

SUMMARY RECORD OF THE TWELFTH MEETING
held on Monday, 29 April 1968, at 3.15 p.m.

President:

Mr. CASSIN

France

In the absence of the President, Mr. Cassin (France), Vice-President, took the Chair.

REVIEW OF PROGRESS ACHIEVED AND IDENTIFICATION OF MAJOR OBSTACLES ENCOUNTERED, AT THE INTERNATIONAL, REGIONAL AND NATIONAL LEVELS, IN THE FIELD OF HUMAN RIGHTS SINCE THE ADOPTION AND PROCLAMATION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS IN 1948, PARTICULARLY IN THE PROGRAMMES UNDERTAKEN BY THE UNITED NATIONS AND SPECIALIZED AGENCIES (agenda item 9) (A/CONF.32/4, A/CONF.32/5 and Add.1, A/CONF.32/7 and Add.1 and 2, A/CONF.32/8-10, A/CONF.32/12, A/CONF.32/13 and Corr.1, A/CONF.32/16, A/CONF.32/L.9-L.11) (continued)

EVALUATION OF THE EFFECTIVENESS OF METHODS AND TECHNIQUES EMPLOYED IN THE FIELD OF HUMAN RIGHTS AT THE INTERNATIONAL AND THE REGIONAL LEVELS (agenda item 10) (A/CONF.32/6 and Add.1) (continued):

- (a) INTERNATIONAL INSTRUMENTS; CONVENTIONS, DECLARATIONS AND RECOMMENDATIONS;
- (b) IMPLEMENTATION MACHINERY AND PROCEDURES;
- (c) EDUCATIONAL MEASURES;
- (d) ORGANIZATIONAL AND INSTITUTIONAL ARRANGEMENTS.

General debate (continued)

Mr. SAARIO (Finland) stated that the campaign for the defence of human rights and fundamental freedoms had gone beyond the stage of definition and was entering the phase of implementation, which alone would give meaning to the results of the first stage. The Universal Declaration of Human Rights had achieved a status which transcended the early expectation of its drafters. It was reflected in many national constitutions and international instruments. The Covenants were even more effective instruments than the Declaration, since their provisions were binding on the States which ratified them. They actually went beyond the scope of the Declaration, in that they laid down principles such as that of the right of peoples to self-determination and to dispose of their natural wealth and resources - a principle which had assumed crucial importance in the last decade and which extended the scope of human rights beyond individuals to certain national entities.

Furthermore, the Covenant on Civil and Political Rights made provision for the protection of minorities, which were not to be denied their cultural, religious and linguistic rights. The weak point of the Covenants was that their provisions were binding only on the States which became parties to them; and States which were unable or unwilling to assume the responsibilities entailed by the Covenants would not ratify them. It would seem appropriate, therefore, that the Universal Declaration of Human Rights should cease to be merely a solemn recommendation but should become an integral part of international law and as such binding on all States.

For that purpose, it was necessary to devise implementing machinery which would be accepted by all States. It was true that the Covenants as well as the Convention

on the Elimination of Racial Discrimination already made provision for such machinery, but their applicability was limited to those States which were parties to them; the Conference should endeavour to devise universal machinery.

There existed already a fund of experience of various types of implementing machinery. The reporting system of the United Nations had proved particularly useful in a number of specific instances; it had been less effective in connexion with reports of a general nature. A second system was that of communications, by which a government would report the failure of another government to fulfil its obligations; world opinion would thus be aroused, which might induce the offending government to correct violations.

An effective implementing machinery, if universally accepted, would be one that permitted aggrieved individuals and groups to petition or complain to international courts about violations of human rights. As yet, that possibility was provided for in only a few specific cases, for example in the Optional Protocol to the Covenant on Civil and Political Rights.

In keeping with its traditions, Finland had signed the Protocol and was preparing to ratify it; it wished to confirm its willingness to assume its international and national obligations. However desirable it was that all the States which ratified the Covenant on Civil and Political Rights should accept the Protocol as well, it would scarcely be realistic to expect that the right of petition would be universally recognized soon and that States would abandon their conservative attitude with regard to the concept of national sovereignty. The paradoxical consequence was that, while it was generally admitted that respect for and observance of human rights were of international concern, national sovereignty precluded any intervention by an international organ in the event of a violation of human rights. To facilitate recognition of the right to petition, it would perhaps be advisable to set up national machinery, then regional machinery and, when appropriate, the necessary international machinery.

