

## 2148th meeting

Tuesday, 4 November 1975, at 10.30 a.m.

Chairman: Mr. Ladislav ŠMÍD (Czechoslovakia).

A/C.3/SR.2148

### *Appeal to the Government of Chile (concluded\*)*

1. The CHAIRMAN recalled that at the 2142nd meeting various representatives had requested him to use his good offices to appeal to the Government of Chile to enable Luis Corvalán to attend his son's funeral in Sofia. At the 2143rd meeting he had read out the text of the telegram sent to the Government of Chile in response to that request. In addition, on 29 October he had informed the President of the General Assembly and the Secretary-General of the United Nations of the action taken in that respect. The funeral had taken place in Sofia on the morning of 30 October and on the evening of 31 October he himself had received a letter from the Permanent Representative of Chile containing the reply of the Chilean Minister for Foreign Affairs to the telegram. The reply stated that Luis Corvalán was in precautionary detention pending trial on a variety of charges and accordingly could not be permitted to leave the country. However, if the funeral was held in Chile Mr. Corvalán would be permitted to attend. His wife, the mother of the deceased, would not be prevented from leaving and returning freely to Chile.

2. Mr. BAHNEV (Bulgaria) thanked the Chairman for the efforts he had made in response to the humanitarian request concerning Luis Alberto Corvalán, who had died on 26 October. Regrettably, however, those efforts had not been successful, for the reply of the Chilean authorities had been negative and had not been received in time. His delegation therefore reserved the right to deal with that matter later in the debate.

3. Mr. INFANTE (Chile), speaking in exercise of the right of reply, said he wished to make it clear that the reply of his Government to the Chairman's telegram had specified that the funeral of Luis Alberto Corvalán could be held in Chile and that the father of the deceased would, in that case, be allowed to attend. Moreover, the reply to the Chairman's telegram had been sent by the Chilean authorities on the day the matter had been raised in the Committee.

### AGENDA ITEM 12

**Report of the Economic and Social Council [chapters III (sections F, G, I, L and M), IV (sections A and C) and V] (continued) (A/10003, A/10284, A/10285, A/10295, A/10303, A/C.3/637, A/C.3/639, A/C.3/640, A/C.3/L.2168, 2169)**

HUMAN RIGHTS QUESTIONS (continued)  
(A/10003, chap. V, sect. B)

*Protection of human rights in Chile (continued)*  
(A/10285, A/10295, A/10303, A/C.3/639, A/C.3/640)

4. Mr. KÖMIVES (Hungary) said that world public opinion had been concerned about Chile for two years. Since

the overthrow by force of the legitimate Government and the takeover by the treacherous military junta, there had been constant reports and eyewitness accounts of the acts of terrorism perpetrated by the junta, which, by its repressive measures, was causing the people of Chile untold suffering and sorrow. Progressive-minded world opinion had raised its voice to protest the atrocities committed by the junta and had demanded the immediate cessation of the bloody terror and the restoration of human rights and fundamental freedoms in Chile. Moreover, the various international commissions established to inquire into the situation in Chile had found conclusive facts and authentic evidence of grave and unprecedented violations by the Chilean junta of the principles laid down in the Charter of the United Nations and in the Universal Declaration of Human Rights.

5. The Hungarian people had strong feelings of sympathy and solidarity with the people of Chile. Social and mass organizations and thousands of workers' collectives had met to protest atrocities and persecution in that country and the Government and people of Hungary had given proof of their solidarity by receiving several hundred Chilean refugees and giving them an opportunity to lead a life free from fear.

6. General Assembly resolution 3219 (XXIX) was among the actions of the international community designed to end the suffering of the Chilean people and re-establish the rule of law and basic human rights in that country. That resolution expressed the deep concern felt by the vast majority of the States Members of the United Nations about the constant flagrant violations of human rights and fundamental freedoms in Chile and urged the Chilean authorities to take all necessary steps to restore human rights and fundamental freedoms, particularly with regard to persons imprisoned solely for political reasons. Despite that action, however, the leaders of the fascist junta persisted in their campaign of terror against the Chilean people and thousands of innocent victims were still languishing in terrible circumstances in prisons and concentration camps. Men and women, young and old, regardless of their political convictions and religion, were being tortured to death or disabled in body and mind by the henchmen of the junta, who acted in response to their basest instincts.

