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THIRD COMMITTEE
30th meeting
held on
Tuesday, 27 October 1981
at 10.30 a.m.

New York

SUMMARY RECORD OF THE 30TH MEETING

Chairman: Mr. O'DONOVAN (Ireland)

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 75: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE (A/36/137, 158, A/36/3/Add.23 (Part I); A/C.3/36/L.4) (continued)

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AGENDA ITEM 87: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (A/36/63, 417, 434, A/36/3/Add.23, 25 and 26; A/36/584) (continued)

- (a) REPORT OF THE HUMAN RIGHTS COMMITTEE (A/36/40)
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AGENDA ITEM 91: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (A/36/3/Add.19 and 23) (continued)

- (a) UNILATERAL DECLARATIONS BY MEMBER STATES AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REPORT OF THE SECRETARY-GENERAL (A/36/426 and Add.1)
- (b) DRAFT CODE OF MEDICAL ETHICS: REPORT OF THE SECRETARY-GENERAL (A/36/140 and Add.1-4) (continued)

1. Mr. FRAMBACH (German Democratic Republic), speaking on agenda item 87, welcomed the fact that a number of States had acceded to the two International Covenants on Human Rights since the thirty-fifth session of the General Assembly. He expressed regret, however, that others, including some States which posed as guardians of human rights, had not yet followed their example.

2. The arms race and a policy of confrontation were necessarily detrimental to co-operation among States in the field of human rights, and at the present time, when nuclear destruction was more than ever a threat to life on earth, it was particularly important to realize that the right to peace formed the basis of

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(Mr. Frambach, German
Democratic Republic)

all human rights. His delegation was especially concerned about that question because the security of all peoples in Europe was seriously endangered by imperialist super-armament. It considered that further co-operation among States within the framework of the two International Covenants on Human Rights would be possible only if the policy of confrontation and preparation for war was ended and the further spread of the cold war prevented.

3. He welcomed the fact that the Human Rights Committee had so far been able to carry out its mandate in accordance with article 40 of the International Covenant on Civil and Political Rights in such a way that a useful co-operation with the majority of States parties had been developed without the Committee's becoming a tool of propaganda campaigns. The Government of German Democratic Republic would carefully study the general comments contained for the first time in the Committee's report. The successful continuation of the Committee's work depended on the co-operation between the Committee and the States parties, in accordance with articles 40, 41 and 42 of the Covenant and the provisions of the Optional Protocol. It would be deplorable if the basis of that co-operation was undermined through the introduction of working procedures which were inconsistent with the Covenant.

4. His delegation had learned with satisfaction that the members of the Human Rights Committee, while studying the reports submitted by States, had increasingly emphasized the unity of civil, political, economic, social and cultural rights. It was important to consider those rights as a whole, in order to understand the progress achieved by the developing countries in the promotion of human rights and the situation prevailing in that respect in the capitalist countries, where increasing unemployment not only infringed upon the right to work but was also an impediment to the improvement of the quality of life and the safeguarding of the political and civil rights of millions of human beings. The socialist States had always linked the safeguarding of human rights with social-political changes that led to an abolition of the exploitation of man by man. Political and economic rights could not be separated, and it was high time to overcome the artificial division of the Covenants, which was likely to distort the meaning of human rights. The decision taken by the Human Rights Committee concerning periodic reporting would doubtless contribute to a better understanding of the unity of human rights and would offer some guarantee that all States would be treated equally and that ad hoc reports from individual States would not be demanded at random.

5. His delegation considered that the preparation of a second optional protocol aimed at the abolition of the death penalty would probably raise a great many problems. At the present juncture, it would merely state that article 6 of the Covenant on Civil and Political Rights regulated the question of abolishing or retaining capital punishment in a balanced and flexible way and that a new international instrument was not absolutely necessary.

6. Mr. LIGAIRI (Fiji), speaking on agenda item 75, said that all the major world religions were represented in Fiji, and it was a source of pride to the people of Fiji that the followers of those religions were able to live side by side, with

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(Mr. Ligairi, Fiji)

no taint of intolerance or discrimination. Freedom of religion was enshrined in the Constitution and upheld by the Government; that freedom was practised without let or hindrance in daily life. The readings from the Holy Scriptures and the prayers from the Christian, Moslem, Hindu and Baha'i religions at the celebration in Suva, the capital, of Fiji's tenth anniversary of independence in 1980 were evidence of that tolerance.

7. The Government of Fiji firmly believed that the recognition of the right of each citizen to religious freedom did not divide the nation but rather united it by drawing it together. Unfortunately, that view was not shared by all States Members of the United Nations. In certain parts of the world, the members of minority religious groups were being mercilessly suppressed and flagrant violations of their human rights were being committed in the name of national unity or simply because of the prejudice of those in power. They faced the threat of total annihilation simply because their religious beliefs did not conform to those of their Government. An equally unacceptable situation arose when politics and religion tended to become inseparable and when extremism was combined with intolerance, oppression and even the systematic liquidation of those holding a different view within the same faith. The existence of such situations clearly demonstrated the need for a new international instrument specifically devoted to the problem of religious intolerance. His delegation would support the adoption of the draft Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

8. Mr. KOFA (Liberia), speaking on agenda items 75 and 85, said that despite the strenuous endeavours made by the United Nations, since the adoption of the Charter, to encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion, its success in the last-mentioned area was far from complete. Given the vehement nature of the religious intolerance which was reported in some regions of the world, there was a compelling need for the elaboration of universal principles and guidelines relating to freedom of religion. The Committee's task in that respect was to ensure that the freedom of religion of all people, particularly those who belonged to minority groups, was respected.