Finland had experience of two institutions with which it had reason to be satisfied: the long-established institution of the ombudsman, who was elected by parliament, independent of the executive branch and competent to hear complaints and whose supervisory functions extended to the courts, administrative bodies and other public authorities; and that of the Chancellor of Justice, who was competent to supervise the administration of justice, particularly in the field of human rights. The implementing machinery laid down for the processing of petitions under the

European Convention on Human Rights exemplified an effective method at regional level, as did the co-operation between the Nordic countries with regard to legislation concerning human rights.

If one looked at the achievements since 1948, one could see that the various United Nations bodies had been particularly active in the field of discrimination on grounds of sex. In addition to various studies and recommendations, there existed six Conventions on that subject, and the General Assembly had adopted a Declaration in November 1967. That was a great step forward. At the theoretical level, considerable progress had been achieved; but much remained to be done through legislative and other measures to ensure the observance of women's rights, and to secure equality in the fields of education, vocational training and remuneration.

Referring to another fundamental right - that of family planning - he said he had been glad to hear the Secretary-General stress the matter in his inaugural speech. Whatever the methods adopted, the utmost importance should in any case be attached to educational measures, for only they would bring about the de facto respect of human rights, of the dignity of the human person and of his fundamental freedoms. In that connexion he expressed satisfaction with the programme of advisory services in the field of human rights, and expressed the hope that modern educational techniques would be placed at the service of the promotion of human rights and fundamental freedoms.

Mr. OZGUR (Cyprus), after referring to the aims of the Teheran Conference (which reflected the words of the United Nations Charter), said that its task was a difficult one for it concerned relations between human beings. The Conference should make every effort to adopt positive steps for the defence, protection and implementation of human rights.

It was mankind's boast that it had reached the highest degree of civilization in its entire history; it should strive collectively to combat inequality; yet there survived discriminatory racial practices which were an affront to civilization. The elimination of such practices was a task in which his country, anxious to comply with the decisions of the United Nations, was doing its part. Another form of discrimination was colonialism; in that field, however, it was gratifying to note certain advances in recent years, several countries having at last obtained independence. The United Nations had played an important part in the process of emancipation. Even so, the process of decolonization was not yet completed; it was important that it should be completed as soon as possible.

The United Nations had also made every endeavour to awaken mankind to the realization that the protection of human rights was an international responsibility,

and it had endeavoured to formulate measures to discharge that responsibility. He enumerated the various instruments adopted by the United Nations in the field of human rights; Cyprus had ratified most of them and indeed intended to ratify them all.

The Conference should review the remaining obstacles, evaluate the effectiveness of the methods used and formulate a programme of measures to be taken to achieve its aims. One of its most urgent tasks was to ensure the effective implementation of the principles and rights which had received universal acceptance in theory.

It was true that among the organizations of the United Nations family extensive machinery was in existence for dealing with human rights. That machinery should be evaluated, expanded and where necessary improved, but care should also be taken to avoid conflicting and overlapping procedures. He was convinced that a well-balanced and carefully co-ordinated international system, acting in co-operation with regional organizations in the field, would prove to be one of the major assets of the United Nations.

The Conference had aroused great hopes which ought not to be betrayed. It should write a new chapter in the history of human rights; it was in that spirit that his delegation would try to make its contribution.

Mr. LINDT (Switzerland) regarded it as a hopeful sign that the Conference was being held in a country which was handling the major problems of the day with such skill and vigour. The concept of human rights was not new, but it had been left to the twentieth century and the United Nations to amalgamate the ideas in one Universal Declaration. Human rights were a vast mosaic composed of elements whose importance varied from country to country and which could be expanded from generation to generation. To translate the concept of human rights into reality was a veritable labour for Sisyphus, for wars were constantly undoing what had been achieved; even the International Year for Human Rights, had been a very testing time for many men, owing to wars.

Switzerland, for example, had attained its present serene and stable condition after long years of struggle and thanks to a spirit of mutual tolerance. Yet, even the Swiss constitution still contained certain vestiges of religious intransigence and, it had to be confessed, made no provision for women's suffrage; the Swiss Government was, however, firmly resolved to remedy those two anachronisms.

