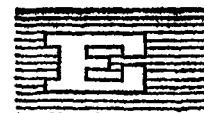


UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL  
E/CN.4/1983/SR.24  
22 February 1983  
ENGLISH  
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

SUMMARY RECORD OF THE 24th MEETING

held at the Palais des Nations, Geneva,  
on Wednesday, 16 February 1983, at 3 p.m.

Chairman: Mr. OTUNNU (Uganda)

CONTENTS

Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

(b) Question of enforced or involuntary disappearances (continued)

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3.10 p.m.

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:

(b) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES (agenda item 10) (continued)  
(E/CN.4/1983/14; E/CN.4/1285; E/CN.4/1409; E/CN.4/1427; E/CN.4/1493;  
E/CN.4/NGO/213; E/CN.4/Sub.2/1982/15; E/CN.4/WG.1/WP.1)

1. Mrs. FELLER (Australia) said that, at the thirty-fifth session, her delegation had played a major part in the move to have the item on enforced and involuntary disappearances inscribed on the Commission's agenda, and it was therefore with special interest that it participated in the consideration of the Working Group's report. The Group's third report (E/CN.4/1983/14) was clear and concise, and the Working Group had for the first time attempted to quantify what had been done since the Commission's previous session. However, too rapid a reading of figures might give misleading impressions, and it was therefore important to take note of the Working Group's statement of motivation and methods. The Working Group had no political interests at stake and was guided by purely humanitarian concern for the families of the disappeared and the disappeared themselves. That, moreover, had been constantly stressed as the only acceptable formula. At the same time, the Working Group had shown commendable care in sifting material brought before it and only took to Governments cases for which there was satisfactory documentation. Thus, while there had at first been hesitancy on the part of a number of Governments, there now seemed to exist a greater readiness to respond to the Working Group's invitations to assist. Her delegation wished to compliment those Governments which had shown increasing willingness to co-operate in a very delicate area.

2. There had even been one instance where a Government had itself come to the Working Group seeking its assistance: she was thinking of the approach made by the representative of the Islamic Republic of Iran reported on pages 41-42 of the report. That vote of confidence was a welcome development. However, in view of the already very heavy burden of work on Working Group members and of the need to avoid any duplication of the work being carried out by ICRC in connection with Iranian and Iraqi missing persons, there might be little that the Working Group could accomplish in response to that request. Nonetheless, it was a very urgent humanitarian problem, and her delegation would encourage all parties involved to facilitate to the utmost efforts to trace persons missing as a result of the conflict in the region.

3. The third report laid some stress on the effects of disappearances on the families concerned. They too had fundamental rights which were denied to them, and that important factor must continue to be taken into account.

4. The Working Group's report provided part of the answer to the criticism levelled at the work of United Nations organs concerned with human rights issues. The members of the Working Group had, showing good sense, evolved a pragmatic approach and would undoubtedly continue to be responsive to those who had suggestions to make to them. Her delegation, for its part, considered that the membership of the Working Group should remain as it was for another year and would support any draft resolution to that effect.

5. With regard to the activities of the Working Group on a Draft Convention against Torture and Other Cruel, Inhuman and Degrading Treatment and Punishment, her delegation hoped that the Commission would be able to complete its work on the convention in the very near future. Australia was in favour of the adoption of a strong convention and to that end had worked in the Working Group for the inclusion of provisions that would be mandatory in character. It saw little value in a convention against torture which was not much more than a restatement of the general prohibition of that practice.

6. Mrs. RASI (Finland) said that the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1983/14) merited the attention of all those who were seeking new ways of protecting and promoting human rights. The Working Group had included statistics in its report and had endeavoured to summarize the information received. That had apparently been possible because of the solid basis of confidence created between all the parties concerned. It also attested to the fact that the Working Group had been able to develop effective working methods and strengthen its possibilities for action within the framework of its mandate. The Working Group had also shown that it was possible to respect the dignity of sovereign States while seeking to preserve the dignity of human beings. In her delegation's view, the Working Group had not only served as an intermediary organ between the States concerned and the relatives of disappeared persons but had also created a standard which the States concerned and the relatives of disappeared persons had been able to apply to their own situation.

7. Her delegation associated itself with the conclusions set forth in the Working Group's report. One of the Commission's main objectives was to encourage and support Governments in their endeavours to strengthen the constitutional remedies available for the protection of individual life and freedom. When the balance was disturbed and gross violations of basic rights occurred, there must be no hesitation in condemning such acts. However, the eradication of such atrocities was a painful and time-consuming process for which all available assistance from the world community should be mobilized in order to strengthen the domestic procedures of the community concerned and thus to guarantee basic rights.

8. The question of disappeared persons was now a matter of world-wide knowledge. Her delegation believed that the methods applied by the Working Group and the work it had done had greatly contributed to the Commission's credibility.

9. Mrs. KUROKOSHI (Japan) said she too noted that the Working Group's third report included statistics and that it was more compact than the previous reports; that made it easier for delegations to grasp the situation in each country. Enforced and involuntary disappearances occurred in a context of political tension, and such situations called for great tact. To be effective, the Working Group had to win the trust and support of the Governments concerned. In that connection, her delegation was satisfied at the way in which the Working Group had carried out its work and recognized the endeavours of those Governments that had co-operated with the Working Group in circumstances that were not always easy.

10. The cases settled thus far were not particularly outstanding. Admittedly, in the case of disappearances that had occurred many years earlier, identification could be extremely difficult. However, so far as recent cases were concerned, especially those involving women and children, it was to be hoped that the Working Group would devise means of swift action.

11. The Working Group's task would be facilitated by the co-operation of Governments, non-governmental organizations, intergovernmental organizations and bodies within the United Nations system. Her delegation also wished to stress the importance of soliciting the co-operation of ICRC, whose experience and expertise were invaluable. The scope of the efforts of a group of five persons, however devoted, was necessarily limited, and it was therefore important to obtain the co-operation of the whole international community.