7. The concern felt by States Members of the United Nations had also been expressed in resolution 8 (XXIX)<sup>1</sup> of the Commission on Human Rights, by which the Commission had decided to set up the *Ad Hoc* Working Group entrusted with the task of inquiring into the current situation of human rights in Chile and submitting a report

<sup>1</sup> See *Official Records of the Economic and Social Council, Fifty-eighth Session, Supplement No. 4, chap. XXIII.*

\*Resumed from the 2143rd meeting.

to the Secretary-General on its findings, to be based on a visit to Chile and on evidence gathered *in situ*. The representatives of the Chilean military junta had repeatedly, yet hypocritically, assured the Working Group of their full co-operation, but, in the end, had refused to receive it. The Working Group had nevertheless spared no effort to fulfil its mandate and its report (A/10285, annex) was based on oral and written evidence and accounts given by more than 100 Chileans and non-Chileans with different political and religious affiliations. The Working Group had thus been able to prepare an impartial report, which gave as realistic a picture as possible of the current situation in Chile and provided an appropriate basis for the Committee's consideration of the issue.

8. The findings of the report of the Working Group reaffirmed with absolute certainty that repressive measures which were beyond belief were being taken against the Chilean people by the military junta, in flagrant violation of the principles set forth in various international instruments on human rights. In that connexion, he referred to paragraph 108 of the report, which described the use of the state of siege as a justification for all kinds of measures derogating from the normal application of the laws and for suggestions or restrictions of human rights. The report also stated, on the basis of the facts, that the Chilean military junta had institutionalized torture, inhuman and brutal treatment and threats to human life and security of the person. In that connexion, he referred to paragraphs 192 and 193 of the report, which enumerated the terrible methods used by the Chilean authorities against persons kept in prison and in concentration camps. Such methods included beatings, torture by burns, the application of electricity, the use of specially trained dogs and the most elaborate types of psychological torture. The Working Group was therefore fully justified in stating, in paragraph 195 of the report, that such acts were forbidden by international law even under an emergency situation. Paragraph 127 of the report gave further evidence of the mass arrests made by the military junta. As a result of those arrests, thousands of persons had been thrown into prisons and concentration camps for political reasons or for no reason at all. Such persons were being denied the most elementary legal defence and their whereabouts were concealed from their relatives. There was also a long list of persons who had simply disappeared after detention. Section E of the report stated that women and children had not been spared and were being subjected to extreme hardships and abuse by the Chilean authorities. Other citizens were being deprived of the exercise of such a fundamental human right as the right to work, as shown in paragraph 228 of the report. The report also revealed alarming violations of economic, social and cultural rights in Chile.

9. The report thus showed that the reactionary military junta in Chile was continuing and at times even intensifying its brutal practices in contravention of all rules of international law. The United Nations was under a moral obligation to condemn the constant and massive violations of human rights in Chile and to take effective action, in the spirit of the Charter, to restore the enjoyment of human rights in that country. Resolute action must be taken to ensure that the military junta in Chile fully implemented the relevant decisions of the United Nations and other

international organizations and that it put an end to the state of siege, released imprisoned and detained persons, stopped all torture and the use of other inhuman methods of treatment, punished those responsible for criminal acts and restored legal order under the Constitution so that the people of Chile might live and work in freedom and human dignity.

10. In conclusion, he said that his delegation was deeply indignant at the refusal of the Chilean junta to permit Luis Corvalán to attend the funeral of his son. That attitude was one more example of the inhumanity which was typical of the junta in Chile.

11. Mr. MARSHALL (United Kingdom), referring to the concern felt by the world community about the issue of the protection of human rights in Chile, said that his delegation wished to pay a tribute to the efforts made by the Secretary-General in the past 12 months and, in particular, to those of Mr. Morse, the Under-Secretary-General for Political and General Assembly Affairs. Like many others, his delegation had been struck by the conclusion reached by the Secretary-General in paragraph 14 of his report (A/10295), that the objectives identified in paragraph 3 of General Assembly resolution 3219 (XXIX) had not been achieved. It had also carefully studied the progress report of the *Ad Hoc* Working Group (A/10285, annex) and the document submitted by the Chilean delegation (A/C.3/639). The report of the Working Group was a disappointment because, despite the desire of the Chairman to compile a comprehensive and authoritative report, the principal means of achieving that objective, namely, by visiting Chile, had been denied to the Group. The progress report was therefore incomplete. It had nevertheless added substantially to the already considerable body of evidence of serious violations of human rights in Chile, which pointed to a derogation from the standards repeatedly endorsed by members of the United Nations and accepted by the Chilean Government. Moreover, such violations appeared to be of a degree and kind that could not be justified as temporary limitations of certain freedoms.

12. His country was deeply concerned about the victims of such violations of human rights and had given practical expression to its concern by helping Chilean refugees, more than 1,000 of whom had arrived for settlement in the United Kingdom. Their arrival had presented a challenge to local authorities, non-governmental organizations and the people of the country, who had all responded in a way which underlined the humanitarian sympathy felt for those refugees.