In addition to the old yet still topical problem of the protection of minorities, he referred briefly to new psychological problems: technocrats tended to sacrifice the individual to the efficiency and rapidity of material achievements; at the same time there was no hope of convincing the young people of the day of the value of

human rights unless those rights became more than mere talk and could be seen to be a reality. In that respect, a very heavy responsibility rested on the Conference. He touched on a third problem of a general nature: the wholly new questions arising out of the dynamic expansion of science and technology. Men were probing further every day into nature's secrets but were not very capable of assessing the social and human repercussions - beneficial or deleterious - of those discoveries. In those new domains, no very clearly defined law was yet in existence; it was important to define the law, or else the traditional human rights might well be gradually eroded. The need arose, therefore, for the creation of a body of international law for all which would take account of the new powers with which science had endowed man. In conclusion, he pointed out that there had been unanimity in the ideas expressed during the general discussion. If that unanimity could but be translated into positive proposals, the Conference would not be a mere commemorative meeting but would instead mark a turning point in the development of human rights.

Mr. MEDANI (Sudan) said that underlying all men's endeavours to advance and improve their lot was the idea that all human beings had the same rights irrespective of race, colour, sex or social or national origins.

The signature of the Charter in 1945 and the Proclamation of the Universal Declaration in 1948 had been based on the recognition of human rights; unfortunately some Governments like that of South Africa and the régime in Rhodesia did not see these rights except in the light of their own local laws. Hence it was for the United Nations to work for the overthrow of those régimes which constituted a threat to peace and security.

In the course of twenty years, the Universal Declaration of Human Rights had become part of international law.

Sudan had set up a committee of thirty eminent Sudanese for the defence of human rights. There was too little time to consider his country's Constitution in detail or to compare its provisions with those of the Universal Declaration on Human Rights. However, it was worth remarking that fundamental rights and liberties were embodied in article 5, paragraph 1, of the Constitution which prevailed over all existing or future laws. The provisions of the Universal Declaration which had not been embodied in the Constitution of the Sudan were only minor ones and the forthcoming Sudanese Assembly for which elections were just about to be held would consider how best to make good those deficiencies.

In his first statement he had mentioned the atrocities committed against Arab refugees. Instead of replying to that point, the representative of Israel had

launched into an attack on Sudan, accusing it of massacring millions of negroes in the southern districts of the country. That was absurd.

What had happened was that when British troops had left Sudan in 1955 a localized mutiny had broken out in the south; most of the victims, however, had been Sudanese from the north. In any case, the responsibility for the situation lay with the colonial Power, since the Sudan had not attained independence until 1956. The Sudanese suspects arrested on that occasion had been tried in court and defended by lawyers; those found innocent had been released, others had been sentenced to terms of imprisonment.

In that connexion, he referred to the Closed District Acts, the legal code in force at the time in southern Sudan under the colonial Power; their aim was to hinder contact between north and south, and after the proclamation of independence they had been repealed. Their object had been to foster hostility between the two parts of the country.

After an unfortunate interlude lasting from 1958 to 1964 under a military government, the Sudanese nation had restored a civilian Government, which had re-enacted a Constitution that recognized the rights of all citizens. Sudanese had returned from exile, and all the political parties in the country had held a Conference to settle the country's problems in a peaceful and democratic manner. Other African countries had sent participants to the Conference and thereby played their part in its success.

General elections were at the moment taking place in the Sudan in an atmosphere of liberty and democracy. All parties and all areas were taking part and 60 out of 210 of the seats were allocated to the southern part of the country. The facts spoke for themselves, and the Sudan was open to visitors who could see the true situation for themselves.

Breaches of human rights by Israel, however, could not be defended. He had with his own eyes seen attempts made to intimidate Arab leaders who were resisting the occupation of their country. The Conference would surely condemn Israel's attitude. The fact that the Jews had been oppressed in the past was no reason for them to oppress other nations now. The whole world, including the Arabs, had contributed towards the defeat of Nazism and the liberation of the Jews. African nations including Sudan had also experienced oppression and massacre during the colonial era. Yet they had not claimed, on attaining independence, the right to maltreat other peoples.

The Israel representative had said that his country had assisted Mr. Jarring in every possible way. . . Actually if Israel had taken notice of United Nations decisions it had been very much more to violate than to apply them.

