



*President:* Mr. Jorge E. ILLUECA (Panama).

### AGENDA ITEM 21

#### **Thirty-five years of the Universal Declaration of Human Rights: international co-operation for the promotion and observance of civil, political, economic, social and cultural rights**

1. The PRESIDENT (*interpretation from Spanish*): It is for me a source of deep satisfaction that my term as President of the General Assembly coincides with the thirty-fifth anniversary of the Universal Declaration of Human Rights, and it pleases me even more that the General Assembly is giving particular importance to this commemoration.

2. For Latin America the Universal Declaration of Human Rights has special meaning, for at the San Francisco Conference, where the Charter of the United Nations was drafted, it was three Latin American nations—Panama, Mexico and Cuba—which proposed that the Charter should contain an international bill of human rights and, to this effect, presented a draft concerning such a declaration, introduced by the Panamanian jurist Ricardo J. Alfaro.

3. When the San Francisco Conference was unable, for lack of time, to consider the chapter on rights and guarantees for inclusion in the Charter and decided that this should be one of the priority tasks of the new General Assembly, the Latin American nations pressed their cause in the Assembly and reintroduced the draft they had presented at San Francisco, which was adopted as a working paper. The culmination of this initiative was the formulation of the Universal Declaration of Human Rights, adopted on 10 December 1948, as a corollary to the work of the Commission on Human Rights under the chairmanship of Mrs. Eleanor Roosevelt.

4. It has been rightly said that, if one could say that the United Nations had an ideology, that ideology would, above all else, be that of human rights. This means in practice that the provisions of the Universal Declaration of Human Rights must be the primary consideration in everything that we do here at the United Nations. We should not forget in this connection the agreement adopted at the 1968 International Conference on Human Rights, held at Teheran, on the importance of the universal enjoyment of the right of peoples and countries to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights in general.

5. The Declaration should inspire and guide the policies and strategies of the Member States as well as the Organization for dealing with specific issues and situations, for if we analyse every issue and situation confronting the Organization, we see that in almost every case there is an underlying issue of human rights. Millions of persons in the world suffer from hunger and malnutrition,

and many of them perish of starvation. This is an urgent matter which has to do with the right to life. Every day millions of people go without adequate shelter, drinking water and medical and public health services. Here again, the right to life, the right to health and the right to dignified standard of living are involved. Many of the conflict situations in different parts of the world arise from the relations between different national, ethnic, racial or religious groups. Regrettably the rights of minorities are often endangered in these conflicts. Good sense indicates that in order to address these situations properly, we need to take full account of their human rights dimension and to draw upon the knowledge and experience available to the United Nations in this sector.

6. The commitment to human rights stated in the Charter is a fundamental element which Member States cannot ignore. This means that we must face and deal appropriately with flagrant violations of human rights, which, regrettably, are only too common nowadays. Every day we hear of a number of cases of arbitrary summary execution, of forced and involuntary disappearance, of torture, of thousands of persons held as political prisoners, of the inhuman and degrading treatment of persons detained in prison, and of excesses committed because of racial or religious intolerance. In South Africa an oppressive, racist régime denies millions of native inhabitants recognition of their right to live as human beings and the elementary right to freedom and equality with the rest of their compatriots. It is a disgrace to mankind that such a situation continues in our time. We must also remember the difficult situation of the prisoners of conscience. It is certainly unacceptable that people should be persecuted because of their convictions, beliefs, race, opinions or religion. I hope that in honour of this anniversary of the Universal Declaration all those detained for those reasons will be set free.

7. Together with the Universal Declaration, we have two admirable instruments designed to encourage Member States still more to amplify the enjoyment of human rights and basic freedoms. I refer to the International Covenant on Civil and Political Rights [*resolution 2200 A (XXI), annex*] and the International Covenant on Economic, Social and Cultural Rights [*ibid.*]. Those who follow the activities in the framework of those two instruments agree that serious work is being undertaken and that fruitful, healthy co-operation and dialogue are being developed between States parties and the international community.

8. So far the International Covenant on Civil and Political Rights has been ratified by 77 States and the International Covenant on Economic, Social and Cultural Rights by 80 States. Should it not be one of the priorities of the General Assembly to promote further ratifications of those two fundamental instruments so that they become universally binding and are observed by all States? Is there not a role here for the General Assembly, and should we not consider how we can assist in this task so that by the time we come to celebrate the fortieth anniversary of the Declaration we shall have made considerable progress along the road to universal ratification?

9. Apart from applying these methods of co-operation and dialogue, the United Nations is bound to continue to deal with immediate and pressing problems. I am referring to cases of the flagrant violation of human rights. Situations of this kind are being publicly debated in the General Assembly and in other organs such as the Commission on Human Rights, as well as in confidential procedures. Resolutions are adopted expressing concern or outright condemnation of certain situations. Fact-finding is undertaken through working groups and special rapporteurs, and the Secretary-General establishes direct contacts or uses his good offices on his own initiative or at the request of a United Nations organ. Despite all these commendable activities, there are still many cases of serious violations of human rights which are not given adequate attention by the United Nations. Therefore it is necessary to examine the procedures for the selection of those human rights situations which require balanced action by the United Nations. We should also consider how we can equip the United Nations to react with greater speed to situations of flagrant violation of human rights.