12. Mr. BOBINGER (Federal Republic of Germany) said the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1983/14) showed that, in 1982, there had been a dramatic increase in cases of disappeared persons in certain countries as compared with the preceding year. The persistence and even renewed increase of fundamental breaches of the most elementary human rights was disturbing and should be a matter of utmost concern to the Commission. The Working Group's report did, however, give ground for some hope, since the Group had clarified a number of cases of disappearances and had noted that there was a greater readiness to assist the Working Group on the part of most Governments. It was also encouraging to learn that certain countries had founded national institutions or instituted other arrangements for dealing with such problems.

13. All those developments had been made possible by the purely humanitarian character of the Working Group's activities. In that connection, his delegation commended the members of the Working Group, and especially its Chairman, on their remarkable achievements, which constituted a success for the Commission itself. He trusted that, in the future, all Governments without exception would respond to the Working Group's invitation to co-operate in an endeavour to clarify cases of disappeared persons. Since much remained to be done, his delegation considered it imperative to extend the Working Group's mandate, and it hoped that a resolution to that effect would be adopted by consensus.

14. Mr. HAYES (Ireland) said that the Working Group's report made it possible to see the problem of enforced or involuntary disappearances in perspective and to judge the efficacy of the measures adopted by the Commission. His delegation admired the determination, patience and discretion of the members of the Working Group. The methods of work described in chapter I represented exactly the right approach to the difficult task at hand; moreover, the procedure whereby the Chairman was authorized to take action directly in cases of urgency had proved effective. The Chairman had transmitted about 400 communications to Governments without delay, and that procedure had proved effective in clarifying a certain number of disappearances.

15. It was also encouraging to note that there was a greater readiness on the part of Governments to respond to the Working Group's invitations to assist and that some Governments, in addition to taking steps to investigate reported cases, had established national institutions or instituted new arrangements to deal with the problem. However, despite all the efforts of the Working Group, the results achieved were disappointing, as was apparent from the statistics furnished, particularly so far as long-standing cases were concerned. In that connection, his delegation trusted that the renewal of the Working Group's mandate, which it believed was essential, would be followed by increased co-operation on the part of the Governments concerned and by more satisfactory results. It appealed to all the Governments concerned to recognize the right of relatives to be informed of the fate of disappeared persons and to offer full co-operation to the Working Group in investigations.

16. In respect of paragraph 120 of the report, in which the Working Group requested the Commission's opinion with regard to a request from the Iranian Government concerning persons reported to have disappeared during the conflict with Iraq, his delegation considered that the matter fell within the mandate of the International Committee of the Red Cross. However, it supported the proposal made by the delegation of the Netherlands that an appeal should be addressed to the Iranian and Iraqi authorities calling upon them to co-operate fully with ICRC.
17. Lastly, his delegation considered that the problem of enforced or involuntary disappearances would cease to exist if all Governments gave strict effect to an elemental human right, namely the right of every individual not to be arrested and detained except as part of a process which was regulated by law and, during his detention, to receive visits from his relatives and friends. Was it too much to hope that Governments would ensure the effective enjoyment of that right, even in time of national emergency?
18. The Working Group referred to that problem in the conclusions of the report and, while not proposing any solution, did note the beneficial effects of the increasingly intense international scrutiny of national activities. The Commission and the Working Group had an obvious role to play in that process. The Commission had also instructed the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study the question of enforced or involuntary disappearances, and his delegation believed that the Sub-Commission should be requested to continue that study and present its conclusions as soon as possible. In conclusion, his delegation considered that the Commission should keep the problem under review and should extend the mandate of the Working Group.
19. Mr. ZORIN (Union of Soviet Socialist Republics) said that there had been little change in his delegation's position on the question of enforced or involuntary disappearances, an abhorrent practice which his delegation roundly condemned. It was a practice, moreover, which was often used by way of reprisal against persons belonging to progressive movements in countries where gross violations of human rights occurred, for example South Africa, Chile, El Salvador and Guatemala. It was essential, in all countries where cases of disappeared persons occurred, to put an end to that unacceptable practice and to take steps with a view to ascertaining the fate of persons reported missing and punishing those responsible. The Commission must mobilize international public opinion with a view to combatting the phenomenon and persuading States to abandon the practice; it had the means to do so. So far as the activities of the Working Group on Enforced or Involuntary Disappearances were concerned, an analysis of its third report (E/CN.4/1983/14) did not dispel the Soviet Union's reservations as to their effectiveness. It was, however, for the Commission to decide on the future of the Working Group.
20. Mr. MARTINEZ (Argentina), speaking in exercise of the right of reply and in reference to the observations made by the delegations of the Netherlands and Italy at the twenty-third meeting, requested delegations, when analysing the report of the Working Group on Enforced or Involuntary Disappearances and examining the substantial issue involved, to view the explanations and comments furnished by Governments in the right perspective and to evaluate them objectively. Account should be taken of the fact that a Government, unlike a governmental organization, had to be guided by its obligation to maintain social peace. In addition, the case of Argentina, there was the

desire to restore democratic institutions. A Government was therefore necessarily limited in its scope of action and was at a disadvantage by comparison with those who could act without having to take account of the general national interest.

21. In connection with paragraph 32 of the Working Group's report (E/CN.4/1983/14), the Netherlands delegation had made comments which accorded neither with the interpretation given by the Argentine Government when providing the information referred to in the paragraph nor with the preliminary evaluation made by the Chairman of the Working Group when introducing the report. With regard to the Italian representative's observations, the Argentine delegation also recognized that nothing affecting Italy left Argentina indifferent, and vice versa. The problem of disappearances had affected all sectors of the Argentine population, without distinction of any kind, and his delegation gave its assurance that all Argentine citizens were protected equally by the law and institutions of the country.

22. The Argentine Government had reacted positively to international initiatives taken in due and proper form. It had co-operated with Governments and international organizations concerned by the phenomenon of disappearances, and it would continue to do so. However, everybody must recognize that the Government's willingness to co-operate had its limits as set by the rules of international law itself and the practices of co-existence between nations. The Argentine Government wanted to find a solution to the problem of disappearances - a problem which, incidentally, was now being publicly discussed throughout the country by the public, the mass media, the political parties, etc. That public discussion was a clear indication of Argentina's intention to continue to investigate the problem, with the participation of institutional bodies and as part of the process of constitutional normalization. His delegation was convinced that the problem of disappearances would soon be no more than a painful episode from the past.