The representative of Israel had seen fit to attack Sudan. The Sudanese delegation had endeavoured to describe the situation as it was.

Mr. FENAUX (Belgium), after paying tribute successively to His Majesty the Emperor, to Iran, to Princess Ashraf and to the President, Mr. Cassin, said that the ample documentation, published in good time in the working languages, had enabled participants to have a better grasp of the purpose of General Assembly resolution 2081(XX) of 20 December 1965.

The Conference was expected to review the achievements, evaluate the methods used and to prepare a programme for the future.

In performing its task, it had to act in the spirit of the United Nations Charter. According to the preamble of the Charter, the fundamental human rights were the main issue, with emphasis on the dignity and worth of the human person.

The Universal Declaration was not a manifesto of any one doctrine, dogma, party or system any more than the Charter was.

In one simple article the Charter dealt with the maintenance of international peace and security, the principle of equal rights of peoples and international co-operation, in other words respect for human rights and fundamental freedoms for all, and described the United Nations as "a centre for harmonizing the actions of nations in the attainment of these common ends."

That article overshadowed the others. For that reason, the representatives of France and Italy had drawn attention to the link between respect for man and protection of his rights on the one hand and world peace on the other.

Beyond all others, it was the main permanent universal problem of respect for human rights and fundamental freedoms which the Conference had to face. Mankind was threatened by various perils, including over-population and poverty, subjugation to the machine, the enslaving influence of science and technology, the dulling of minds by the force of propaganda in police States and by commercial publicity in systems under which persuasion was the rule, the tendency of the State radio to monopolize information, the concentration of newspaper ownership in the hands of a few private owners, and, last but not least, the monstrous growth of the power of destruction and the proliferation of new weapons of war which inevitably gave more and more specialized military technicians power of decision and execution that might usurp the responsible civilian authority.

Those were the real problems and if the Conference forgot that they were far and away the most important, its work might be futile and lead to nothing but a few trifling, ornate resolutions.

In his message from the rostrum of the United Nations General Assembly the Pope had, more than ever in the past, committed the Roman Catholic Church, whose spiritual authority, like that of other religions, would contribute to the advancement of world-wide respect for human rights.

The seriousness and sense of responsibility of many statements during the general discussions had been most remarkable, whatever their ideological inspiration had been. That sense of responsibility was the future hope for the United Nations and for peace, and it was right that political issues should be kept within limits. As Mr. Cassin had said, the smouldering problems would burst into flame if no solutions were found to objective problems.

Decisions taken by unanimous or nearly unanimous votes had the advantage of advancing human rights. Such quasi-unanimity, however, could only be achieved if reasonable and objective positions were taken up, and the recommendations that the Conference would formulate would carry weight and have validity and authority only if they reflected a reasonably general feeling.

In the matter of respect for human rights and fundamental freedoms, there was no State wholly beyond criticism for its past or present actions. Indeed, if there was any one issue where it was wise not to be self-righteous, it was surely that of human rights. It was debatable whether real progress had been made, at one extreme, in cases where maximum social equality was accompanied by minimum personal freedom, or at the other where human dignity was highest and where there was a minimum of police to control society.

For the historian, the advent of economic, social and cultural rights was chronologically more recent than that of civil and political rights. But, in real terms, civil and political rights were a guarantee of other rights; they were better defined and less subject to change.

Current events proved that where the authorities had given the people the fullest economic and social rights, the latter clamoured loudly for the civil and political liberties which they did not enjoy. As had been hinted at by the representative of Hungary, the imponderables had to be taken into account.

The same relativity was apparent in the exercise of the right to self-determination, which had been satisfied in Europe and Latin America in the nineteenth century and

recognized more recently in other continents by the historical effect of decolonization which was reaching its final stages. From the point of view of human rights, however, self-determination was not the final word. Personal servitude had been known to have returned, or to have been introduced, with national liberty. Independence was only a form of enfranchisement from foreign countries.

Belgium, for example, had taken four generations after its independence to achieve a democracy with an egalitarian suffrage; it had then carried out economic and social reforms and, more recently, granted equal rights to women and achieved a balance between different language communities. There was a time for everything. Wisdom called for early action.

In that connexion, he said it would be unfair in a year when human rights were being assessed not to pay homage to the enormous efforts made in Europe during the nineteenth century and the first half of the twentieth to emancipate the workers of the world and to establish international co-operation for peace among nations. That great movement for social and international peace had a world-side impact and repercussions. It was the origin of the International Labour Office and then the International Labour Organisation (ILO), whose positive achievements and programme had been described by its representative.

