

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.

6. Criticism directed against oppression and the violation of human rights in a State was often held to be a form of interference in the internal affairs of that State. Violations of human rights were, however, the concern of all nations. The principle of non-intervention must not be used as a means for preventing scrutiny, debate and criticism. His country had repeatedly protested against flagrant violations of human rights in South Africa and Rhodesia, in Eastern Europe, in Chile and in Viet-Nam and it intended to continue that policy.

7. The existence of a large number of political prisoners in many countries was of particular concern to his country. Political prisoners were to be found in countries with the most varying forms of government. Only a small part of the truth was known and well-documented and impartial reports had recently confirmed that there were hundreds of thousands of political prisoners, if not more. He defined the term "political prisoner" along the lines of articles 9 and 19 of the Universal Declaration of Human Rights and said that his country was grieved to see that those articles were violated, whether in countries where political oppression was combined with economic and social injustice or in countries where admirable economic and social advances had been achieved. It would be a task worthy of the Committee at the Assembly's thirty-first session to arrive at measures to improve the conditions of political prisoners.

8. The section of the report of the Economic and Social Council (A/10003) dealing with capital punishment was of particular interest. His country did not believe in the deterrent effect of capital punishment and considered it to be as unwarranted as it was cruel. The situation in that respect was very grave. The death penalty remained in force and was applied in a significant majority of States. His country condemned the death penalty no matter what the context in which it was applied. A particularly vehement reaction was called for when the death penalty was enforced after a summary trial.

9. There was nothing to suggest that torture and capital punishment were currently less common than previously, and the integrity and dignity of human beings continued to be violated in innumerable other ways. However, efforts should not be abandoned and the prospects for success would improve if world public opinion could be mobilized in the United Nations against régimes which failed to respect human rights.

10. Spain was currently Europe's guilty conscience. In the 1920s and 1930s, European democracy had undergone a crisis which had led to tyrannical Nazi and Fascist régimes taking power in several countries. It had been a source of disappointment and concern for the democratic nations of Western Europe that, throughout the post-war period, the Spanish people had not regained their freedom. Spain had been denied by its rulers the right to make its contribution to the development of Europe and of the world, a contribution of which its rich cultural heritage would have made it capable. With the downfall of the Caetano régime in Portugal in the spring of 1974, the Spanish régime had been shaken to its very foundations. There was in Spain an active and democratic opposition now working with increasing confidence for a peaceful change of régimes. His

country was convinced that that opposition had the support of an overwhelming majority of the Spanish people. There was great concern and sensitivity in Europe with respect to what was happening in Spain, in particular anything which implied deviations from the principles of democracy and the rule of law. In discussions of political prisoners and arbitrary detentions or of torture or trials at which the accused had insufficient means to defend themselves, Spain was to be found among the States violating fundamental human rights. The contempt of the Spanish régime for freedom and justice had provoked small groups totally isolated from the democratic opposition in the country to engage in acts of terrorism. His Government condemned terrorism and emphatically rejected the methods used by terrorists in Spain. It was, however, also aware of the fact that oppressors were very apt to describe their opponents as terrorists in order to make their own brutal repression appear legitimate. The Spanish régime had exploited the reaction against terrorist acts and had used those acts as a pretext for the persecution and silencing of the democratic opposition. The régime was, therefore, largely responsible for the continuing escalation of violence. As part of its efforts to silence the opposition, the régime had enacted emergency laws which were contrary to the elementary principles of justice. His Government hoped, however, that reports that the so-called terrorist law would no longer be applied were true. The Spanish Government should realize that such laws could not silence the opposition. Vigilance must, however, be maintained, for hundreds of people were still awaiting trial. They put their trust in public opinion in Spain and elsewhere and they must not be abandoned. Violence must be brought to an end and a process of peaceful development towards democracy must be initiated. It could be seen that the democratic forces in Spain were now being strengthened and it was to be hoped that the Government in Madrid would face up to its responsibilities.

11. The protests against increasing lawlessness had emanated mainly from the European States, and that was a fact which his country deeply deplored. Fascism must be fought everywhere, no matter in what guise it presented itself, and no matter where it appeared. In expressing their attitude towards fascism, all States should support the democratic opposition in Spain, which was trying to restore freedom to the Spanish people and to have human rights respected. All States should unite in the struggle against political, economic and social repression in all parts of the world, because a world without respect for human freedom and dignity would, in the long run, become unbearable.

12. Miss CABALLERO (Mexico) supported the statement of the representative of Sweden and recalled that the President of the United Mexican States had presented the position of her country with regard to violations of human rights in the statement he had made on 7 October 1975, at the 2377th plenary meeting of the General Assembly.

13. Miss BOCETA (Spain) said that her country reserved its position on the statements which had just been made and would exercise its right of reply later.

The meeting rose at 3.55 p.m.