

UNITED NATIONS
General Assembly

FORTY-FIFTH SESSION

Official Records

THIRD COMMITTEE
41st meeting
held on
Wednesday, 14 November 1990
at 10 a.m.
New York

SUMMARY RECORD OF THE 41st MEETING

Chairman: Ms. COOMBS (New Zealand)
(Vice-Chairman)

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Distr. GENERAL
A/C.3/45/SR.41
23 November 1990

ORIGINAL: ENGLISH

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In the absence of the Chairman, Ms. Coombs (New Zealand),
Vice-Chairman, took the Chair.

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 89: EFFECTIVE IMPLEMENTATION OF UNITED NATIONS INSTRUMENTS ON HUMAN RIGHTS AND EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO SUCH INSTRUMENTS (continued) (A/45/3, chap. V, sect. A, A/45/707, A/45/636, A/45/205, A/45/207, A/45/216, A/45/222, A/45/227, A/45/230, A/45/264, A/45/265, A/45/266, A/45/267, A/45/269, A/45/270, A/45/272, A/45/280, A/44/668, annex)

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1. Mr. ORDÓÑEZ (Philippines) said his delegation shared the view expressed by the Director of the Implementation of International Instruments and Procedures Branch of the Centre for Human Rights that the procedures used to promote and protect human rights were of paramount importance. It also agreed with the statement made in the Secretary-General's report on the work of the Organization that recent revolutionary changes in Eastern and Central Europe had given powerful expression to the principles of the self-determination of peoples and respect for human rights, which had become a theme of dominant concern in international discourse. The members of the Third Committee had a special responsibility to help to ensure that the winds of change resulted in more than rhetoric and that its deliberations helped to keep the United Nations in step with developments in the real world.

(Mr. Ordoñez, Philippines)

2. The Philippines, as a State party to 43 human rights and human-rights-related instruments, was committed to finding innovative ways and means of achieving the effective implementation of the United Nations instruments on human rights. It had ratified the instruments concerned and adopted appropriate measures to implement their various provisions. However, it had been unable in the past to report on the progress made in respect of those measures because it had no appropriate mechanism to meet its reporting obligations effectively. The establishment in 1987 of the National Institution for the Promotion and Protection of Human Rights had eased that difficulty. In addition, a unit had been created in the Department of Foreign Affairs to co-ordinate the preparation of all Philippine reports submitted to the United Nations treaty bodies.

3. The task of preparing reports had also been facilitated by technical assistance received from the United Nations advisory services and technical assistance programme in the field of human rights. His delegation wished to reiterate the need for the Centre for Human Rights to conduct regular training courses or workshops devoted to the preparation and submission of reports and to express its gratification that the manual on reporting had been completed. It hoped the manual would be published soon and widely disseminated. It was also gratified that the treaty bodies had begun to interact more effectively and believed that a frank, open and constructive dialogue between them and the States parties should be encouraged. It also recognized the role played by non-governmental organizations in providing background information to individual members of treaty bodies whenever reports of States parties were under consideration and believed that those NGOs should be encouraged to provide Governments with the same information. His delegation was also convinced of the need to strengthen the Centre for Human Rights by providing it with the resources it needed.

4. With regard to agenda item 97, he noted that the President of the Philippines, in her statement at the World Summit for Children had stressed the importance of the Convention on the Rights of the Child. His delegation was gratified that the Committee on the Rights of the Child would be established during the next six months. The Philippines had both signed and ratified the Convention. In May 1990 an information campaign on the rights of the child had been held in Manila under the sponsorship of UNICEF and the United Nations Department of Public Information. The rights of the child had also been the theme of an art exhibition held in April 1990, which had been well received and publicized, and the Philippine Council for the Welfare of Children had conducted a national consultation workshop on the implementation of the Convention, which had been attended by 120 key government officials and NGO representatives.

5. Commenting on agenda item 105, he said his delegation wished to reiterate its appeal to all States not yet parties to the International Covenants on Human Rights to consider ratifying or acceding to them. It welcomed the adoption of the Second Optional Protocol to the International Covenant on Civil and Political Rights.