Belgium had always had a tradition of internationalism. It had constantly supported the ILO, and played its part in the work of peace in general and the work of promoting human rights in particular. At the tenth anniversary of the Universal Declaration, a Belgian had submitted a draft resolution on teaching the principles of the Declaration as a means of combating discrimination in education.

He pointed out, incidentally, that international co-operation had come about in the first instance as a result of the initiatives of the private sector whose own efforts had come before government efforts. It was the magnificent network of non-governmental institutions that had led to the creation of inter-governmental organizations. By their varied social characteristics, non-governmental organizations were a direct and spontaneous form of democracy. They were the shapers of opinion, which they educated and guided in a number of human disciplines. In that respect, they were a valuable auxiliary in the defence of human rights. For the implementation of the covenants and their incorporation in national law, it would be useful to be able to count on the co-operation of such organizations, which by their very nature were deeply concerned with fundamental human freedoms.

With regard to governmental responsibilities, he said the soundest foundations for the Conference's work were to be found in the regional organizations. For

example. the Council of Europe described in its report the first measures taken to transform, on a regional basis, the rights and freedoms set out in the Universal Declaration into legal obligations binding on States and, at the same time, to set up international machinery to ensure that those obligations were respected.

As the representative of Denmark and the Deputy Secretary-General of the Council of Europe had said, the European Covenants represented the culmination of the progress made in the field of human rights and followed the same lines as the universal Covenants.

That two-dimensional international structure was bound to raise functional problems of co-existence and harmony, and it was essential to prevent the universal systems and the regional systems of protection from operating in different and possibly divergent ways.

Certain problems might arise in that connexion when the definitions formulated - regarding the very substance of the rights guaranteed - were not uniform in the international covenants and in the regional instruments. However, even more complex problems might result from the existence, at each level, of institutional machinery for the more or less effective control of the respect for human rights in the various States.

His delegation did not question that, as far as the substance was concerned, the instruments drawn up in the United Nations gave excellent definitions, possibly even more satisfactory and more complete in certain respects than those in the older regional conventions. But it was to be hoped that those covenants would be implemented as widely as possible and that the regional systems of protection would not continue to fall short of the guarantees formulated within the universal framework of the United Nations.

On the other hand, with regard to the institutional machinery in cases where the protection of human rights was to take the form of the establishment of bodies, powers and procedures that would effectively guarantee the observance of such rights, the provisions adopted so far in the United Nations did not appear so satisfactory as those which had already been established and implemented on a regional basis, especially the provisions of the European Convention on Human Rights. The latter provided for binding decisions by the European Court of Human Rights or the Committee of Ministers of the Council of Europe, whereas the procedures set out in article 41 of the International Covenant on Civil and Political Rights and in the Optional Protocol thereto did not lead to such results.

By maintaining and developing the supervisory machinery set up on a regional basis and by continuing to ensure that it functioned effectively and efficiently, the States or groups of States concerned were giving evidence of their will to ensure optimum respect for human rights and fundamental freedoms. It was to be hoped that their example, which was in line with the provisions of article 44 of the International Covenant on Civil and Political Rights, would be followed and that one day equally satisfactory, if not better, machinery could be set up within a framework that would become universal.

Conscience demanded that the utmost be done to ensure observance of human rights and fundamental freedoms for all.

All that should be at issue were the progressive stages and methods, ways and means - precisely what the Teheran Conference was expected to discuss. But the work of the Conference had to take as its framework and basis the problems of peace as a whole.

Bergson had expressed the basic facts of the current problems very well when he had asked: would there materialize a universal society, respectful of human rights, open to the whole of humanity and transcending the "closed society" of the city and the nation, or would peace and freedom never be more than a period of respite and preparation for war?

According to Bergson, primitive instinct could be repressed or diverted, since even if that instinct existed by itself it nevertheless clung to rational motives. It was for the Conference to discover those rational motives, which sociology was reducing to more and more discernible causes, mainly of an economic and demographic nature.

Again according to Bergson, the main task of an international body aiming to abolish war was to eliminate such causes or to attenuate their effect. The Conference would be a milestone in the annals of peace if it made a contribution to that humanitarian work.