23. Mr. ALVAREZ VITA (Observer for Peru) said that, in his country's view, basic human rights did not derive from a person's status as a national of a particular State but were an attribute of the human being and as such should be the subject of treaty-based international protection. It was in that spirit that Peru had participated in the meetings of the Working Group on a Draft Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and it trusted that the Group in question would conclude its work in the near future. Also, within the framework of the Organization of American States, Peru was working with other countries on the drafting of a convention on the repression of torture, based on the principles set forth in the American Convention on Human Rights (Pact of San José, Costa Rica), which had come into force in July 1978.

24. Referring to the study prepared by Mrs. Questiaux on the implications for human rights of recent developments concerning situations known as states of siege or emergency (E/CN.4/Sub.2/1982/15), he noted from paragraph 26 that, fundamental rights and liberties being indivisible, the right to development, as a human right, could be conceived only in accordance with effective respect for those rights and liberties. In his delegation's view, while the effects of underdevelopment were, of course, no justification for human rights violations, the denial of the right to development was none the less a direct cause of such violations. Furthermore, his delegation would like to see, included in an annex to the study in question, the observations made during meetings by States participating as observers in the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In its view, that would

add to the clarity and objectivity of Mrs. Questiaux's study. Lastly, Peru was gratified to note the references made in the study to the American Convention on Human Rights, known as the "Pact of San José, Costa Rica". The Convention included a number of provisions of a humanitarian nature which could provide the basis for other international instruments.

25. With regard to the work of the Working Group on Enforced or Involuntary Disappearances, his delegation recognized that the Group had a difficult task and that, owing to lack of accessible sources, it had been unable to consider cases of disappearances in many other countries not dealt with in its report. However, even when it referred to the co-operation it had received from a Government, the Working Group could give the erroneous impression that the Government was responsible for acts with which it was entirely unconnected. For instance, in paragraph 124 of the report, under the heading "Peru", reference was made to five cases of disappearances that had occurred in June 1980 and in respect of which the Peruvian Government had provided the Working Group with the maximum amount of information. In the case of two of those concerned, it had not been possible to verify the authenticity of the names provided, nor to verify whether they were in fact in Peruvian territory with other identity papers or whether they had left the country. As for the other three persons, they had been in Peru illegally and had been deported together, to another country of which they were not nationals. One of them had been found dead in a European capital after travelling there from a country other than Peru. So far as the two other deported persons were concerned, his delegation did not know where or who they were and, if they were considered to have disappeared, it was as a result of events that had occurred on territory other than Peruvian territory. Consequently, they fell outside Peruvian jurisdiction. His delegation considered that the case in question should not, therefore, appear under the heading "Peru", since that could be misleading. It was to be hoped that the Working Group would receive further information from other Governments so that the case in question could be clarified.

26. There had never been any cases in Peru of persons having disappeared because of their political ideas, and that was a matter of pride to Peruvians. Peru, moreover, had been chosen to host the third Congress of the Latin-American Federation of Organizations of Relatives of Missing Detainees (Federación Latinoamericana de Detenidos y Desaparecidos - FEDEFAM), which had been held in Lima in November 1982 and in which one of the members of the Working Group had participated. The choice of Peru attested to the respect accorded there to human rights in general.

27. Mr. HEREDIA PÉREZ (Cuba) said that his delegation had always strongly condemned the practice of enforced or involuntary disappearances. There had been a marked increase in that form of repression in recent years under unscrupulous regimes which, when confronted by peoples desirous of freedom, had caused their opponents and those who did not share their ideas to disappear. Those deplorable practices were attributable to groups which had seized power to uphold the interests of national oligarchies and transnational corporations.

28. The latest report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1983/14) differed from the two preceding ones in that the Working Group had tried to present information in a more systematic manner. His delegation regarded that as a positive step. It wished, however, to point out that the report again included

cases of presumed disappearances which could not be attributed to the Government presently in power in the countries concerned. That applied, for example, to Nicaragua where, after the Somoza dictatorship and the people's war which had led to the establishment of the democratic and revolutionary Nicaraguan Government, there had been cases of disappearances which were unconnected with the present Government and which should therefore no longer figure in the Working Group's report. Locating the victims of the Somoza dictatorship was an internal matter and did not call for intervention by the international community, which should concern itself with problems more directly related to the blatant and massive human rights violations of certain Governments or the disappearances caused by the conflicts to which the Israeli occupation of Arab territories had given rise.

29. With regard to procedures and structures, the Commission should in future take greater interest in the Working Group's role and in the relationship between the Group's activities and the Commission's other activities. It would also be advisable to place emphasis on a humanitarian problem referred to in the report, namely the effects of disappearances on the welfare and living conditions of victims' families.

30. Mr. MAHALLATI (Observer for the Islamic Republic of Iran) said he hoped that it would be possible to clarify further the situation in regard to 9,500 missing Iranian nationals who had been evacuated by the Iraqi authorities in the early days of the occupation of Khoramshahr and other Iranian cities. In addition, approximately 6,200 Iranian prisoners of war had been officially reported in Iraq, while the Islamic Republic of Iran was currently holding about 50,000 Iraqi prisoners of war. Iran viewed the problem as a strictly humanitarian matter and naturally expected the same approach from the other party concerned.

31. Since 1967, the General Assembly and the Security Council had adopted several resolutions relating to humanitarian law in armed conflict and to the application of the fourth Geneva Convention of 1949. By its resolution 2443 (XXIII), the General Assembly had established a commission of enquiry, while the Commission on Human Rights, for its part, had in 1969 established a special Working Group of Experts to investigate allegations concerning violations of the Convention. Thus, on the eve of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts (1974-1977), there had occurred a certain fragmentation of the functions relating to the implementation of the Convention. The International Committee of the Red Cross played a pragmatic role of intermediary, concentrating on practical measures in favour of persons protected by the Convention to the extent that circumstances and the good will of the detaining powers permitted. The fact-finding function, which was concerned with determining whether the Convention had been respected, had been gradually assumed by bodies set up for the purpose by the United Nations. The International Conference on Human Rights in Teheran in 1968 had directed attention to the updating and development of international humanitarian law in general, and that had led to a whole series of General Assembly resolutions and reports by the Secretary-General on the question of respect for human rights in armed conflict. That in turn reflected the concern expressed by Member States, especially developing countries, in respect of the inadequacy of existing law, as revealed by a series of armed conflicts during the 1960s. In particular, the system of scrutiny provided for under the Convention and its Protocol had proved relatively ineffective.