(Mr. Ordoñez, Philippines)

6. In connection with agenda item 109, he said that the Philippines found the torture and inhuman treatment of children in detention in South Africa totally unacceptable and felt that the international community should not rest until such abhorrent practices, which had no place in any society, were eliminated. By the same token, it viewed with grave concern the inhuman practices reportedly committed by the occupation forces of Iraq in the territory of Kuwait. It welcomed the co-ordination of activities between the Committee against Torture and the Special Rapporteur of the Commission on Human Rights on questions relating to torture. His Government was determined to prevent the recurrence of torture in the Philippines and had established mechanisms to achieve that end. In that connection, he said that the Special Rapporteur on questions relating to torture had visited the Philippines the preceding month with a view to encouraging the strengthening of those mechanisms and that his report was eagerly awaited.

7. Mrs. KARMACHARYA (Nepal), speaking on agenda item 97, said that since children were precious resources on whom the prosperity and peace of tomorrow's world would largely depend, States had a moral obligation to ensure their survival and mental and physical development. The growing realization that the welfare of children was a human rights issue made it imperative to address their needs since they were regrettably the first to fall prey to the ravages of poverty, hunger, ignorance and war.

8. The persistence of poverty, illiteracy and a low level of economic development had a profound and debilitating impact on the survival and development of children in Nepal, where the infant mortality rate and mortality rate for children under five were among the highest in the world. In addition, roughly 70 per cent of Nepalese children under five years of age were suffering from malnutrition. Roughly 50 per cent of women of child-bearing age suffered from nutritional anaemia. The overall literacy rate was 34 per cent, while the female literacy rate was only 18 per cent. The 1981 census had shown that about 57 per cent of the children in the 10-14 year age group were economically active. Children in many urban areas of the country were also beginning to fall victim to the scourge of drug abuse.

9. The problem of child welfare had regrettably not been addressed on a priority basis until the introduction of the five-year plan for the period 1985-1990, primarily because of neglect on the part of policy makers and the persistence of ignorance and apathy among the people. While the National Child Development Policy provided for under the 1985-1990 plan contained many valuable programmes aimed at improving the status of children, an evaluation of those programmes had revealed that they fell short of the needs owing to a shortage of financial and technical resources. It was estimated that the mortality rate for children under five could not be reduced to between 50 and 70 per 1,000 until the year 2059 and that it would take 60 years to halve the current level of illiteracy. The quality of education, the education of girls, the dropout problem and urban/rural disparities showed no sign of improvement.

(Mrs. Karmacharya, Nepal)

10. On the eve of the World Summit for Children, the Government of Nepal had held a one-day high-level national seminar to identify the priority goals for children and development for the 1990s and to make recommendations for the realization of those goals through action embodied in the national development plans for the 1990s.

11. Her Government was committed to strive for the protection and development of children. Women and children had been recognized as a priority development issue of the 1990s. The country's new Constitution fully guaranteed the fundamental rights of people, including the welfare of children. The Government was formulating strategies in the areas of education, health and the alleviation of poverty, and attention would also be focused on the problems and needs of disabled, homeless and destitute children.

12. It would not have been possible to tackle problems of such magnitude without the co-operation and support of the international community and especially of UNICEF, whose Immunization Programme, Oral Rehydration Therapy and primary health services had greatly contributed to the lowering of infant and child mortality rates in Nepal. UNICEF assistance in the areas of nutrition, food security, poverty alleviation, childhood disability, drinking water supply and the rehabilitation of the disabled had been extremely valuable, as had the joint efforts undertaken by UNICEF, WHO and UNDP in the area of child development.

13. Mr. DEKANY (Hungary) said that recent changes in world politics were evidence of the importance of human rights in shaping the destiny of the world. In Central and Eastern Europe the ideals of liberty and democracy had been used as a tool in the search for a genuinely democratic society based on the rule of law. Its membership in the Council of Europe showed its commitment to those ideals. The important changes effected in its domestic legislation with regard to human rights over the past year stemmed from the recognition of the fact that extensive legal guarantees for the protection of human rights were a sine qua non for a multi-party parliamentary democracy based on the rule of law.

14. The process of peaceful transition towards a representative democracy in Hungary was reflected in a series of legislative changes, including amendments to the country's Constitution, Penal Code and Code of Criminal Procedure to bring them into harmony with the relevant provisions in the International Covenant on Civil and Political Rights. Parliament had also modified the law on the Press and enacted a law on freedom of conscience and religion and on local self-government. Freely contested multi-party elections had been held in Hungary in March 1990, and a new coalition Government, responsible to the Parliament, had been formed.