Mr. BYSTRICKY (Czechoslovakia) said that the Conference was taking place at a time when his country was going through a social process of direct relevance to the problems before the Conference. The object of the national discussion taking place today was the preparation of new standards in the field of human rights and civic liberties.

Over the past twenty years, his country had experienced contradictory development, with numerous positive achievements, especially with regard to economic, social and cultural rights and the abolition of social injustice; on the other hand, human rights

and political liberties that had been limited or suspended during the revolutionary changes, had not all been re-introduced when they should have been.

The events taking place in his country did not challenge the socialist nature of the national system but were directed at its renaissance. It was the socialist system which created the necessary conditions for the full development of the freedom of the citizen and the rights of man, the creator. His country's aim was to make full use of the possibilities inherent in socialism and to build a society in which socialism, freedom, democracy and humanism formed a unity of ideas and reality. Far from being a rigid system, socialism was capable of changes and development, a concept expressed in the programme of the new Czechoslovak Government which aimed to develop the rights and freedoms of its citizens, especially their political rights and freedoms, and which considered the rights of the individual as the cornerstone of the socialist State. A wide range of legislative and institutional changes were being prepared and significant changes were being made in the political and economic system. Fundamental civic and political rights, in particular the freedoms of assembly and association and the freedom of opinion and expression were already being exercised more than ever before.

The Czechoslovak Government, aware of the scientific and technical revolution that was under way, had also set itself the task of amalgamating socialism and scientific and technical progress with democracy and humanism, in a way in keeping with the finest traditions of the Czechoslovak people. For that, it had to devise a system of placing science and technology at the service of mankind.

Socialism did not aim merely to overthrow the obsolete, but to adopt, re-adapt and develop further the values, rights and freedoms that were part of mankind's common heritage. His delegation was convinced it had much to gain in that respect from the Conference and from the experience of the participating nations.

Internationally, Czechoslovakia highly appreciated the Universal Declaration of Human Rights which succeeded in harmonizing the fundamental notions born of the English, American and French revolutions with those born of the great October revolution. The Declaration had played a very positive part in securing progress in the field of human rights; but hunger, disease, ignorance and many other scourges were still a sad reality as was evident from the documents of the various specialized agencies. Moreover, the enormous advances in technology and the abundance of consumer goods had not made for a happier or more balanced life in the wealthy countries, whose citizens suffered from nervous breakdowns, depression, frustration and alienation from society. Sociological research had established that one of the causes for such a state of

affairs was the formal character of many social institutions and the ineffectiveness of the people's participation in the government of their country and in the administration of industrial civilization.

The whole world was certainly facing tremendous economic, social and moral problems, which could only be solved by long-term programmes of action. New problems doubtless demanded new solutions, but energy and goodwill were all that was required for many current problems. That was why it was so regrettable that at the time of the twentieth anniversary of the Universal Declaration millions of human beings were still victims of colonialism, racism - particularly apartheid - and imperialist aggression. While progressive forces were being persecuted in some countries, in others war criminals were parading freely, protected by their governments. It was the duty of the United Nations to strive ceaselessly to put an end to such a situation; Czechoslovakia hoped the Conference would recommend effective measures in that connexion.

The Czechoslovak people, the first victims of nazism, were disturbed to see their western neighbour tolerating the existence of a neo-nazi movement. Such an attitude could not be justified by freedom of the press, of expression or of assembly, for nazism had been responsible for the Second World War and for the extermination of millions of human beings.

As far as the international protection of human rights was concerned he considered the adoption of Human Rights Covenants had been a success which proved that ideological differences should be no obstacle to international co-operation. His delegation was pleased to announce that Czechoslovakia would shortly sign the Covenants; it was of the greatest importance that as many States as possible should also sign such instruments. It was a mistake that the Covenants were not open to accession by all States; while emphasizing the principle of non-discrimination, they contained articles discriminating against one-third of the world's population. The Conference should recommend that the General Assembly should exercise its rights under articles 26 and 48 of the Covenants and invite all States, without distinction, to accede to those instruments. The same should apply also with regard to all other treaties on human rights.

International bodies had an important part to play in the control and implementation of human rights. The protection of those rights was the concern of the main United Nations organs and the subsidiary bodies set up under Article 22 of the Charter, and of the bodies set up by a number of specialized agencies; their authority and competence could, if necessary, be extended to the limits set by the Charter.