13. With regard to the victims who remained in Chile, he said that it was a matter of great regret that the Chilean Government should have cast doubt on its own determination to restore human rights by refusing to allow a visit from the *Ad Hoc* Working Group. The international community had a right to the facts. The last-minute refusal by the Government of Chile to let the Group undertake the visit, and its failure thus far to offer any alternative date for the visit, inevitably prompted the fear that it had withdrawn the co-operation it had previously offered. That decision of the Chilean Government could not but reinforce the misgivings already widely and profoundly felt.

14. The United Nations must avoid two dangers in seeking to protect human rights in Chile. First, it must not prejudge the outcome of the procedures of investigation already established, for to do so would be to diminish its own capability and authority. The General Assembly was concerned with a progress report, not with a final determination. Secondly, it must not fail to take account of whatever hopeful signs there were, such as the release of some detainees. Whatever might be the position of others, his country had no interest in conducting a vendetta against the Chilean Government, which it recognized and with which it maintained diplomatic relations, but it did feel that the United Nations had an obligation to speak out in the present circumstances. Thus, the most effective way of securing progress lay in maintaining a dialogue between the Government of Chile and the international community.

15. Mr. FUENTES (Bolivia) said that his delegation had been deeply concerned and disconcerted by the report of the *Ad Hoc* Working Group because it contained serious allegations based on testimony which could not be considered conclusive. His delegation therefore could not pass judgement on the report itself. It was sure that the members of the Working Group had tried to abide by their terms of reference and to fulfil their mandate as faithfully as possible. They had tried to hear the largest possible number of relevant statements and to consider them on the basis of their probability and credibility. It would be argued that in view of the negative response of the Chilean Government to the proposed visit of the Working Group, that procedure had been the only means of carrying out an investigation of the human rights situation in Chile. From the moral, political and institutional standpoints, however, that argument was very weak; firstly, because the Working Group, although it had not meant to do so, had become involved in the publicity game without having the slightest hope of correcting anything that might be wrong; secondly, because creating a scandal in no way benefited the country concerned or remedied any wrongs done to the actual or supposed victims. The only ones who stood to gain were those who were seeking to further certain political interests. Thirdly, the case in question was not the first one in which a United Nations working group had been denied permission to visit a Member State and had had to base its conclusions on testimony from anonymous informants or on newspaper articles. Naturally, most of the informants who had appeared before the Working Group had wished to remain anonymous because they were the ones who had had to abandon Chile on account of their political or emotional ties to the parties or persons who had been overthrown in Chile in 1973.

16. Account had not been taken of the fact that what was at stake in the Working Group's report and many of the statements made in the Committee was the dignity of the Chilean people as a whole, who saw their country's name vilified. That vilification also offended the susceptibilities of many Latin American countries, which were aware of what it had cost to win freedom at a time when the great Powers had been trying to divide the known world among themselves. In that connexion, he recalled that at the 2131st meeting the representative of the Dominican Republic had defended the Latin American countries' dedication to freedom and had said that they had had to achieve it without the assistance of the Charter of the

United Nations, in a long struggle which had decimated the youth of the New World. Moreover, the determination to achieve independence had continued to involve the countries of Latin America in bloody fratricidal wars promoted, more often than not, by foreign Powers. In those circumstances, therefore, his delegation could not rightfully set itself up as a judge of the present Government in Chile. That was a task for the Chilean people. His delegation was, however, surprised that countries which had traditionally been indifferent to events in Latin America and to Latin American aspirations, frustrations and misfortunes were now showing an unusual interest in and demonstrating superficial knowledge of Latin American affairs and presuming to tell one Latin American country what kind of government it should have. Perhaps his delegation should not be surprised by such presumption because it was demonstrated in the United Nations every day. It was also manifested in the United States press, which reported only sensational news of violence and misfortune in Latin America because that was the kind of news the masses craved. Nothing else interested them.

17. His delegation's misgivings had been strengthened by some of the statements made at previous meetings of the Committee. While respecting the memory of those who had lost their lives in Chile, his delegation could not condone slanderous accusations made on the basis of allegations which amounted to an attack not only on the sense of justice and moral integrity of a Government, but also on the dignity of a whole people. The fact was that the report of the *Ad Hoc* Working Group should never have been published. It solved nothing, and even threatened to embitter and prolong still further the confrontation between brothers which was taking place in Chile, at a time when united action by all the people of Chile was needed to cope with the grave economic problems facing the country.

18. The Latin American countries still suffered from periods of instability and even violence in their quest for specific national solutions to their problems. Almost every country in the world had gone through such periods, and had eventually overcome the divisions within its society. In that connexion, it must be remembered that Latin American societies were small and had no caste system. It was wrong to place so much emphasis on the fact that the Government of Chile was a military one because in Latin America the armed forces were essentially nationalist institutions open to all citizens. It was therefore difficult to accept *prima facie* the contention that torture and coercive measures were being applied in Chile because it was under a military régime. It should also be remembered that while torture and inhuman treatment were certainly repugnant to the human conscience, they had always existed and would continue to exist so long as man did not overcome the negative side of his nature.