15. The Central European countries had learned from experience that unless adequate human rights protection was provided for vulnerable groups of society, democracy did not exist. In addition to equal treatment before the law, minorities deserved special protection to compensate for their numerical inferiority or other disadvantages. The reason for the ethnic strife, currently seen in several countries was that individuals and their communities wanted to develop and preserve their own identity. There was a need to create an appropriate legal framework at

(Mr. Dekany, Hungary)

the national and international levels to tackle the problems faced by national, ethnic, religious and linguistic minorities and to provide them with adequate legal protection of their rights.

16. International monitoring of the implementation of treaty obligations was an expression of the legitimate concern of the community of nations. His Government attached great importance to the obligation of States parties to United Nations instruments on human rights to meet reporting requirements and deadlines and to pay the financial contributions specified in those instruments, thereby enabling the treaty bodies to perform their functions. It was also imperative that the budgetary and staffing resources of the United Nations Centre for Human Rights should be commensurate with the importance attached to respect for human rights. In that connection, the recommendations made at the third meeting of persons chairing human rights treaty bodies (A/45/636), merited close attention. His delegation felt it was important to ensure that the treaty implementation machinery not only functioned smoothly but was also capable of addressing new situations and adopting innovative approaches when required. It therefore took a favourable view of the eventual institutionalization of the meeting of treaty body chairpersons.

17. Turning to other agenda items in the cluster under consideration, he reiterated his country's firm rejection of any kind of intolerance or discrimination, including that practised on grounds of religion or belief.

18. He expressed the conviction that the United Nations could play a more significant role in enhancing the effectiveness of the principle of periodic and general elections through its peace-making efforts and the electoral assistance it provided. Hungary was ready to contribute to the elaboration of an appropriate framework for concerted international action in that field.

19. Ms. HADDAD (Lebanon), commenting on agenda item 97, said that in Lebanon, the effects on children of more than a decade of armed violence were staggering. A report in 1988 estimated that 90.3 per cent of children had been exposed to shelling or combat, 68.4 per cent to displacement, 54.5 per cent to extreme poverty, 50.3 per cent had witnessed violence, such as intimidation, injury or death of someone close to them, 26 per cent had lost close relatives in the fighting and 21.3 per cent had been separated from their families. The report noted, however, that only a very small percentage of children had been victims of direct act of violence, such as kidnapping, arrest or torture, and few young children had been directly involved in military action.

20. The chronic war had had a serious impact on many of the factors essential to child welfare, such as public services, water quality, schools and child care institutions. Schools had been forced to close for long periods and child care institutions were overflowing with children whose parents were living but without the resources to bring them up. The war had brought increased attention from international relief and development agencies but needs had risen far beyond resources. The most sustained and well organized assistance had been in the field of health, where local and international non-governmental organizations had

(Ms. Haddad, Lebanon)

provided invaluable support for the activities of the United Nations Children's Fund (UNICEF) whose continued efforts against infant mortality and disease had been of the greatest encouragement. She wished to express the appreciation of the people and children of Lebanon to UNICEF and other United Nations agencies and to local and international non-governmental organizations and to seek their further support and assistance.

21. Recent developments in Lebanon suggested that peace might be near. That would pave the way for rebuilding national structures and restoring basic services in general and those benefiting children in particular. Lebanon had signed the Convention on the Rights of the Child and ratification would shortly be voted by Parliament. The Government was proposing to adopt a plan of action to provide better assistance for children in many sectors, especially health and education, with special attention to civic education aimed at instilling the concepts of sharing, respect for differences and repudiation of violence as a means of resolving disagreements. Lebanon would appreciate all possible external assistance in rehabilitating its services for children, since the future of children was an international as well as a national responsibility.

22. Mrs. DINH (Viet Nam) said that the dependence and vulnerability of children had been recognized by the international community long ago in the 1924 Geneva Declaration of the Rights of the Child and in the Declaration of the Rights of the Child adopted by the General Assembly in 1959, and in the Universal Declaration of Human Rights and the two Covenants. However, while the principles embodied in those instruments had played an important part in promoting children's rights, they were not legally binding. Hence the need for the Convention on the Rights of the Child.

23. The Convention was the first international legal instrument dealing comprehensively with children's rights on the basis of the principle that children were entitled to special care, protection and assistance. It set universal legal standards for the protection of children against neglect, abuse and exploitation and guaranteed their basic rights, including survival, development and full participation in social, educational and other endeavours necessary for their individual growth and well-being. Governments must now do their utmost to incorporate the legal standards of the Convention into their national laws, policies and practices, and must prepare national programmes of action to implement their commitments under the World Declaration and the Plan of Action of the World Summit for Children. She looked forward to the establishment of the Committee on the Rights of the Child.