The creation of a post of High Commissioner for Human Rights would, of course, be useful, but his competence should not go beyond the Charter, and an atmosphere of mutual confidence should prevail.

The United Nations should promote economic, social and cultural rights, stressing their interdependence, and should concern itself especially with the growing dissatisfaction of youth with its status in society and its disillusionment with institutions.

His delegation hoped that the Conference would help create throughout the world an atmosphere in which acts contrary to the Universal Declaration would meet with general condemnation. The greatest success the Conference could achieve would be to succeed in awakening the conscience of men so as to protect human rights not through institutions but through the people themselves. His delegation was willing to take its share of the responsibility.

Mr. BUU (Republic of Viet-Nam) said that as an Asian he was pleased that the Conference on Human Rights was being held in an Asian country which had proclaimed those rights twenty-five centuries earlier.

He stressed that the Republic of Viet-Nam had always condemned racial discrimination both in theory and practice, and the policy of apartheid in particular.

He then described his country's achievements in the field of human rights. Viet-Nam had had a constitution since 1956. The 1956 constitution had been replaced by another in 1967. Both constitutions guaranteed to the South Viet-Nameese people typical rights of a true democracy, in particular the free operation of parliamentary institutions.

The 1967 constitution represented progress in the implementation of fundamental human rights and essential freedoms. Article 2 proclaimed the equality of all citizens without distinction as to sex, creed, origin or ideology. A number of seats in the House of Representatives were reserved for the ethnic minorities of the high plateaux and the delta region. Article 6 guaranteed respect for and protection of human dignity, freedom, life, property and honour. Article 7 guaranteed the right of defence and prohibited torture and arbitrary detention. Subsequent articles acknowledged the freedoms of religion, expression, information, assembly, association, movement and residence and guaranteed the inviolability of the home and correspondence, and above all freedom of education. The right to work and to a fair remuneration was

also recognized. In that connexion, he said that the land reform undertaken in 1956 ensured a fairer distribution of land and enabled farmers to become the owners of the land they cultivated. Article 16, which contained the essential principles of the family code adopted in 1959, guaranteed protection of the family - the basis of society - the interests of the children and women's rights, identical to those of men. The constitution furthermore protected the independence of justice without which human rights would be no more than a hollow expression.

Those were the principles of the constitution, and he failed to see how some could allege that the South Viet-Nameese people were oppressed. Journalists from all over the world had been able to observe the course of the 1966 and 1967 elections. Saigon's policy was an open and democratic one, in strange contrast to the policy of Hanoi.

He denounced régimes which outlawed individual freedoms, imposed a one-party system, controlled education and information and overwhelmed their peoples with propaganda until they were no longer aware of being oppressed.

He hoped that the Conference would consider such practices, which were a violation of human rights and which in his opinion were a scourge comparable to illiteracy, and that it would seek means of putting an end to them. It was the business of the United Nations to fight for the restoration of justice at the national and international levels and to help underprivileged and exploited peoples to emerge from their apathy, ignorance and poverty.

His country was in a position to appreciate how much the feeling of universal fraternity and international solidarity had developed since the Second World War. Having suffered the ravages of war for ten years, it was grateful to the nations and international non-governmental organizations that had given it assistance.

Mr. QUENTIN-BAXTER (New Zealand) said that no nation in the world loved equity more than his and none had done more to guarantee the right of all to education, social security and protection against poverty. It had, apparently succeeded; there were no great disparities in wealth, and its society, while multi-racial, was fully integrated, although the Maoris did not enjoy the benefits of education, medical care and hygiene to the same extent as the population of European origin.

New Zealand, which practised respect for human rights at home, was capable of defending them abroad when the occasion arose. It had participated in the great world conflicts out of devotion to that ideal, even though its geographical remoteness might have permitted it to remain aloof. In peace-time, it had ardently championed first the League of Nations, then the United Nations. In the economic and social fields, too, it was contributing to the major international agencies. For instance, it traditionally assisted the United Nations Children's Fund (UNICEF).

