner was invited to conduct his office in close consultation with the Secretary-General. Yet, the draft resolution said nothing of his responsibilities. The report of the Secretary-General (A/C.3/L.1768) stated that the panel of expert consultants would work with the High Commissioner for a total of three months; that meant that during the remainder of the year the High Commissioner would be entirely on his own and would have a kind of *carte blanche* that would entitle him to have access to all communications and to request clarification from Member States. That would be equivalent to giving him the legal power to intervene in the domestic affairs of States. One grave shortcoming of all the documents was that none of them specified how the High Commissioner would protect human rights and fundamental freedoms. For example, none of them mentioned the problems of *apartheid* or racism.

19. The best way to protect human rights was for all Member States to guarantee the observance of the International Covenants on Human Rights and to co-operate among themselves. For all those reasons, his delegation opposed the draft resolution proposed by the Economic and Social Council.

20. Mrs. RAKOTOFIRINGA (Madagascar) said that it was time for the Committee to take a decision, one way or another, on the documents that had been prepared by the Secretary-General regarding the creation of the post of United Nations High Commissioner for Human Rights.

21. All Governments had had an opportunity to form an opinion on the question. Both Economic and Social Council resolution 1237 (XLII), which recommended to the General Assembly the adoption of a draft resolution on the subject, and the amendments to it submitted by the United Republic of Tanzania had been brought to the attention of Member States. Furthermore, the note submitted by the Secretary-General at the twenty-fourth

session² and the report of the Secretary-General (A/8035) which the Committee had before it reproduced the views of various States on the matter.

22. Her delegation favoured the creation of the post of United Nations High Commissioner for Human Rights within the framework of the United Nations in the hope that the new institution would make an effective contribution to the protection of human rights. In spite of the existing declarations and international instruments, human rights were clearly being violated in various ways in many parts of the world. She therefore supported the draft resolution recommended in Council resolution 1237 (XLII). With regard to the amendments submitted by the delegation of the United Republic of Tanzania (see A/8035, para. 7), she had no objection to the inclusion in operative paragraph 2 of a reference to the Universal Declaration of Human Rights. She could also agree to the inclusion of the second amendment in the text of the paragraph. Finally, with regard to the expert consultants, she felt it would better if they were elected by the General Assembly, having regard to the equitable representation of the principal legal systems and of geographical regions.

23. Although her remarks might seem premature, her delegation had made them in the hope that they would help the Committee to expedite its work on the item under consideration and to take a decision during the current session.

24. Mr. BUDAI (Hungary) said that the time-consuming and sometimes heated debates that had taken place in the Committee, in which considerations of prestige had often taken precedence over justice and petty interests over lofty ideals, had been brought about by problems that had been created artificially for propaganda purposes or by the premature consideration of human rights in their broadest aspect. His delegation's reservations regarding bourgeois parliamentary methods had been confirmed by the actions of certain Western Powers which sometimes proclaimed themselves the champions of democracy and civilization.

25. He agreed with the evaluation of the item under discussion that had been made by several speakers, particularly the representatives of Saudi Arabia, Ceylon and the USSR, and disagreed with those who believed that it was feasible to create the post of High Commissioner for Human Rights. In his view, the real reason for the creation of that post and of another office within the framework of the United Nations could be found only in Parkinson's law on the continuous proliferation of bureaucratic institutions. The report of the Working Group of the Commission on Human Rights³ that had studied the question in 1967 had devoted only one page to the functions of the proposed High Commissioner; that page had served as the basis for Economic and Social Council resolution 1237 (XLII). On the other hand, the report had devoted some twenty pages to matters pertaining to finances, procedure and co-ordination and to excerpts from an inconclusive debate. That apportionment of space could only cast doubt on the seriousness of the Group's approach to its task. It should also be noted that even those who had favoured the

² Document A/7498.