24. In November 1979, on the occasion of the International Year of the Child - Viet Nam's Year of the Child - the Government had promulgated a State decree on the protection, care and education of children; and in 1989 the Council of Ministers had issued a directive to strengthen the State Committee for Children. Viet Nam had already signed and ratified the Convention on the Rights of the Child, without reservation. The Convention had been translated into Vietnamese even before its adoption by the General Assembly and was now being widely disseminated to State

(Mrs. Dinh, Viet Nam)

agencies, the mass media and the public. In November 1989 the National Assembly had decided to draft a law on the rights of the child to replace the State decree on protection, care and education of children, which would embody a number of articles from the Convention.

25. So far, only a start had been made. The Vietnamese Government would do all in its power to implement the Convention and achieve the goals of the World Summit, but, like many other developing countries, particularly the least developed and most indebted, it would need substantial international co-operation to enable it to participate effectively in the world-wide effort.

26. Mr. ALFARO (El Salvador), commenting on agenda item 110, said that over the years, people had come to realize that freedom of choice should not be a privilege of the few but the right of all and that the possession of rights did not depend on the possession of resources or territory. In that connection he recalled the changes that had started in 1989 in many Eastern European countries, where the people had experienced the satisfaction of electing their own Governments and determining their own future through free elections.

27. However, sometimes the exercise of the vote was subject to acts of violence and terrorism which those who had never experienced such conditions would find hard to believe. In El Salvador there had been six free elections since 1982, in which, despite intimidation by the enemies of democracy, voters had exercised their right to choose their Government. While it did not claim that the electoral system was perfect, El Salvador was moving towards genuine democracy. The presence of international observers at the recent elections had helped to improve the electoral process which was an essential part of the country's development. The observers had come at the Government's request - their presence had not been imposed, nor had they been regarded as a threat to national sovereignty; they had enabled the people of El Salvador to reaffirm the principle of periodic and genuine elections.

28. Mr. ZAWACKI (Poland) said that the promotion and protection of human rights - the birthright of every human being - was one of Poland's highest priorities. Poland had already introduced far-reaching changes in its domestic legislation on the basis of the Universal Declaration of Human Rights and the two International Covenants and was in the process of ratifying the Convention on the Rights of the Child. Indeed, it was Poland which had first put forward the idea of the Convention and which had been closely involved in the preliminary work over the past decade. By promulgating an Act enabling the President to ratify the Convention the Government had made it possible for authorities and officials at all levels to apply its provisions immediately.

29. Poland welcomed Commission on Human Rights resolution 1990/74 calling upon all States to consider signing and ratifying or acceding to the Convention and endorsed the World Declaration and the Plan of Action adopted at the World Summit for Children. In his message to the World Summit, the Polish Prime Minister had stated that Poland's recent democratic change guaranteed respect for the full and healthy development of the child.

(Mr. Zawacki, Poland)

30. The Convention was an imperfect instrument representing the minimum basis on which agreement could be achieved. However, it did mobilize the efforts of the international community to set up a framework for improving the condition of all children in need of assistance. The system known as debt relief for child development could play an important part in financing such assistance. In many countries, including Poland, foreign debt was repaid at the expense of the living standards of large numbers of families and their children. The World Declaration rightly stressed the urgent need to find ways of solving the debt crisis and the need to reactivate sustained and sustainable economic growth and development, all of which required concerted efforts through national action and multinational co-operation.

31. Poland's legal regulations complied with and even exceeded the standards in the Convention. The only provision on which Poland had doubts concerned the child's right to his or her identity, since disclosure of descent could have serious psychological consequences for a child who did not know it had been adopted.

32. Miss DIOP (Senegal), speaking on agenda item 97, said that, with 58 per cent of its population below the age of 20 and 47 per cent below the age of 15, it was only natural that Senegal should regard the survival, protection and development of the child as a priority.