32. The reason for the reluctance of ICRC to assume the scrutiny function and determine whether there had in effect been violations of the Convention was that it considered such activity would undermine its neutrality and might induce the detaining power to deny its co-operation. That was what had led the representative of ICRC to affirm at the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, in 1971-1972, that it was not part of the function of scrutiny exercised by the Protecting Power to determine whether there had been a violation of the Convention or to report in that connection.

33. The Geneva Convention provided that the parties had a dual responsibility, namely a responsibility to the other party to the conflict and above all to the international community. Thus, there was in principle no guarantee as to the application of the Convention beyond the good faith of the parties and the factual considerations of reciprocity. Good faith and reciprocity, however, were neither sufficient nor satisfactory in the atmosphere and under the stress of war, conditions which were "normal" for the application of humanitarian law. In those circumstances, violations of humanitarian law, if not detected, led to an erosion of the very standards the Conventions were meant to protect. In its own particular case, Iran could rely only on the good faith of the other party.

34. There was no doubt that the disappearance of 9,405 persons amounted to a gross violation of human rights. Also, it appeared that persons missing in Iraq were subject to "administrative practices", since some of the Protecting Power's communications showed that, in all prisoners' camps, Iraqis repeatedly committed acts that were officially tolerated and even encouraged. Such acts were not simply isolated incidents but formed a systematic pattern of behaviour that went unpunished by the authorities, who remained indifferent in the face of the numerous allegations made and refused any investigation, as in the case of 10 prisoners of war reported missing by the Protecting Power.

35. Where there was a serious problem of missing persons, the State in question was bound by firm international obligations in so far as the acts leading to the disappearances also violated specific human rights obligations. The International Law Commission had elaborated some fundamental principles of law in that field. Article 17 of the draft articles on state responsibility provided that the origin of the international obligation breached by a State did not affect the international responsibility arising from the internationally wrongful act of that State. A distinction should be drawn between the obligations of a State towards the international community and its obligations towards another State. By their very nature, the former were the concern of all States, which had an interest in protecting the rights involved. Where there was an international convention that was binding upon a State, as in the case of Iraq which had acceded to a series of international human rights instruments, the responsibility of the State in question was even more pronounced. That responsibility was fully incurred when it was established that the acts that had given rise to the disappearances were attributable to the State in question or if that State had otherwise failed to discharge its obligations.

36. Such a situation would arise, firstly, if it was shown, for example, that a person who had disappeared had previously been arrested or detained by a state authority. In Iran's case, there was a report from the Protecting Power that 10 prisoners of war holding identity cards and placed under the surveillance of

ICRC had disappeared. That was clearly an instance of a "situation" within the meaning of Economic and Social Council resolution 1503 (XLVIII). When prisoners of war under the direct surveillance of ICRC disappeared, there was every reason for even greater concern about the fate of the civilians and military personnel who had disappeared before ICRC had established contact with them.

37. Secondly, the responsibility of the State was likewise incurred if its authorities did not react promptly to reliable reports of disappearances, as in the case of the 10 prisoners of war already referred to.

38. The responsibility of the Iraqi Government to respect human rights derived not only from general international law, including the Charter, but also from particular instruments such as the International Covenant on Civil and Political Rights. In the case in point, the right to life was paramount.

39. It was important to note the reference made in a report on disappearances resulting from an internal situation (A/34/583/Add.1) to articles 27 and 147 of the fourth Geneva Convention regarding respect for life. That report also emphasized that the State, as a party to the Geneva Convention, was always bound by article 3 of the Convention which extended the applicability of some of the principles of the Convention, particularly the right to life, to non-international armed conflicts. In addition, article 29 of the Convention clearly established the responsibility of States Parties with regard to "protected persons". The party to the conflict in whose hands protected persons might be was responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which might be incurred.

40. In the particular case of the 10 prisoners of war who had disappeared from the Mosul camp, a letter from the Protecting Power made it clear that the Government in question considered that the matter had been settled. Also, documents of the Protecting Power showed that other Iranian civilians and soldiers had been captured but had never reached the Mosul and Ramadi camps and that the Protecting Power had not been notified of their capture and had not received permission to visit the places where they had been held. Although the Iraqi Government had let it be known, in November 1982, that it was prepared to make available a list of all Iranians who had been captured or detained, that list had still not been established. The Iranian Foreign Ministry had notified the ICRC representatives of the disappearance of thousands of Iranians and also of the presence of 300 Iranian prisoners of war in a camp near Basrah to which the Protecting Power had no access. An Iraqi unit had received an order that Iranian Revolutionary Guards were to be regarded as war criminals and shot on the spot. Two Iranian prisoners of war were reported to have been killed in Mosul on 25 July 1982 and 12 others wounded. All the relevant documents were at the disposal of any delegation wishing to consult them.

41. Lastly, he expressed the hope that the Commission would give a clear mandate to the Working Group on Enforced or Involuntary Disappearances to use all means available to obtain information about the 9,500 disappeared persons whose fate was still unknown to their families.

42. Mr. ALBADRAN (Observer for Iraq) said he regretted that he had been unable to consider more closely the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1983/14), which had been distributed only belatedly. The report stated that the Islamic Republic of Iran had requested the Working Group to study the case of the military personnel and civilians who had reportedly disappeared during the conflict with Iraq (E/CN.4/1983/14, paras. 118-120). It was

clear that the Working Group's mandate, as laid down by the Commission at the time of the Working Group's creation, in 1980, covered cases of disappearances that did not come within the framework of armed conflicts between two States. On the other hand, the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949) was wholly applicable to the situation that existed between Iran and Iraq. The Working Group had, moreover, obtained an assurance on that point from the International Committee of the Red Cross. The Iranian Government had sought to invoke the precedent established in Cyprus with regard to disappeared persons to justify the request it had made to the Working Group. However, as the Working Group had pointed out, the two cases were not at all comparable (E/CN.4/1983/14, para. 120); in Cyprus, the parties were internal elements within the country, whereas in the case under consideration, an international conflict was involved. Consequently, the Working Group had rightly taken the view that all cases of prisoners, civilian or military, resulting from the state of war prevailing between Iran and Iraq fell within the mandate of ICRC. Iraq was fulfilling its international obligations faithfully and was applying the third and fourth Geneva Conventions in collaboration with ICRC.