Turning to questions of direct interest to the Conference, he spoke about the international instruments designed to guarantee respect for human rights and fundamental freedoms. The first point to note on the credit side was that those instruments existed. They did not perhaps contain anything very new, nor could they rival the clarity and humanity of the Universal Declaration, but that was not their purpose. They answered primarily a desire for codification. In that respect they were satisfactory and acceptable to most States. Precisely because the instruments existed, no State in the world could treat its citizens arbitrarily without having to render account to international society.

The second advantage of international legislation was that it was rooted in the United Nations and the specialized agencies, which were exerting an unprecedented influence. No doubt, nations might be jealous of their sovereignty and sensitive concerning the prerogatives of international organizations. He thought, however, that the contradiction was not unsurmountable. Mentioning the role played in some countries by the ombudsman, whose sole function was to place certain disputes before the parliament, but who was so useful that government agencies were seeking his collaboration, he expressed the opinion that a High Commissioner for Human Rights might well be able to play a comparable role. The creation of such a post would be an important step forward in international law, whose main beneficiary would be the individual. The conquest of individual freedoms marked a turning point in world history of such magnitude that its full import could not yet be assessed.

Mr. NORBERG (United Nations Children's Fund) associated himself with the gratitude which had been expressed to H.I.H. Princess Ashraf when she had accepted the Presidency of the Conference; as UNICEF representative in Iran, he had had occasion to admire her devotion to causes related to the aims of the Conference and of UNICEF.

In the report by UNICEF (A/CONF.32/13), delegations would find the history of the Fund, one of the major milestones of which had been the adoption by the General Assembly in November 1959 of the Declaration of the Rights of the Child; and an analysis of the types of action evolved by the States which had been collaborating in the Executive Board of UNICEF for twenty-one years. He would therefore confine himself to mentioning several of the major fields in which UNICEF provided assistance to Governments in carrying out programmes fulfilling the basic aims of the Bill of Human Rights, especially those defined in articles 25 and 26 of the Universal Declaration of Human Rights and articles 11 to 14 of the International Covenant on Economic, Social

and Cultural Rights, all of which were particularly applicable to children inasmuch as they dealt with health, nutrition and education.

The activity of UNICEF was founded on two principles: first, that children, owing to their physical and intellectual immaturity, were in need of special protection and care in normal times and particularly in times of crisis; and, secondly, that since children would be the men and women of tomorrow, they would themselves have to use the instruments which humanity was striving to forge in order to ensure itself a better future. UNICEF entrusted the execution of the programmes in which it participated to the States concerned, for its assistance took the form mainly of the provision of material aid and of training qualified staff at the medium and auxiliary levels.

UNICEF's first vocation was to protect the mother and the child; it participated, with the technical collaboration of the World Health Organization (WHO), in many national public health programmes primarily concerned with hygiene for mothers and infants - the best way to give individuals a good start in life and to protect them against the irremediable deficiencies of earliest childhood. Some means of action were especially important in that connexion particularly the subordination of births to the free choice of the parents, and immunization against or control of the major endemic diseases. UNICEF's contribution took the form of the provision of medical equipment, vaccines, drugs and means of transport, as well as the training of paramedical staff.

UNICEF was also engaged, in close collaboration with the Food and Agricultural Organization (FAO), in the campaign against dietary deficiencies. It participated, for instance, in programmes for the production, hygienic processing and distribution of milk and protein-rich foods for newly-weaned infants; jointly with FAO and WHO, it concerned itself with the nutritional education of mothers and children.

In the field of education, UNICEF was devoting a growing share of its budget to the execution, in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO), of programmes of primary education. It took an interest, for example, in the schooling of rural children, especially girls. Its participation took the form of the provision of basic school equipment, printing materials for text-books, scholarships and audio-visual materials for the training and advanced training of teaching staff. It further collaborated with other United Nations specialized agencies where national authorities wished to include notions

of hygiene, nutrition, home economics and social studies in primary education as a preparation for community life.

For some years, UNICEF had been urging the developing countries to take account, in their national plans, of the needs of children and young persons and it collaborated to that purpose with the planning authorities of several countries.

UNICEF's means were limited, its action being dependent on the co-operation of national authorities. Accordingly, he appealed to Governments to do their utmost to guarantee to the men and women of tomorrow the full development of their physical, intellectual and emotional faculties. He hoped that the Conference on Human Rights, which should, as the President had said, be a Conference of decision, would provide vital inspiration to the Executive Board of UNICEF, which was to meet in less than a month's time.

The meeting rose at 6.15 p.m.