33. Senegal had been among the first 20 countries to ratify the Convention on the Rights of the Child, recognizing the need for concerted action with the rest of the international community to ensure the speedy implementation of the Convention. Her delegation welcomed the Convention's rapid entry into force and looked forward to the establishment of the Committee on the Rights of the Child. To ensure that it was not paralysed through lack of resources, the Committee should be financed from the United Nations regular budget. In order to facilitate the Committee's work, States parties should respect their obligation under article 44 of the Convention to submit five-yearly reports to the Committee on measures they had taken to implement the Convention and on progress achieved. Senegal had already set up a national committee to monitor implementation of the Convention and the World Declaration and Plan of Action of the World Summit.

34. Continued co-ordination of the various national, regional and international bodies concerned would be needed to achieve the 1990s targets and it would be advisable for the Committee on the Rights of the Child to work in close co-operation with the specialized agencies, especially UNICEF, and other appropriate bodies in the United Nations system. States parties should now be taking measures to bring their domestic law into line with the Convention.

35. Unfortunately, the impact of the debt crisis, the recession and economic adjustment programmes had made it difficult for developing countries to meet the needs of children with regard to food, pure drinking water and housing. The absence of measures specifically designed to protect children during periods of economic adjustment had led to higher infant mortality rates and reduced access to education.

(Miss Diop, Senegal)

36. Without renewed and sustained international co-operation based on external debt relief and a solution to the complex problem of the net transfer of resources from developing to developed countries, it would be difficult for poor countries, in spite of their national efforts, to implement the principles of the Convention on the Rights of the Child.

37. The Decade of the African Child was an occasion for drawing attention to the situation of children in Africa and providing the necessary assistance to ensure their physical and mental development. Her delegation therefore appealed to all African States to ensure respect for the principles set forth in the African Charter on the Rights and Welfare of the Child.

38. Mr. HONG (Singapore), commenting on agenda item 110, said that his country was in favour of genuine and periodic elections because they guaranteed the accountability of government to the people, an essential element of a democracy. Historical evidence seemed to indicate that development was a precursor rather than a result of democracy. Basic requirements in terms of food, shelter, education and employment had to be met before the more intellectual and spiritual needs of a people could be satisfied. Democracy as practiced by a small elite manipulating a mass of poor and ignorant voters usually did not lead to national development.

39. Both development and democracy must be adapted to the specific conditions prevailing in each country. Training, education and institution building were essential and required time and effort. In addition to electoral arrangements, democracy also required a supportive political culture and institutions. Experience showed that democracy was itself the product of advanced social and economic development.

40. Singapore had chosen an effective political and economic policy combining capitalism, democracy and free enterprise, which had brought about rapid social and economic development in the 25 years since its accession to independence. In the process, it had gained an insight into the need to adapt Western-style democracy to its own multicultural environment in order to build a viable nation-State out of very different elements. There were many paths to democracy and economic development and a Western liberal democracy might not be the choice of nations whose history and culture inclined them to embrace different political systems. Those nations would be just as able to develop economically on the basis of their own value systems.

41. Ms. MATOVU (Uganda), speaking on agenda item 89 said that her delegation attached great importance to the promotion of human rights and the effective implementation of human rights instruments. The implementation of the recommendations put forward in the report of the third meeting of persons chairing human rights treaty bodies (A/45/636) could greatly enhance the role of the United Nations in promoting respect for human rights. Her delegation particularly welcomed the recommendations in paragraphs 53 and 62 of the report. Furthermore, closer co-operation between the African Commission on Human and Peoples' Rights and the Centre for Human Rights would be of mutual benefit.

(Ms. Matovu, Uganda)

42. Commenting on agenda item 97, she said that the World Declaration on the Survival, Protection and Development of Children and the Plan of Action, adopted at the World Summit for Children, were comprehensive, action-oriented documents. It was hoped that the response by Heads of State and Government would lead to a general commitment at all levels to achieve the goals of the Summit. Uganda welcomed the recent entry into force of the Convention on the Rights of the Child and was in the process of incorporating the Convention in its constitution.

43. With regard to agenda item 110, she noted that the question of enhancing the effectiveness of the principle of periodic and genuine elections must be addressed in the overall context of democracy. Elections did not necessarily guarantee democracy. Authentic democratization must be consolidated through social development. Such principles as accountability to the masses, regular elections, freedom of the press, universal suffrage and unrestricted participation in economic growth were the essence of democracy. The form that democracy took, however, might differ according to local conditions. The promotion of periodic and genuine elections must be accompanied by efforts to implement the rights to food, health, shelter, information and education.