19. History had shown that cycles of violence eventually waned and wrongs were forgiven. That had happened in the case of Bolivia, which had also experienced a social revolution, in the name of which concentration camps had been established, men, women and children had been tortured and the country had been impoverished. Because those methods had been applied in the name of social revolution and the opposition had been described as reactionary and fascist, no one had shown any concern for

the persecuted, and the complaints addressed to the Commission on Human Rights had been buried in the files of international bureaucracy. With the passage of time, however, Bolivia had come to regard the indifference of the world as a blessing in disguise, since it had enabled the Bolivian people to solve their own problems without foreign interference. They would not have wanted their difficulties to be the subject of a report written by outsiders which would have done nothing to remedy their sufferings.

20. Apart from the reasons he had just mentioned, there were other grounds for his delegation's serious misgivings about the report of the *Ad Hoc* Working Group. In the first place, if the terrible crimes alleged to have been committed by the Chilean authorities were true, publicizing them in a permanent written record could only add to the suffering and humiliation of the victims. Secondly, the Committee would do well to remember the words of the New Testament referred to by the representative of Saudi Arabia at the 2146th meeting: "He that is without sin among you, let him first cast a stone". No one could meet that condition. In the third place, the report could be criticized as partial, since it reflected only the views of the opponents of the present Chilean authorities. For all those reasons, his delegation considered that the most reasonable and fairest course of action would be to proceed no further with the matter, and to refrain from interfering in the internal affairs of a country which, by its long experience of democratic institutions, was well qualified to deal with the business of government.

21. In conclusion, he observed that the Committee was not a tribunal and that its proper role consisted in appealing to the Government of Chile to relieve the ideological tensions within Chilean society, and, in a climate of peace, order and freedom, to restore constitutional normality. Such an appeal would not, however, be complete unless at the same time the self-appointed champions of human rights were called upon to set their own houses in order and certain elements of the press were urged to refrain from the indiscriminate dissemination of vile and slanderous propaganda.

22. Mr. MONTENEGRO MEDRANO (Nicaragua) said that the current situation in Chile readily lent itself to misunderstandings and distortions, since it resulted from the overthrow of a régime whose advent to power had been widely supported by the proponents of certain ideological creeds. It was also dangerous because it could give rise to foreign interference and infringements of the right to self-determination of the Chilean people. His delegation therefore wished to remind the Committee that its duty consisted solely in appealing to the Chilean Government to exercise its authority humanely and in the interests of the Chilean people as a whole. It should also be noted that Chile was no exception within the family of nations, and that many cases involving the repression of various groups, the violation of human rights and fundamental freedoms and the denial of due process of law produced no widespread protests by the international community.

23. Referring to the report of the *Ad Hoc* Working Group, he said that as a parliamentarian he considered that the procedures on which it was based lacked fairness and

objectivity. In particular, the method of relying on outside sources of information was clearly irregular. Moreover, the Chilean Government had argued that it had been denied the right to defend itself, and that it was the target of a sectarian campaign designed to spread anarchy and chaos in Chile. Latin America respected Chile for its contributions to the cause of human rights and its traditions of culture, freedom and democracy. It was inconceivable that a country with such a heritage should become overnight a bastion of reaction and tyranny. Admittedly, irregularities had occurred at the time of the change of régimes, but, with the exception of the curfew, life in the country had since then returned to normal, as he himself had been able to confirm during a visit just two months earlier.

24. In conclusion, he said that there were other situations that warranted the Committee's attention more than did the situation in Chile, and that its attitude towards that country should be one of understanding, dialogue and fraternal sympathy.

25. Mr. GRAEFRATH (German Democratic Republic) recalled that at the Committee's preceding meeting he had mentioned Ricardo Lagos. He had referred to the 30-year-old Chilean citizen and member of the Political Bureau of the Chilean Socialist Youth, and not, as suggested by the representative of the junta, to the 50-year-old lawyer of the same name, who was a former member of the Faculty of Law of the University of Chile, and later of the Latin American Faculty for Social Sciences in Buenos Aires, where he now lived. The Ricardo Lagos to whom he had referred had been arrested by the Directorate of National Intelligence (DINA) on 25 June 1975, and to date there had been no information about his fate or place of detention. However, according to the testimony of those who had seen him in prison, there was enough evidence to show that he had been tortured by junta agents. Moreover, the authorities had thus far refused to provide any information on the matter, in spite of the fact that his relatives had witnessed his arrest. The representative of the junta could not dispute those facts, which, together with the refusal to allow Luis Corvalán to attend the funeral of his son, cast further light on the nature of the junta régime.