³ Document E/CN.4/934 and Add.1.

creation of the post had held very different views on substantive questions and had agreed only on the secondary aspects. According to the report, the High Commissioner would assist in promoting and encouraging universal respect for human rights and fundamental freedoms; that was a responsibility which, under the Charter, rested with all States Members and organs of the United Nations system. The document also stipulated that the High Commissioner would maintain close relations with all the organs of the United Nations concerned with human rights and that he could render assistance and services to States, but it failed to specify what form such relations, assistance or services would take. It stated that he would have access to communications concerning human rights addressed to the United Nations and that he could, whenever he deemed it appropriate, bring them to the attention of Governments, but it did not make clear what kind of communications would be involved or what would be the purpose of bringing them to the attention of Governments. Finally, the report suggested that the High Commissioner should report to the General Assembly through the Economic and Social Council but failed to show what his reports could possibly contain that was not to be found already in the reports of the Commission on Human Rights, the Secretary-General and other United Nations organs.

26. It was obvious that such a vague outline of the work programme and the functions of the High Commissioner was not serious enough to merit consideration by the Committee; it appeared to be nothing but a rhetorical exercise on the part of the Working Group inspired by political considerations or, at best, by utopian idealism. Furthermore, all the functions outlined in the report were already being performed by various United Nations bodies and it would be wrong to impose on the Organization the authority of a higher organ or individual, since the United Nations operated on the principle of collective responsibility and full respect for the sovereignty of nations.

27. To create a post of High Commissioner for Human Rights on the basis of provisions as vague as those contained in the report of the Working Group would be an irresponsible action. At the same time, it would serve certain political interests and would entail dangerous interference in the internal affairs of States. His delegation was therefore in complete disagreement with those who proposed creating the post of High Commissioner, and it urged the Committee to adopt a more realistic approach in its efforts to ensure respect for human rights and fundamental freedoms.

28. Mr. PENTCHEV (Bulgaria) said he was surprised that the proponents of the post of High Commissioner were in such a hurry to create it, as though there was no institution concerned with the defence of human rights and fundamental freedom and such a post was urgently needed. They seemed to be suggesting that the General Assembly, the Third Committee, the Commission on Human Rights, the Economic and Social Council and many other organs were not taking effective action to promote and protect human rights or giving that task the attention it deserved. They evidently took no account of the fact that the efforts of the Third Committee had brought into being the International Covenants on Human Rights, which were the most important instruments relating to the protection of human rights

and fundamental freedoms. He wondered whether those who favoured the creation of the post of High Commissioner wished to undo all the work of the General Assembly and the Third Committee and usurp their powers in addition to replacing the principle of collective responsibility, on which the United Nations was based and which was the guiding principle of international relations, by the principle of the individual responsibility of a single person and replacing the entire body of international agreements by one resolution adopted by a simple majority.

29. International law and practice were entirely correct in requiring that such questions should be governed by international conventions applicable only to those States which had signed or ratified them. Moreover, any attempt to impose on a State obligations which it had not voluntarily assumed constituted interference in its internal affairs and an affront to its sovereignty. Forgetting that States had the sovereign right to decide whether to adhere to an international convention entailing obligations whose fulfilment the international community would later be entitled to require, the supporters of the proposal were attempting to impose the creation of a virtually supranational authority endowed with powers which put it above domestic legislation and, moreover, to make everyone responsible for the substantial costs of such an undertaking. At a time when everyone was concerned at the rapid increase in the United Nations budget and the Fifth Committee was reluctant to approve expenditures for much worthier purposes, it was proposed to squander almost \$400,000 a year—and that amount might increase—to finance a completely useless organ which would inevitably interfere in the internal affairs of States and would, at the very least, obstruct the functioning of other offices whose responsibilities it would usurp.