44. Mr. DUAN Jielong (China) hoped that the effective implementation of the Convention on the Rights of the Child would strengthen the international community's commitment to the cause of children and promote their development. Through legislative, judicial and administrative measures, China continued to strengthen various national mechanisms for the protection of children, particularly those who required special help. Remarkable results had been achieved through efforts to improve education and health care.

45. Commenting on agenda item 109, he said that his country had always been firmly opposed to torture. Since signing the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it had taken many practical steps to prohibit and prevent the use of any form of torture. The Committee against Torture should consider reports by States parties in a serious and impartial manner and in strict compliance with the provisions of the Convention. The Committee must overcome the political bias of certain members with regard to specific questions and prevent outside interference in order to successfully carry out its work.

46. With regard to agenda item 110, he said that the political and electoral system chosen by a country in accordance with its particular circumstances was a purely internal affair of a sovereign State. The United Nations had no mandate to interfere in the electoral practices of Member States under the Charter. The cases in which the United Nations had provided electoral monitoring related to decolonization and the settlement of crises threatening peace and security and should not be confused with cases involving normal electoral practices in sovereign States. The establishment of permanent machinery to provide electoral assistance would undoubtedly exceed the Organization's mandate under the Charter. His delegation hoped that all Member States would take a prudent position on that question in order to ensure the effective functioning of the United Nations.

47. Archbishop MARTINO (Observer for the Holy See) said that the Holy See welcomed the far-reaching changes that had recently occurred, especially in Europe, after long years of persecution and discrimination. The rallying point of the persons who sparked those changes had often been the Church. The many notable events in the process of improvement included the visit of President Gorbachev to His Holiness Pope John Paul II in December 1989, the visit of Pope John II to the Czech and Slovak Federal Republic in 1990, the re-opening of many places of worship and the free exercise of religious activities, the radical constitutional changes enacted by several countries in Central and Eastern Europe in respect of freedom of religion and conscience, the new law on freedom of conscience approved by the Supreme Soviet of the USSR in 1990, the re-establishment of full diplomatic relations between the Holy See and the Republics of Poland, Hungary, Czechoslovakia and Romania and the establishment of official contacts between the Holy See and the USSR.

48. In January 1990, Pope John Paul II had acknowledged the positive developments in Central and Eastern Europe and welcomed the fact that better understanding and co-operation existed between different religions in other parts of the world. However, religious intolerance still persisted and discrimination against some religious minorities was even a part of official policy in some countries in violation of human rights instruments. In some countries, Christians were denied the right to worship or to practise their religion freely and indeed, felt that they were being treated as second-class citizens. He hoped that, if believers of different faiths found in Christian countries the facilities needed for satisfying their religious needs, Christians would be able to benefit from comparable treatment in all countries of different religious traditions.

49. Speaking on agenda item 106, he welcomed Economic and Social Council decision 1990/229 to extend the mandate of the Special Rapporteur of the Commission on Human Rights with regard to the Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. He was also satisfied that work was continuing on the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities. The Pope saw a close connection between the rights of minorities and the right to freedom of religion which included the free manifestation of religious beliefs, individually and collectively.

50. The Holy See was particularly pleased at the adoption and prompt ratification of the Convention on the Rights of the Child and the holding of the World Summit for Children at which the nations of the world had committed themselves to the protection, nurture and education of children. The Holy See, however, had entered reservations when it had ratified the Convention on the Rights of the Child, namely that its goals and the programmes which derived from them should respect the moral convictions of parents, their freedom to choose the religious life and education of their children and that it should allow children to learn the value of mutually supportive relations in the family, where parents accepted joint responsibility for parenthood.

(Archbishop Martino, Observer, Holy See)

51. At the World Summit for Children, the Holy See had drawn attention to the serious problem of high birth rates in some countries and extremely low birth rates in others but had said that it could only be solved on the basis of clear and solid principles and by avoiding the danger of excessive State influence.

52. Mr. MUNTEANU (Romania) said that the forty-fourth session of the General Assembly had taken a major step in adopting the Second Optional Protocol to the International Covenant on Civil and Political Rights and also the Convention on the Rights of the Child. Romania had ratified the Convention and the Second Optional Protocol which was pending ratification by Parliament. It had also become a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

53. It was significant that those ratifications had occurred at the beginning of the post-communist period in Romania. In a country which had lived through the nightmare of abstract collectivism, the people had finally understood that freedom was the bedrock of all the other benefits of a dignified life. Politics in his country today did not mean a competition for power but a fight for the basic rights of the individual.