*Draft declaration on the rights of disabled persons*  
(A/C.3/L.2168, 2169)

26. The CHAIRMAN, noting that no further delegations had requested to speak at the current meeting on the situation of human rights in Chile, invited the Committee to consider the draft declaration on the rights of disabled persons contained in document A/C.3/L.2168. He announced that Guinea, Mauritania, Nepal, Oman and Togo had become sponsors of the draft.

27. Mrs. TAKLA (Egypt), referring to the great nineteenth-century scientist, Louis Pasteur, observed that, despite a serious stroke suffered when he was in his forties, he had been a living symbol of rehabilitation and determination, and had worked until the age of 73, and that many of his greatest scientific achievements had dated from the period following his stroke. At that time medical programmes in the current sense of the term had been unknown and only the very strong and dedicated among the disabled had been able to live a normal life and

contribute to society. In modern times, however, there was almost universal recognition that handicapped people must be helped to lead useful lives. Such a development indicated that the branch of medical science dealing with handicapped persons would one day be accepted as readily throughout the world as were those of prevention and cure. The proposed declaration (A/C.3/L.2168) was an expression of that human need, and marked the beginning of an era in which every disabled person would have the right to rehabilitation and to be integrated into society. Experience and research proved that those goals were possible. In that connexion, she referred to the encouraging findings of the New York Institute of Physical Medicine and Rehabilitation concerning the employment of disabled persons. She also drew attention to the fact that in Egypt blind girls were currently continuing their education at the university level and receiving the highest degrees, and were thus enabled to secure employment. Moreover, legislation had been enacted in Egypt to ensure that a significant percentage of jobs offered were allocated to the disabled.

28. She noted that there were 300 million persons in the world who required some kind of rehabilitation services and were unable to obtain them. They were victims of wars, aggression, human greed, accidents and natural disasters. Their plight had prompted Egypt to start an international project called "City of Faith and Hope", which was a centre for medical, social and emotional rehabilitation. Many countries outside the Arab world had contributed to the project with money, medical assistance, research units, laboratories and equipment, as well as in other ways. The long list of countries included the Federal Republic of Germany, France, Ireland, Japan, the Netherlands, Switzerland, the United Kingdom, the United States and others. The readiness of so many countries to contribute tended to confirm the well-known saying that to believe in rehabilitation was to believe in humanity, and that was why her delegation hoped that the draft declaration would be adopted without a vote.

29. Mrs. KWEK (Philippines) said that her delegation was pleased to be one of the sponsors of draft declaration A/C.3/L.2168, and to see that it enjoyed such wide support. Although all men were obviously not created equal, everyone, regardless of colour, race, creed, sex, language and state of health or wealth, should have a fair chance. Therefore the efforts to bridge the gap between the haves and the have-nots extended to those with physical and mental handicaps. That was one of the assumptions of the President of the Philippines, as outlined in his Four-Year Development Plan, in which greater attention was given to the less privileged members of society through increased opportunities for more active involvement in the social, economic and political affairs of the nation. The Government was financing a programme to teach and assist the disabled, and its Department of Social Welfare had been making progress in its programme to provide maximum socio-economic services for handicapped people. The Philippines had a rehabilitation programme designed to give financial assistance for self-employment, to establish training workshops and to provide preventive and rehabilitative services. Vocational training was given emphasis in the over-all rehabilitation scheme in order to meet, if only partially, the pressing problem of employment for the disabled. In general, self-help and productive work were

stressed, not merely because of financial considerations, but chiefly because they developed self-respect and provided an outlet for creative energies. Such a rehabilitation programme reflected an acceptance of the right of the handicapped to enjoy a decent life, and implied the recognition of their right to engage in trade, or at least in a useful occupation.

30. In conclusion, she expressed her delegation's hope that draft resolution A/C.3/L.2163 would be adopted by consensus.

31. Miss DIAZ (Venezuela) said that her delegation would vote in favour of the draft resolution if it was put to the vote, but considered that its subject was of such importance that it deserved to be considered in greater depth, taking into account the views of specialists who could make valuable suggestions that would enhance its effectiveness. However, her delegation would accept whatever decision was taken on the subject. The initiative of the Belgian delegation could be viewed within the context of the social functions of States and also as part of the moral obligation of national collectivities with respect to the disabled. However, it should not merely be a declaration of valuable and useful principles but should also contain an effective plan of action to be applied nationally, taking into account the expert views which could be submitted to competent national authorities of States Members of the United Nations and the various specialized agencies. Several representatives had drawn attention to the lack of training and assistance centres for disabled persons on a worldwide scale; it was therefore necessary to link the draft declaration with the establishment of programmes of international co-operation. It was for those reasons that her delegation considered that the draft declaration should be given further consideration.