30. Instead of devoting themselves so vigorously to the effort to establish the new post, the States which were proposing the appointment of a High Commissioner might show equal dispatch in signing and ratifying those international instruments already in force whose purpose was the protection of human rights and fundamental freedoms. Israel, for example, might sign the International Convention on the Elimination of All Forms of Racial Discrimination, and the United States might sign the International Covenants on Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide. Instead, those States were advocating the immediate creation of a new bureaucratic entity for the sole purpose of drawing attention away from their refusal to assume any responsibility with regard to human rights and fundamental freedoms, which they systematically violated.

31. It was not the lack of international instruments or the ineffectiveness of existing institutions and organs which was impeding the realization of and respect for human rights but rather the refusal of some States to guarantee respect for them. Sometimes it was a question of flagrant violations of international agreements which those same States had ratified; at other times it was a matter of violations of domestic law which often affected the majority of the population, as was the case in territories under colonial domination or foreign occupation. It was in such cases of discrimination—whether racial, religious or of some other kind—that the international community should take action through its institutions.

32. He was not directing accusations at anyone, and he had no doubt that the delegations which supported the creation of the post of High Commissioner had the very best intentions. He merely wished to caution those delegations that the creation of such a post would put the authority and prestige of the United Nations and its organs and institutions in jeopardy. At the present time, when there was no High Commissioner, many Powers were failing to ratify the two international Covenants on Human Rights; it was easy to imagine what their attitude would be if such a post existed.

33. In order for the High Commissioner to act in a positive manner, his office would have to have a legal basis and clearly defined functions. The two Covenants and the other international instruments could provide the necessary legal basis, serving as an international code of human rights, but the Covenants had been ratified by only nine States and the date of their entry into force still seemed far off. Moreover, article 28 of the International Covenant on Civil and Political Rights provided for the establishment of a collective body known as the Human Rights Committee to oversee the implementation of the provisions of the Covenant by the States which had ratified it. That being the case, it was hard to see how the High Commissioner could perform the task assigned to him in operative paragraph 2 of the draft resolution recommended by the Economic and Social Council. Furthermore, the proposed post would even now duplicate the work of the Committee on the Elimination of Racial Discrimination. The High Commissioner would be a supreme judge who, in the absence of any legal framework, would act on his own discretion. It should be noted that not even the International Court of Justice enjoyed such authority, although it was a collective body.

34. Some delegations maintained that the High Commissioner would be no more than a co-ordinator, a symbol of the Organization's concern with human rights. However, judging from operative paragraph 2 (c) of the draft resolution, he would have access to communications concerning human rights. The most disconcerting fact of all, which partly accounted for the fears and suspicions expressed by some delegations, was that among the most enthusiastic

supporters of the creation of the post of High Commissioner were a number of States which had not yet ratified the existing international instruments relating to human rights. It was difficult to believe that those States would submit to the decisions of one individual whose actions had no legal basis such as an international instrument would provide. There was reason to suspect that they had no intention of complying with the decisions of the High Commissioner or that they would like to use him to put pressure on other countries to suit the requirements of their own foreign policies.

35. Obviously, there were always Governments which violated human rights. The Government of South Africa, for example, had been guilty of grave violations of human rights and fundamental freedoms when it had instituted its inhuman policy of *apartheid*. The Government of the United States was guilty of violating human rights in Viet-Nam. He was certain, however, that no High Commissioner, no matter how honest, would dare to concern himself with those flagrant violations of human rights. He therefore wondered just what functions the High Commissioner would perform.

36. The High Commissioner would serve no purpose whatever, since he would merely do what other United Nations organs were already doing. The creation of the proposed post would be a luxury that the international community could not afford, especially at a time when the costs of international institutions were rising at an alarming rate.

37. Bulgaria, which had ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, did not need the advice of any High Commissioner. The Covenants were sufficient for the purpose of promoting universal respect for human rights and fundamental freedoms. Consequently, his country would never recognize a High Commissioner nor would it assume any moral, political, financial or other responsibility arising out of the creation of such a post.

The meeting rose at 1.5 p.m.