54. The provision of the Convention on the Rights of the Child that entitled an individual to human rights from birth was rich with promise. It was a monumental task to turn such a promise into reality, especially in Romania where even the right to life was not guaranteed for an incredibly large number of children. He thanked UNICEF for its generous support through its \$3 million programme of assistance to Romanian children and said that the creation of the UNICEF centre in Bucharest would be of considerable help in meeting that challenge. He stressed, however, that the human condition of children meant more than mere survival and that the surest way to guarantee a better future for the individual was to provide a better life for the children now.

55. Turning to agenda item 110, he said that periodic and genuine elections gave all individuals the right to shape their own destinies. Consequently, Romania unreservedly supported the rapid adoption and entry into force of a United Nations mechanism to provide technical as well as electoral assistance to any countries which requested it. The fact that free and fair elections had been held for the first time in 50 years did not mean that democracy was just a passing fad in Romania. On the contrary, democracy was a question of life and death. He hoped that the local elections due to take place early next year would be better and more convincing proof that Romania had embarked irreversibly on the road to democracy.

56. In order to strengthen the newly elected democratic structures, considerable attention was being paid to the framing of a new constitution. Assistance had been requested from parliaments and experts in countries with a long democratic tradition, in establishing the highest international standards for a State governed by the rule of law and respect for human rights. The Romanian Centre for Human Rights was being created in the same spirit and was meant to provide a channel for direct and speedy communication with the United Nations Centre for Human Rights at

(Mr. Munteanu, Romania)

Geneva, the Council of Europe and corresponding centres. The Centre for Human Rights at Geneva was providing expertise and he expressed gratitude to all who had assisted in developing the centre in Romania. The Institute for Human Rights, another independent body, was expected to become a pillar in the implementation of international human rights instruments as well as provide a continuous incentive for the observance and promotion of human rights in Romania.

57. Mr. MAYORGA CORTES (Nicaragua) said that he agreed with the recommendation that the manual on reporting drawn up by UNITAR in co-operation with the Centre for Human Rights should be widely disseminated and that the work of the treaty bodies should be reflected in the agenda of the proposed world conference on human rights.

58. His delegation fully supported the comments and recommendations included in the report of the third meeting of persons chairing the human rights treaty bodies and asked that they should be made available to the Sixth Committee for consideration during discussion of its programme of action for the decade.

59. Nicaragua considered human rights to be so important that it had included 20 articles on the subject in its Constitution. The fundamental principles of human rights were being fully respected in the democratic society that was being established in Nicaragua. In the process of consolidating democratic institutions Nicaragua had pursued an open foreign policy under which it allowed the international bodies supervising the protection and promotion of human rights to operate freely. The Government of Nicaragua firmly believed in respect for the right to life and that right was established in article 23 of the Constitution, which had abolished the death penalty. Nicaragua had also been a sponsor of the resolution concerning the Second Optional Protocol to the International Covenant on Civil and Political Rights, which it had signed in February 1990.

60. Nicaragua's report to the Human Rights Committee stated that the concept of political pluralism had effectively been embodied in a constitutional provision. The strength of the rule of law had been tested in the February 1990 elections when more than 200,000 observers had witnessed the cleanest and fairest elections in the history of Nicaragua.

61. Nicaragua had recently benefited from United Nations technical assistance in its elections; indeed, it had been of crucial importance during a difficult period when it was striving to consolidate peace, establish democracy and promote comprehensive development. However, United Nations technical assistance in the electoral process should be given solely in response to requests from countries, with due regard for their sovereignty and independence.

62. Nicaragua had signed and ratified the Convention on the Rights of the Child. At the second meeting of Central American Parliamentarians on the Rights of the Child it had decided together with Panama and Belize, to support demilitarization in Central America and ensure that the benefits accruing therefrom would be applied in the areas of health and child protection. An agreement had also been reached to unify Central American legislation on child protection and incorporate substantial

(Mr. Mayorga Cortes, Nicaragua)

elements of the United Nations Convention. The President of Nicaragua had also attended the World Summit for Children, where she had announced that high priority would be given to children affected by the war, and to those orphaned, mutilated, displaced or refugees.

63. The rights of the child were probably the human rights which would contribute most to changing the future of society and therefore, it was urgent that the rights and needs of children should be fully met.

The meeting rose at 1 p.m.