10. However, when considering such violations, we should examine them in all their forms and manifestations, including violations of economic, social and cultural rights. The figures compiled by UNICEF indicate that 40,000 children die each day because of hunger or very precarious living conditions. This is a depressing statistic which is morally unacceptable in our day and age. Why do such dreadful things happen? The causes are both internal and external. Internally, the will of the people is often flouted and their needs ignored. Poverty, poor administration and inequitable distribution of resources all aggravate the situation, but there are also serious external factors. The world recession, the increasing debt burden and the crisis in the international economic system have made more difficult the efforts of the developing countries to improve the living conditions of their people and free them from poverty. Predictions are gloomy, and the destitute face little hope of immediate satisfaction of their needs. It is urgently necessary to deal with these internal and external factors. We must seek formulas through which every person has access to the means of survival. This must be the first and foremost national priority for all countries of the world. The attainment of this goal is undoubtedly within the realm of possibility for all the countries that make up the international community.

11. The international community must insist on the fulfilment of this responsibility by Governments, but it must at the same time show mutual solidarity. When a Government faces a crisis or an unexpected disaster, whether man-made or natural, and is unable to provide what its population needs to survive, international assistance is essential. The international community should also persist in and intensify its efforts concerning the establishment of an international economic order which is effective, just and equitable, so that every Government may be able to satisfy the needs of its people. Seen in this perspective, the discussions concerning the conduct of global economic negotiations and the establishment of more just economic relations acquire a greater urgency.

12. The distressing dimensions of underdevelopment, which involves death, waste and poverty, give particular relevance to the current debate on the right to development. The International Court of Justice has recognized the existence of the international community as a legal entity. That entity is nowhere better symbolized and reflected than here in the General Assembly, where through consensus norms may be established and rights recognized. The Assembly has declared that the right to

development is a human right, but the existence and scope of this asserted right continues to be the subject of discussion. Surely all the States represented here can agree that the right to development involves, as a minimum, the right of every human being, whether in a developed or in a developing country, to access to the means of subsistence. If we agreed on this simple proposition, we should have made enormous progress, and this agreement would have major national and international consequences.

13. The Secretary-General has given us with great wisdom a very appropriate perspective for our discussions in his recent report to the present session of the Assembly on international conditions and human rights.

14. As we commemorate the thirty-fifth anniversary of the Universal Declaration of Human Rights, let us try by our actions to make a tangible and effective contribution. Let us at the least seek to ensure that no child or other human being has to die because of want; that no one is arbitrarily deprived of life or tortured; that no one is persecuted or imprisoned because of his or her convictions, race, religion or belief. There is no doubt that these goals are not only an integral part of the reason for existence of the United Nations, but that they are within the reach of those who govern and those who are governed in a truly universal sense.

15. At this time dedicated to the commemoration of the thirty-fifth anniversary of the Universal Declaration, let us reaffirm our faith in the fundamental rights of man and in the dignity and worth of the human person, and let us unite our efforts to make a reality of effective international co-operation for the promotion of and respect for the civil, political, economic, social and cultural rights of all human beings on the face of the Earth.

16. I now call on the Secretary-General to make a statement.

17. The SECRETARY-GENERAL (*interpretation from Spanish*): Today we commemorate the thirty-fifth anniversary of the Universal Declaration of Human Rights. The purpose of this solemn ceremony, I believe, should be to help focus our attention on the standards in the Declaration which have been realized in actual policies and practices throughout the world.

18. Three and a half decades after its adoption, the articles and provisions of the Declaration are still just as relevant and valid and have lost none of their crystalline clarity. This makes it all the more regrettable that we are still far from fulfilling the vision embodied in the Declaration: the vision of a human society free of violations of human rights and unsullied by the denial of fundamental freedoms that constitute the essence of the dignity of the human person. The attainment of the ideals set forth in the Declaration is clearly an objective to which we must give the highest priority and renewed impetus. I undertake to spare no efforts to achieve this lofty aim, and I shall continue unremittingly to offer my good offices for the solution of problems which result from the failure to attain those ideals, a task for which I shall always need the support of Member States.

19. The violations of human rights with which we are constantly faced have many different causes, but whatever the cause, those violations are inevitably brought before the United Nations. This is as it should be, because the promotion of social progress and better standards of life in larger freedom constitutes one of the basic elements in the mandate given to this Organization.

20. Although the failures in this respect are all too palpable, the fact remains that the United Nations, by encouraging respect for human rights and by drafting the

instruments necessary to bring about international co-operation for this purpose, has to its credit achievements which have no precedent in history. The proclamation in article 28 of the Universal Declaration that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized represents an advance in human thinking and attitudes which only the idealists of earlier ages ever dreamed of. We have also proclaimed the right of every human being to life, to peace, to a safe environment, to development, to self-determination, to liberty and security of the person, to freedom from torture, to food and to health.