9. Since Liberia's declaration of independence, in 1847, the Government, which felt that freedom of religion was an inalienable right of every human being, had never endeavoured to impose any religion on its citizens. In fact, it continued to encourage the establishment of religious institutions in order to demonstrate its adherence to the principle of freedom of religion.

10. His delegation was convinced that there was a growing awareness of the need to study the impact of scientific and technological progress on human rights, including, in particular, on the right to health, work, education and participation in the cultural life of the community. In view of the large number of private organizations and governmental and non-governmental authorities which had expressed concern at the infringement of privacy by electronic equipment, the time seemed to have come to formulate standards which would ensure that use of the new technical devices did not involve abuse. The Liberian Government believed that the

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(Mr. Kofa, Liberia)

deterioration of the environment and violations of such individual rights as the right to life and the right to a good standard of living were the most serious issues which would arise in connexion with scientific and technological progress during the next decade and it had therefore drawn up long-term strategies in order to overcome those problems.

11. Mr. VONGSALY (Lao People's Democratic Republic), speaking on agenda items 85 and 86, pointed out that his delegation strongly supported the proposals made by the General Assembly in resolution 3384 (XXX), to the effect that all States should implement the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind. Indeed, it believed that there was a close relationship between scientific progress and the advancement of fundamental human rights.

12. Since the liberation of the Republic, the Lao Government had sought to take full advantage of scientific and technological progress in the framework of the task of national reconstruction and rehabilitation. It had therefore given priority, in its first five-year development plan (1981-1985), to encouraging the application of scientific and technological progress to economic and social development, in order to improve the population's living conditions, to strengthen peace and to guarantee prosperity and social progress in all areas. In order to attain those goals, it had established a national committee for scientific and technological research which was responsible for operating in the basic sectors directly related to economic and social development activities and for making sure that modern scientific and technological methods were used only to increase the well-being of the population.

13. It was unfortunate that the very promising modern scientific and technological developments continued, to a large extent, to be used for harmful purposes, including, in particular, for the arms race, thus constituting a serious obstacle to development and to the protection of human rights and posing a serious threat to the survival of the entire human race. If the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind were not to remain a dead letter, the major Powers, including, in particular the United States and its allies, must renounce the rash policy which they were pursuing with a view to acquiring military superiority, and must open negotiations aimed at the adoption of specific measures to put an end to that harmful development of the situation.

14. The Lao Government attached the utmost importance to the problems of children and it had done everything to ensure that children were protected and educated. For example, the Association of Patriotic Lao Women was working to make women aware of their role as teachers and mothers and the Maternal and Child Welfare Directorate of the Ministry of Public Health, whose responsibility it was to ensure the well-being of pregnant women, infants and young children, each year undertook a vaccination campaign against certain diseases which were particularly harmful to children's health; as a result, the infant mortality rate in Laos had been declining. Furthermore, children and adults for the most part received *medical treatment free of charge.*

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(Mr. Vongsaly, Lao People's
Democratic Republic)

15. Primary and secondary education was free and compulsory and the Lao Government had set itself the goal of eliminating illiteracy, particularly among children and young people, by the end of 1982. In view of the importance of having all children participate in the development of the country, the Government had also decided to establish a national committee for social security and war veterans; its responsibilities would include taking care of handicapped children and orphans until they were able to contribute to the building of the new society.

16. In conclusion, he said that his delegation did not agree with those who were in favour of deleting or rephrasing draft article 6 of the convention on the rights of the child. The article, as presently worded, fully guaranteed the rights of the child, the responsibility for whom lay essentially on the family.

17. Mr. GONZALES de LEON (Mexico), speaking on agenda item 87, pointed out that the Mexican Government had recently acceded to the two international human rights covenants which were part of a long and vigorous tradition to which the community of nations had given a contemporary dimension. The various international instruments concerning human rights translated into reality the liberal approach to respect for the rights of the individual, while placing the individual in a collective and social perspective in line with the ideals and major social transformations of the twentieth century. That modern approach and the progressive nature of the Covenants coincided with the principles to which the Mexican social revolution had given rise.

18. The modern history of Mexico was, to a large extent, the history of a struggle to ensure fuller respect for human rights at the international level and fuller respect for democratic principles at the national level. The efforts made to attain the latter goal had not been designed only to safeguard the freedom of the individual but also to ensure that individuals were able to exercise their social rights, including the right to work, to education, to health, to training and to information as well as the right to decent housing. In other words, they were designed to establish a way of life based on the steady improvement of the economic, political, social and cultural situation of the population.

19. Given the political philosophy it had adopted, Mexico was seeking to defend all the progressive causes for which other countries in the world were fighting. Its accession to the Covenants was part of the political reform in which the entire nation had been invited to participate and which the Mexican Government and people were seeking to consolidate and to make more complete; it was thus the logical outcome of the efforts at modernization, change and reform which the country had undertaken.

20. Mr. MATHEWSON (United Kingdom of Great Britain and Northern Ireland), speaking on agenda item 87, said that he wished to reassert the high importance which the United Kingdom attached to the two International Covenants concerning human rights and also to the work of the Human Rights Committee and that of the Sessional Working Group on the Implementation of the International Covenant on Economic,

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(Mr. Mathewson, United Kingdom)

Social and Cultural Rights. His delegation had noted with appreciation the thorough and impartial report of the Human Rights Committee, and it hoped that the quality of that report would encourage more States to become parties to the Covenant on Civil and Political Rights. It also hoped that the Sessional Working Group of the Economic and Social Council would, in due course, develop the same effective and methodical approach to reports as the Human Rights Committee had done and that all delegations, and particularly those of States parties, would work together to enable the Group to achieve that objective.

The meeting rose at 11.20 a.m.