43. If the Commission considered that the Working Group was competent to consider the case of persons who had disappeared during the conflict, Iraq was of course ready to co-operate with it. However, for the time being, ICRC should pursue its inquiries, and action by the Working Group would duplicate that of ICRC. Care should be taken not to create a precedent that might be fraught with consequences.

44. It was not for the Commission to concern itself either with conflicts between States or with the correspondence of ICRC, which was the Protecting Power for prisoners of war. ICRC correspondence was confidential. A few days earlier, however, Iran had communicated copies of secret documents that had been exchanged with ICRC. The confidentiality of such documents was designed precisely to protect the interests of the victims of conflicts. Iraq could quite easily refute the allegations which Iran had made in those documents. Iran's disclosure of confidential documents could only hinder ICRC instead of assisting it in the performance of its humanitarian task. The Commission should spare no effort in ensuring that ICRC was shielded from pressures of any kind whatsoever.

45. Mr. DOMINGUEZ PASSIER (Observer for Spain), congratulating the Working Group on Enforced or Involuntary Disappearances on its impartiality and impressive performance, said that the Commission should renew the Group's mandate. The Working Group, for its part, should continue to perform its duties with the same discretion. Since the prime objective was to endeavour to resolve cases of disappeared persons effectively, it was necessary to act with a view to efficacy and in an exclusively humanitarian spirit.

46. The Working Group's most recent report stated that an insistence on the rule of law would make disappearances extremely difficult and that, if the rule of law were universally effective, the Working Group's mandate would not require renewal (E/CN.4/1983/14, para. 144). Unfortunately, that was not the case, and his delegation deplored the fact that disappearances continued to occur all over the world, in breach of the most elementary human rights. The international community must therefore do everything in its power to put an end to that state of affairs. Respect for human life and liberty was not the prerogative of the internal law of each State. On the occasion of the latest Human Rights Day, the Spanish Government had made a declaration to the effect that respect for and protection of human rights could not be regarded as an internal matter and that they were an essential factor in the definition and orientation of Spain's international policies.

47. Enforced or involuntary disappearances, like the torture and physical elimination of victims which frequently accompanied them would not be possible if, as the Working Group had pointed out in its report, all constitutions provided for remedies of habeas corpus, amparo or other similar procedures. He too, like a number of delegations before him, wished to underline the need for international co-operation in dealing with violations; the support of world public opinion and the activities of the various international and regional bodies and of citizen's associations were also very important.

48. Disappearances affected not only the victims but also members of their families, often on a long term basis. Particularly distressing were cases of the disappearance of minors and even young children. The co-operation which the Working Group had received from certain Governments was very positive, but it was regrettable that new disappearances were occurring in a number of countries. The Working Group's report should provide more details in that connection and should report on disappearances that had occurred in parts of the world other than those dealt with in that year's report. The Spanish Government, for its part, would co-operate fully with the Working Group and Commission with a view to solving a truly tragic problem which, moreover, in various countries affected Spanish nationals or members of their families. Lastly, he trusted that the Commission would renew the Working Group's mandate, in accordance with General Assembly resolution 37/180.

49. Mr. ÅHLANDER (Observer for Sweden) said that enforced or involuntary disappearances represented violations not only of the right to liberty and security of the person but of practically all human rights. They also involved considerable suffering both for the victims and for their families. The Swedish Government was, of course, particularly concerned by those disappearances that involved certain of its nationals. In countries where disappearances had become a systematic practice spreading terror among the population, the power of the judiciary had often been usurped by the executive. Governments hoped to get rid of their political opponents in that way, but they should realize that sooner or later they would have to answer to their own people for such barbaric and criminal acts.

50. The establishment of the Working Group on Enforced or Involuntary Disappearances had given an international dimension to the phenomenon. It was a recognition by the States Members of the Commission and the United Nations as a whole that the practices in question were the legitimate concern of the entire international community. Governments approached for information had a greater moral obligation to co-operate. For its part, Sweden, which had supported the creation of the Working Group, reaffirmed that support and paid tribute to the way in which the Group had carried out its valuable and delicate task.

51. Mr. WIESNER (Observer for Austria), referring to the draft convention against torture, said that torture was already outlawed by existing international human rights instruments. It would, however, be useful to draft a convention if only to remind a number of Governments of their obligations. More was required, however: it was necessary to take into account article 7 of the International Covenant on Civil and Political Rights and not only to preserve the content of that instrument in its entirety but also to raise the existing level of protection.

52. As the work load which delegations faced before and during the Commission's session did not permit them to devote much time to the Working Group appointed to draft the convention, his delegation believed that the Working Group should be convened between sessions. The financial implications of such an approach would be reduced if the Working Group were invited by countries that had shown particular interest in the draft convention. The government officials responsible for the draft convention in their respective capitals could then participate personally, thus facilitating the Working Group's task. With regard to the particular question of universal jurisdiction, his delegation had noted with interest a proposal that such jurisdiction should apply on condition that certain States could request extradition during a fixed period.

53. Expressing his country's full confidence in the Working Group on Enforced or Involuntary Disappearances, he said his delegation had noted with satisfaction that a General Assembly resolution had included in the Working Group's field of activity one country that had thus far been the object of separate consideration. That would undoubtedly help streamline procedures. In future, the Working Group should draw a distinction between, on the one hand, individual cases which should be dealt with discreetly so as to protect the individuals and provide Governments with an opportunity of responding to allegations and, on the other, the elaboration of principles which should, on the contrary, receive wide publicity so that the people affected would know that they could address themselves to the Working Group. His delegation also believed that the Working Group should co-operate closely with bodies established in order to ensure the implementation of international legal instruments. In addition, it should provide an analysis of the causes of disappearances. Lastly, cases of disappearances that occurred during wartime should be dealt with by ICRC on the basis of the Geneva Conventions. So far as cases outside the scope of ICRC were concerned, it was important to decide what possibilities existed for action by the Working Group or other bodies concerned with human rights or humanitarian issues.