32. Miss CAO-PINNA (Italy) said that, as one of the sponsors of the draft declaration in document A/C.3/L.2168, her delegation wished to comment on the perplexities expressed by the representatives of Argentina, the German Democratic Republic and Venezuela concerning the procedure followed in formulating the draft declaration. She understood that the delegations in question would have preferred the Commission for Social Development to have studied the question before it was brought to the attention of the General Assembly. While that observation was valid in general, it should be noted that the Committee sometimes departed from the usual procedures, as in the case of the draft declaration adopted during the preceding week in connexion with agenda item 69. There were, however, other considerations which justified the submission of the draft declaration now before the Committee. The most important one could be expressed in the following terms: the rights of the handicapped were not a purely humanitarian question, and their effective recognition was a development problem of all societies, since in all countries the handicapped lived outside the mainstream of local and national life. The draft declaration was designed gradually to correct that situation.

33. In that connexion she wished, as a member of the Commission for Social Development, to ensure the delegations she had mentioned that the draft declaration fully reflected the thinking of that Commission, which had

worked for years on a new concept of development called the "unified approach to development", dealt with under item 82 of the agenda of the current session of the General Assembly, which had been allocated to the Second Committee. One component of the unified approach, the principle according to which no sector of the population should be left outside the scope of change and development, was directly linked to the question before the Committee. In that connexion, she referred to Economic and Social Council resolution 1494 (XLVIII), regarding social policy and planning in national development. She also stressed the urgency of supporting, by a solemn declaration, the work of private organizations aimed at assisting persons affected by illnesses with as yet unknown origins, such as multiple sclerosis. In the great majority of countries, such persons were not covered by specific provisions within the social welfare system, and the declaration might provide an incentive for the community as a whole to assume responsibility for assisting them.

34. With regard to the need for financial and technical aid pointed out by some delegations of developing countries, she stressed the interrelationship between economic and social development, and said that there might be a proper place for international assistance if the developing countries progressively incorporated projects for the protection of the handicapped in their national plans and UNDP country programmes.

35. In conclusion, she noted with satisfaction the desire of many delegations, in particular those of the developing countries, to see the draft declaration adopted by consensus or acclamation.

36. Mr. ÓLAFSSON (Iceland) said that his delegation fully endorsed the arguments put forward by the Belgian representative and other representatives to demonstrate the necessity of adopting the draft declaration in document A/C.3/L.2168. However, he considered that the draft declaration should include a paragraph on the civil and political rights of disabled persons, and was therefore submitting the amendment contained in document A/C.3/L.2169. He advocated the adoption of the draft declaration and the amendment at the current session.

37. Mr. FARANI (Pakistan) said that his discussion on the draft declaration amply reflected the concern felt by the members of the Committee on a problem which was of great importance for all mankind. That concern was felt even more deeply by those who had worked with the physically disabled and had seen those persons suffer because of the discriminatory practices of society and sometimes even of their own families which prejudiced their chances of contributing positively to society and leading a meaningful life. The depth of affliction was even greater for those who became disabled after leading a normal physical life for years; their lives became dominated by suffering and self-pity unless concern was shown for their rehabilitation. The physically disabled deserved to be assisted by society through both preventive and rehabilitative measures. Preventive measures would save many of the children and adults who became physically disabled through lack of medical, psychological or parental care. Parental attitudes, which were critically important to the emotional and social development of children, needed to be

counter-balanced, where they were negative, by humanitarian efforts by society in general.

38. Many of the developing countries as yet lacked the technical and material resources available in the developed countries. In the latter, support was provided by the affluent as well as the common people, through social service organizations, to the efforts of society to absorb and rehabilitate the handicapped. Many similar efforts were being made by social workers in developing countries too, as they were actually aware of the need to create a better future for the common people who had suffered deprivation under colonial exploitation. The plight of the physically disabled was receiving attention in Pakistan, where the Government as well as social workers were intensifying their efforts in the field of rehabilitation. His delegation was confident that liaison and co-operation between the social service associations of various countries would provide both an inspiration and an impetus. It was possible that the existing inadequacy of care and rehabilitation programmes in many countries of the world was depriving human society of the services of many of its most able members.

39. Pakistan was doing its best, within the limitations of resources urgently required for national development, to sustain and support all public and private efforts in the field of care for the physically disabled. That was a responsibility to which it was committed under article 38 of its Constitution, in accordance with which the State was required to provide the basic necessities of life for all citizens who were permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment. The Government of Pakistan was committed to the ideals of social justice and a better life for all its people, including disabled persons.