54. Mrs. SANCHEZ PENA DE LORENZ (Observer for Bolivia) said that her delegation had devoted considerable attention to the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1983/14). The new Bolivian Government, under the leadership of Mr. Siles Zuazo, was the expression of the democratic spirit of the Bolivian people and would spare no effort in clarifying definitively the situation of persons who had disappeared in Bolivia. That was a basic priority of the policies of the Government, whose members had themselves been among the victims of previous regimes.

55. Pursuant to Supreme Decree No. 19 241, a National Commission on Enquiry into Missing Citizens had been set up on 28 October 1982. It comprised representatives of the executive, the legislature, the Church, the armed forces, the Bolivian Workers' Trade Union, the Permanent Human Rights Assembly, the Red Cross and the press. The results of the work of the Commission would be communicated to the Working Group in due course. In that connection, she pointed out that, in his report on the human rights situation in Bolivia, Mr. Gros Espiell had himself noted the importance of the Decree in question and its value as an example.

56. The Bolivian people and Government were grateful to the Working Group for the constructive and humanitarian task it had performed but, in view of the efforts currently being made in Bolivia, requested the Working Group and the Commission on Human Rights itself not to examine any further the situation of persons who had disappeared in Bolivia.

57. Mr. MAHALLATI (Observer for the Islamic Republic of Iran), referring to the statement by the Observer for Iraq, pointed out that the representatives of ICRC were present and could speak for themselves. He stressed how grateful the Iranian people and Government were to ICRC for its humanitarian activities in the context of the conflict with Iraq. After referring to similarities with the situation in Cyprus, he noted the relevance of the fourth Geneva Convention and its protocols to the case of persons who had disappeared in the conflict between the Islamic Republic of Iran and Iraq. Those instruments stipulated clearly that the Contracting Parties must act in collaboration with the United Nations and in accordance with the Charter of the United Nations. Unfortunately, Iraq did not appear to be complying with the Convention, otherwise it would not keep old people and children prisoner in camps.

58. The observer for Iraq had spoken of Iraqi civilians who had reportedly disappeared after having been abducted by the Iranian authorities. Such an assertion was absurd. In point of fact, it was the Baghdad regime that had expelled thousands of its own nationals; any delegation could meet the people concerned and verify their situation. That situation should be investigated by the Commission.

59. Mr. LOVO CASTELAR (Observer for El Salvador), referring to the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1983/14), said that his Government had continued to co-operate with the Working Group and wished to express appreciation to all the Group's members and in particular to its Chairman, Viscount Colville of Culross. When introducing the report, the Chairman of the Working Group had stated that, as far as El Salvador was concerned, he had received 109 new positive replies in the past few days, making a total of 198 replies.

60. Most of the replies furnished by the Salvadorian Government related not to disappeared persons but rather to persons arrested and prosecuted for having committed offences. In the penitentiary centres where they were confined, they could receive visits from their relatives, and representatives of international humanitarian bodies had access. Mr. Ridruejo, the Commission's representative, had actually visited one of those centres in September 1982. Some of the replies also concerned persons who had already been released. The legal authorities were trying to deal with outstanding cases quickly, but account should of course be taken of the difficulty of their task in a situation of social and political crisis.

61. It had been said in the Commission that peace was an essential condition for the full respect of human rights. The Salvadorian Government was aware of that fact and trusted that it would be able to move rapidly towards a peaceful settlement of the situation affecting the country. It was grateful to those States and international organizations which were helping it to achieve that objective but deplored the fact that some countries were exacerbating the conflict for geopolitical reasons or because their good faith was misplaced.

62. While he appreciated the report of the Working Group, he had noted certain points in it that could be misleading. For each situation, the Working Group had given the total number of complaints received including those it had itself decided not to communicate to Governments as they were not sufficiently well-founded. Similarly, complaints relating to earlier periods were presented without any distinction being made between them and the others. Persons who had been detained continued to number among the disappeared, even though their situation had been

clarified. Persons who had reappeared or who had been found likewise continued to figure in lists and global statistics. For instance, one person mentioned in a Working Group list as having disappeared had spoken with the Commission's representative, Mr. Ridruejo, in Mexico. His delegation had, moreover, drawn the matter to the attention of the Working Group secretariat.

63. The Salvadorian Government spared no effort to guarantee the full application of the law and the protection of human rights. To that end, it had created a Human Rights Commission, with wide-ranging powers, and a Commission of Control for the Armed Forces. It would maintain its excellent co-operation with the Working Group and trusted that the Working Group would, for its part, try to pursue a course of objectivity and impartiality with a view to ensuring the increasingly effective application of the principles of the Charter of the United Nations.

64. Mr. VIGNY (Observer for Switzerland), congratulating the authors of the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1983/14), said that his delegation shared in the concern expressed in the report at the growth in the number of disappeared persons, particularly women - some of them pregnant - children and persons belonging to certain professional categories such as journalists and lawyers. Disappearances of persons often went hand in hand with violations of rights so basic that, under article 4 of the International Covenant on Civil and Political Rights, there could be no derogation from them, even in times of greatest emergency when the existence of the State was threatened.

65. The Working Group's report contained revealing details regarding the practices of some Governments and the extent of their collaboration (number of cases referred to the Working Group, number of cases deemed admissible and transmitted, replies received from Governments and other sources). The method of work announced by the Working Group should make for a more systematic and fuller record of disappearances, while dissuading governments tempted by hasty solutions. The Commission shall extend the Working Group's mandate for one year, and all Governments should collaborate with the Group in good faith.