40. His delegation urged the Committee to adopt the draft resolution unanimously.

41. Mr. AZIZ (International Labour Organisation) recalled that in June 1955, at its thirty-eighth session, the International Labour Conference had adopted the Recommendation concerning Vocational Rehabilitation of the Disabled,<sup>2</sup> which had been a landmark in the development of international interest in vocational rehabilitation and had acted as a stimulus to national activity. Although directed towards Governments, it also provided a means whereby any agency or organization could learn what were internationally regarded as the essential elements of vocational rehabilitation and how to apply them in practice. The principles announced in that instrument and the detailed measures it proposed had stood the test of time. The Recommendation had been adopted in pursuance of the obligations placed upon the ILO by its Constitution, and of the request of the Economic and Social Council in 1950 in its resolution 309 E (XI) that a co-ordinated programme for the rehabilitation of the handicapped be worked out jointly by the United Nations and its specialized agencies, and also in response to the demands of Member States. It applied to all disabled persons, whatever the origin or nature of their

<sup>2</sup> See *Conventions and Recommendations adopted by the International Labour Conference, 1919-1966* (International Labour Office, Geneva, 1966), Recommendation No. 99.

disability, and covered vocational rehabilitation, the principles and methods applicable to the vocational guidance, vocational training, placement and follow-up of the disabled, as well as an outline of the administrative organization of vocational rehabilitation services and methods of enabling disabled persons to make use of those services. It dealt with co-operation between the bodies responsible for medical treatment and those responsible for vocational rehabilitation and contained special provisions for disabled children and young persons. Two sections of the Recommendation dealt with the important questions of the employment of disabled persons, and the Recommendation also stressed that vocational rehabilitation services should be adapted to the particular needs and circumstances of each country and should be developed progressively with the aim of promoting and improving employment opportunities for the disabled. It concluded with the proposal that, where desired, the ILO should be asked to help in developing vocational rehabilitation services. A resolution recalling the provisions of the Recommendation and reaffirming its importance had been adopted unanimously by the International Labour Conference at its forty-ninth session in 1965.

42. The International Labour Conference had returned to the question at its sixtieth session in June 1975 when it had adopted resolution IV concerning the vocational rehabilitation and social reintegration of disabled or handicapped persons. That resolution had urged Member States to recognize that all persons had the right to benefit from vocational rehabilitation and training in order to be able to perform suitable work, and that a high proportion of disabled or handicapped persons in society was a serious drain on the national economy. It further urged them to provide for the integration of disabled or handicapped persons in general training and employment schemes and for special services and support for the severely disabled or handicapped. It called on all public authorities and employers' and workers' organizations to promote maximum employment opportunities for disabled or handicapped persons.

43. The ILO, in addition to its standard-setting role, had a very active technical assistance programme for disabled persons.

44. The CHAIRMAN announced that Swaziland had become a sponsor of draft resolution A/C.3/L.2168.

45. Mr. NYIMI-NYIMI (Zaire) said that his delegation attached great importance to the problem of handicapped persons. In many developing countries such persons were reduced to poverty and beggary in order to survive. The Constitution of the Republic of Zaire proclaimed that all Zairians were equal before the law, and the law made no distinction between Zairians on account of their physical condition or socio-economic situation. Great efforts were being made to help handicapped persons live a fully integrated life in Zairian society. To that end, various vocational training centres for the physically handicapped had been set up, and there were also neuro-psychiatric centres for the mentally handicapped and rehabilitation centres for the physically handicapped whose handicaps could be eliminated or at least reduced by physical

exercises. His country spared no effort to ensure the social and economic well-being of handicapped persons, because it considered that they had the same fundamental rights as other citizens. The draft declaration set forth all the rights which his delegation considered that physically and mentally handicapped persons should enjoy. His delegation hoped that it would be adopted by consensus.

46. Miss RICHTER (Argentina) said that her delegation had substantive rather than procedural difficulties with the draft declaration. It shared the concern of many delegations about the lot of the mentally retarded and the physically disabled, but was anxious that the declaration should be an effective and useful document which would ensure a more dignified life for such persons and guide all countries in assisting them. Co-ordination was very important in that connexion: in Argentina there were various health and training institutions which were co-ordinated by the different ministries concerned. Her delegation considered that there was a need for co-ordination at the everyday level rather than at the level of over-all development.

47. The definition in operative paragraph 1 of the draft declaration was inadequate because there were persons who were able to ensure by themselves wholly or partly the necessities of their lives and yet required constant medical attention, specialized housing, and special recreation and transport facilities, as well as special provisions for retirement. Her delegation also had doubts on the advisability of referring to congenital deficiency in the definition. With regard to operative paragraph 2, she considered that there were rights other than those set forth in the draft declaration to which disabled persons were entitled, and that a change in drafting was therefore needed. Other aspects of the draft should be strengthened. For example, disabled persons had educational problems and needed rehabilitation in order to have, among other things, a full life, employment, pension rights, special housing, access to work and recreational facilities. Her delegation would like more time to look into the subject.