66. Mr. ALBADRAN (Observer for Iraq), noting the reference that had been made to similarities between the situation of persons who had disappeared in Cyprus and that of persons who had disappeared as a result of the conflict between Iraq and Iran, said that such similarities were a matter of form rather than of substance. Iraq had abided by its international commitments and was collaborating fully with ICRC so that the latter could discharge its responsibilities in respect of disappeared persons. He reiterated that his delegation would not disclose confidential information emanating from ICRC, since that would be improper. Furthermore, the Islamic Republic of Iran had not authorized ICRC to make inquiries regarding the thousands of Iraqis it was detaining. Also, there were no Iranian children in Iraqi camps. The fact of the matter was that Iraqi forces had captured Iranian children sent to the battlefield despite their age; his country had wanted to send them back to Iran, but the Iranian Government had refused, rejecting the offers of certain countries who were supposed to act as intermediaries in that connection. Lastly, it was ridiculous to claim that Iraqis had been expelled from Iraq. The persons concerned were Iranians who wanted to return to their country

or who had been guilty of subversive activities. In any event, the question fell within the competence of the Office of the United Nations High Commissioner for Refugees. It was deplorable that Iran should undermine the Commission's prestige by making false statements for strictly political ends.

67. Mr. NEUDEK (Centre for Social Development and Humanitarian Affairs) said that the Centre had been established in 1973 as an integral part of the Department of International Economic and Social Affairs. The basic thrust of its programme was concerned with the promotion of participation by all parts of society in the development process and a fair distribution of the benefits thereof with a view to achieving social justice, particular attention being paid to the changing role and status of women and to the interrelation of those factors with more effective and humane forms of development. After returning to the various subjects of study in which the Centre was interested, he said that the Centre provided substantive support to the Commission for Social Development, the Commission on the Status of Women and the Committee on Crime Prevention and Control. It had been given responsibility for organizing the International Year of Disabled Persons in 1981 and the World Assembly on Aging in 1982, and it was to make preparations for International Youth Year, the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, planned for 1985.

68. Referring to the composition of the Centre, he drew special attention to the work programme of the Advancement of Women Branch, which was concerned, inter alia, with the situation of women and children living under racist minority regimes and in occupied territories. The Branch also dealt with the question of exploitation and prostitution of others and was examining measures to be taken with a view to preventing the practice. He also referred to the work programme of the Crime Prevention and Criminal Justice Branch, which was linked with the activities of the Social Defence Trust Fund, the United Nations Social Defence Research Institute and the regional institutes on prevention of crime and treatment of offenders. The Branch was also responsible for monitoring the implementation of the Standard Minimum Rules for the Treatment of Prisoners, the Code of Conduct for Law Enforcement Officials and the situation regarding capital punishment and for organizing the quinquennial United Nations Congresses on the Prevention of Crime and Treatment of Offenders.

69. The Sixth Congress, held in Caracas in 1980, had emphasized that crime prevention and criminal justice should be considered in the context of economic development, political, social and cultural systems and social values and changes, as well as in the context of the new international economic order. The Seventh Congress would deal with the following topics: the new dimensions of criminality and crime prevention in the context of development: challenges for the future; criminal justice process and perspectives in a changing world; victims of crime; youth, crime and justice; and formulation and application of United Nations standards and norms in criminal justice.

70. A close relationship existed between the United Nations human rights programme and the activities of the Organization in the social and humanitarian field, since the effective enjoyment of human rights and fundamental freedoms was a decisive factor in the eradication of conditions conducive to criminal behaviour



and in the promotion of justice and peace. To that end, the United Nations was striving to reconcile its concern for respect for the rights of the person with the need to maintain the stability of society and protect the community and each of its members against lawlessness and the risks of crime.

71. In that connection, item 10 of the Commission's agenda was also of interest to the Crime Prevention and Criminal Justice Branch. The unanimous adoption of a Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the Fifth Congress and subsequently by the General Assembly (resolution 3452 (XXX)) was one of the most important steps that had been taken at the international level in the fight against torture. The Sixth Congress had reiterated its concern about the practice in question and had recommended that the General Assembly request the Commission on Human Rights to give priority to the completion of the draft convention against torture and to examine all proposals that would ensure the effective application of the convention. He was therefore gratified at the progress achieved in that connection by the Working Group and the Commission.

72. The Centre for Human Rights and the Crime Prevention and Criminal Justice Branch were also co-operating in connection with the elimination of other serious violations of human rights such as enforced or involuntary disappearances, extrajudicial executions and arbitrary arrests and detentions.

73. Lastly, he assured the Commission that the Centre for Social Development and Humanitarian Affairs would support the efforts of the Commission.

74. Mr. KNIGHT (Baha'i International Community) said he wished to draw the Commission's attention to the summary executions that might take place in Iran in the very near future. Twenty-two Baha'is had been sentenced to death in Shiraz, and their sentence had been approved by the Supreme Court in Teheran. Trials, if any, had been carried out secretly. No formal charges had been brought, and the executions, if carried out, would confirm the pattern of executing selected Baha'is in order to intimidate the rest of the community. The announcement of the executions and the decision of the Supreme Court had been published on 10 February 1983 in Khabar, the local Shiraz newspaper. The timing of the executions was to be decided by the Attorney-General of Shiraz. The Baha'i International Community therefore earnestly requested the Commission to appeal to the Government of Iran to commute those sentences.

75. With regard to the question of disappearances, he drew attention to paragraphs 116 and 117 of the Working Group's report (E/CN.4/1983/14). It was the Baha'i International Community which had informed the Working Group on 4 February 1981 of the disappearance of 14 persons and on 17 September 1981 of the disappearance of two schoolgirls. The Iranian Government had apparently requested more information about those cases. His organization regretted that it had thus far ~~been~~ unable to elaborate on the considerable detail with which it had already supplied the Working Group. It was making every effort to do so, but in extremely difficult circumstances. In the meantime, it could confirm that the families of the Baha'is who had disappeared in 1979 and 1980, including the nine members of the national governing body of the Baha'is of Iran, had not yet been able to locate their relatives. In conclusion, he expressed the Community's deep appreciation to the Working Group for its endeavours.