48. Mrs. HEANEY (Ireland) said that the problem of the disabled was a minority problem which was universal in scope. The incidence of the population of handicapped persons might have different causes in developed and developing countries but the net results were the same: the prolonged or lifelong impairment of faculties for an unfortunate minority and the corresponding responsibility of society to address itself to the problem. In Ireland increasing attention had been paid to the problem in recent years, in particular to the possibilities for training and employing the handicapped, in accordance with the norms recommended by the relevant United Nations agencies, including the ILO. For that purpose a Working Party had been established in 1974 by the Minister for Health to consider, in particular, occupational training, and it had set forth in its report the principle that no one should be denied the opportunity to work even if it required a special effort by society to enable him to do so. Considering the economics of rehabilitation, the Working Party had expressed the view that many handicapped persons could become productive citizens so that the expense of maintaining them indefinitely in institutions, or supporting them from public funds in their homes, would be avoided or reduced. The handicapped should be helped in the name of

common humanity, but it was useful to recall that in helping them society as a whole would gain. The handicapped people who had made a noteworthy contribution to public life included a recent President of the United States. In Ireland the Universal Declaration of Human Rights had often been quoted by organizations representing the handicapped, and to that extent it had been an encouragement for national action. Her delegation welcomed the draft declaration, which enlarged on the basic principles of human rights in some detail. Furthermore, the sponsors recognized that the developing countries in particular, because of limited resources or urgent national priorities, might not yet be in a position to implement those principles fully. Her delegation had been impressed by the readiness of representatives of a wide spectrum of countries, including developing countries, to support the draft declaration. Since the draft declaration was not a binding legal instrument but an expression of principles relating to the basic human rights enshrined in the Universal Declara-

tion of Human Rights, she trusted that it could be adopted by consensus, or even by acclamation.

49. Mr. NOTHOMB (Belgium) expressed appreciation to all those delegations which had become sponsors of draft resolution A/C.3/L.2168. The representatives of the ILO and WHO had suggested some improvements to the text which he believed would help meet the objections of Argentina and the German Democratic Republic, as well as the request of Venezuela that the observations of qualified specialists should be taken into account. He would discuss those amendments with the sponsors and report back to the Committee at a later meeting.

50. His delegation fully supported the amendment put forward by the delegation of Iceland (A/C.3/L.2169).

*The meeting rose at 1.05 p.m.*

## 2149th meeting

Tuesday, 4 November 1975, at 3 p.m.

*Chairman:* Mr. Ladislav ŠMÍD (Czechoslovakia).

A/C.3/SR.2149

### AGENDA ITEM 12

Report of the Economic and Social Council [chapters III (sections F, G, I, L and M), IV (sections A and C) and V] (*continued*) (A/10003, A/10284, A/10285, A/10295, A/10303, A/C.3/637, A/C.3/639, A/C.3/640, A/C.3/L.2168, 2169)

#### GENERAL DEBATE

1. The CHAIRMAN announced that Oman had become a sponsor of draft resolution A/C.3/L.2168.
2. Mr. LIDBOM (Sweden) said that one of the central tasks of the United Nations since its establishment had been to defend human rights. International co-operation had been instituted with a view to obliging all States to observe human rights and freedoms. That co-operation rested on the conviction that the struggle against oppression, discrimination and social injustice within each country was one of the prerequisites of stable and peaceful relations between countries.
3. The Universal Declaration of Human Rights, adopted by the United Nations in 1948, was an indispensable instrument. Since its adoption, his Government had struggled to have various articles of the Declaration transformed into binding international conventions. His Government was gratified to note that the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 2200 A (XXI), annex) would soon enter into force.

4. One of the first prerequisites for respect for human rights was the political self-determination of peoples and it was gratifying to see that more and more countries were enjoying that right. The achievement of independence by the peoples of Indo-China was a great victory in the struggle against colonialism and for human rights. In South Africa, Rhodesia and Namibia, however, the advocates of racial segregation still held sway. The *apartheid* policy of South Africa was a denial of the human dignity of the indigenous population and had grave international repercussions. In Southern Rhodesia, the white minority oppressed the black majority, to whom the régime refused to grant its legitimate political rights. In order to maintain their tyrannical régimes, the Governments of those States were forced to step up oppression. In Chile people were thrown into prison on account of their political opinions. Many innocent people were tortured and killed, also for political reasons. The Chilean régime, in its contempt for fundamental human rights, had gone so far as to refuse to admit the *Ad Hoc* Working Group established by the Commission on Human Rights to study conditions in that country.

5. Economic independence and the establishment of a more equitable world economic order were a second prerequisite for respect for human rights, no less essential than the right to self-determination. Political rights lost much of their content if people did not have the right to a reasonable standard of living, to health and education. The greater part of the world's population was unfortunately denied those rights and as long as those basic economic causes of injustice were not eliminated, conventions and declarations on human rights would be unable to assume their true meaning.