76. Mr. BARRAGE (Union of Arab Jurists) said that to the misfortunes of the Lebanese people now had to be added the arrests, detentions, abductions and disappearances for which not only the Israeli aggressors but also the lawful Lebanese authorities and so-called Lebanese forces were responsible. The problem stemmed from the occupation of Lebanese territory by Israeli forces and the wish of certain Lebanese leaders to turn Lebanon into a military dictatorship.
77. The arrests, deportations and ill-treatment inflicted on prisoners and the fate reserved for the civilian population could not be dissociated from the massacres and destruction that had marked military operations, as well as the siege and occupation of Beirut. The situation involved a whole set of factors the coherence of which derived mainly from the action directed by the Israeli Government principally against the Palestinian people and incidentally against their Lebanese allies.
78. Before referring to the question of the fate of prisoners in the hands of the Israelis, he asked the Commission not to lose sight of the other aspects of a drama that had cost far more than the 20,000 lives cited in the official estimates.
79. In principle, detainees were protected either under the third Geneva Convention, as prisoners of war, or under the fourth Convention, as civilians interned for imperative reasons of security, to use the term that appeared in the Convention. However, the Israeli Government refused to recognize that it was bound by those Conventions and, contrary to its assertions, it did not even respect their humanitarian spirit. Conditions of arrest and detention were entirely contrary to international rules, and the exact number of detainees was still unknown. According to the Israelis, 9,000 persons had been imprisoned in just one camp at Al Ansar, in southern Lebanon. There were still reported to be 6,000 to 7,000 prisoners in that camp. However, many prisoners were also held in Israeli territory in conditions of secrecy which prohibited any count, and wholesale arrests among the Lebanese and Palestinian populations had never stopped. There was therefore reason to believe that the actual number of detainees was twice the official figure.
80. Referring to the situation of the Lebanese and Palestinian populations in Beirut and the occupied south, he said that, since 13 September 1982, the date of the assassination of Bechir Gemayel, the President elect, the Lebanese army, on the pretext of restoring order and in close collaboration with the Lebanese forces, had been making constant arrests in the capital and the suburbs to the south. Generally speaking, the Geneva Conventions were not applicable in the case of those arrests. Consequently, it was mainly in the light of Lebanese law, the general principles of law and the rules of universal conscience that the case should be judged. It would appear that 1,700 people had been detained by the Lebanese army and 1,300 by the militia of the Lebanese forces.
81. With regard to the circumstances in which the arrests took place and the identity of the victims, he said that, in November 1982, two committees had been set up, one comprising the relatives of persons who had been arrested or detained, had disappeared or had been abducted, and one comprising lawyers and jurists. Unfortunately, approaches by those groups to members of the Lebanese Government had been fruitless. Why had the Lebanese Military Procurator General first said, in November 1982, that 1,140 people had been arrested by the Lebanese army and then reduced that figure to 45 in January 1983? What had become of 1,095 persons representing the difference between those two figures? What had become of the persons, reported to number 1,200, detained by the Phalangists? The Phalangist leader admitted to a figure of 11 detainees. Did not even that admission suffice for the Procurator General of the Republic or the Military Procurator General, who were supposed to open an enquiry as soon as they were notified that someone had been deprived of his freedom?

82. With regard to the collaboration between the internal security forces (FSI) the gendarmerie and the army on the one hand and non-identified elements or militia of the Lebanese forces on the other, the legal forces were often provided with lists of names which included mainly the names of persons who sympathized with the Lebanese National Movement (MNL) and PLO. There was never any question of a regular arrest warrant. For instance, a number of leading progressist personalities, he (Mr. Barrage) himself and the members of the Committee for the Protection of Democratic Freedoms had received veiled threats on the pretext that their activities were prejudicial to the general security of the Lebanese State.

83. The arrests in question generally affected the male population and were made during organized raids both in the daytime and at night. According to official statements, the Palestinians involved were foreigners whose papers were not in order. However, Lebanese soldiers frequently tore up Palestinians' residence permits. Furthermore, after the arrests, there was never any question of legal proceedings, although such proceedings would be expected if the arrests were in order.

84. A large number of people, detained by the Lebanese army in conditions the legality of which was more than suspect, were subjected to treatment that was incompatible with humanitarian principles, not to mention the rules of Lebanese law. Apart from the recognized places, barracks were also known to serve as places of detention. In principle, relatives, defence counsel and humanitarian organizations were denied access to prisons. It was known from the few detainees who had been released that conditions of imprisonment were unacceptable: brutality and humiliation, deprivation of water, food and medical care, lack of hygiene, torture and sometimes murder. Officially, prisoners had to be brought before a court, but nothing whatsoever was known of the conditions in which the court in question operated. Furthermore, foreigners whose administrative status was irregular had been taken away to unknown destinations in army lorries.

85. Referring again to the activities of the Lebanese army, he said that, under the existing law, the army could intervene in cases of disturbances affecting internal security only if a state of emergency had been proclaimed, which had not thus far been the case. The Lebanese Constitution proclaimed the equality of all before the law, freedom of expression and thought and the inviolability of the home. It also provided that nobody could be arrested without judicial authorization or in the absence of a specific charge. Both the Criminal Code and the Code of Criminal Procedure provided that every person who had been detained or arrested by the legal authorities must appear before the examining magistrate 24 hours after his arrest, failing which he had to be released. Any abduction or deprivation of liberty was punishable under the Criminal Code, particularly if the act was committed by illegal armed forces. Abuse of authority by armed personnel was punishable by prison sentences for the official or legal armed agent who committed them. None of those provisions was, however, respected.

86. Persons detained by the Lebanese army were not authorized to retain a lawyer, which deprived them of the possibility of defence, and under Lebanese Law the relatives of detainees could not retain a lawyer in their stead.

87. Several hundred people had been abducted, arrested or physically liquidated by the militia of the Lebanese forces, and the legal authorities, who knew of such activities, had not applied any sanction to the militia.

88. It was in the light of that situation that the two committees he had mentioned had decided to launch an international campaign with a view to encouraging international organizations to intervene with the Lebanese legal authorities to secure the release of those detained. However, Lebanon's misfortunes would really only come to an end with the withdrawal of Israeli forces from its territory and compliance with Security Council resolutions 508 and 509 (1982).

The meeting rose at 6.15 p.m.