21. Moreover, 122 countries have now signed one of the most broadly ratified international conventions, the International Convention on the Elimination of All Forms of Racial Discrimination [*resolution 2106 A (XX)*]. The two International Covenants—one on economic, social and cultural rights, and the other on civil and political rights, with its Optional Protocol—have now entered into force. Under these instruments, Member States have approved and accepted a process never before undertaken: the process of examining governmental systems, laws and institutions from the point of view of their consistency with internationally recognized human rights standards. These efforts of the United Nations are also being complemented and reinforced by those of regional human rights bodies.

22. The Organization's Commission on Human Rights has been actively engaged in responding to situations of gross violations of human rights. The Commission's fact-finding and conciliatory processes include the conduct of investigations by individual experts or groups of experts and the establishment of direct contacts with Governments in countries where problems have arisen. Governments which have experienced problems may, and indeed do, request the services of international experts to advise them on strengthening their laws and institutions for the promotion and protection of human rights in the future. At the same time norms are being prepared on questions such as the rights of the child, the rights of minorities and indigenous peoples, and the prohibition of torture.

23. Clearly, a long and difficult road has been travelled since the birth of the Organization in 1945. It would be unfair to deny or ignore the immense long-term potential of what has already been done.

24. However, I shall be candid and return to what I said at the beginning. We must recognize that a wide gap still exists between legislation and practice. This is a distressing reality of which, personally, I remain painfully aware. In the world of today there are political detainees without number languishing in prisons, from which many may never come out alive. In the past 15 years a vast number of persons have died as a result of arbitrary and summary executions or mass killings. This is simply appalling as a reflection of how poorly the most important of all human rights, the right to life, is being assured. Moreover, disappearances, mass exoduses and torture are common practice in many parts of the world. As we enter the Second Decade to Combat Racism and Racial Discrimination, we witness the persistence of *apartheid* despite the innumerable condemnations of it by the international community. At a time of unprecedented increase in affluence as a result of scientific and technological advances, the grim reality is that a quarter of the human race continues to live in absolute poverty.

25. What are we to do about this painful evidence of man's injustice to man? Though it would not, of course, be realistic to expect a quick transformation, we must struggle to achieve it, and we can find encouragement in

the fact that some possible solutions are being considered at this session. I believe that here at the United Nations we must pursue this effort in a purposeful and practical manner, seeking to accomplish tangible results. With these considerations in mind, I would venture to make a few specific suggestions.

26. There are 36 Member States which have not yet ratified the International Convention on the Elimination of All Forms of Racial Discrimination; 79 Member States which have not yet ratified the International Covenant on Economic, Social and Cultural Rights; 82 Member States which have not yet ratified the International Covenant on Civil and Political Rights; and 127 which have not yet ratified the Optional Protocol to that Covenant. On this occasion I urge those Member States which have not yet ratified these instruments to do so as soon as possible. To accept the co-operative mechanisms provided in these instruments is one of the most specific demonstrations a State can give of its commitment to human rights.

27. Secondly, I suggest that every State undertake a thorough review of the adequacy of its laws and institutions for ensuring respect for human rights in general, and the human rights of persons being detained for various reasons in particular. An effective system of safeguards and surveillance could save thousands of lives and avoid incalculable suffering.

28. In this context, it is natural that one of my major concerns should be the welfare of United Nations personnel. Unfortunately, a number of our staff members have suffered violations of their human rights. Some of them have even lost their lives; many others have been deprived of their liberty. On this occasion I appeal to those Member States in which United Nations staff members are being detained to give urgent consideration, if only on humanitarian grounds, to their prompt release.

29. Thirdly, Member States could pursue more vigorously the establishment or strengthening of national and regional human rights commissions, improve the level of co-operation between governmental and non-governmental concerned with the promotion and protection of human rights at the grass-roots level, and ensure that the teaching of human rights is included in the curricula of primary and secondary schools.

30. These are some positive steps that I believe could be taken within the framework of international co-operation for the promotion and protection of human rights. I sincerely hope that in observing the thirty-fifth anniversary of the Universal Declaration of Human Rights we may be able to go beyond the simple proclamation of high ideals and noble intentions and pave the way for concrete and constructive action. As 1984 approaches, let us try to harmonize and renew our efforts and increase our capacity to deal with these matters which are at the very heart of human dignity and involve the basis of a just international social order. Once again, I pledge my determined personal support to this objective.

31. The PRESIDENT (*interpretation from Spanish*): I now call on the first speaker on the list for the debate on this item, the representative of Somalia, who will speak on behalf of the African States in his capacity as chairman of that regional group.

32. Mr. ADAN (Somalia): It is a welcome duty for me to speak on behalf of the Group of African States on the occasion of the thirty-fifth anniversary of the Universal Declaration of Human Rights. This historic Declaration marked an important stage in the process of civilization. The accumulated wisdom and experience of the past were used to establish a humane and equitable standard for

the achievement of freedom, justice, and peace in the future. Today the Declaration's validity and force continue undiminished, for it identified those political, social, and economic factors essential for the well-being of peoples, for the stability of nations and, ultimately, for peace and progress in an interdependent world. Clearly, we can ignore the Universal Declaration only at our peril, and we must therefore continue to reaffirm and support its provisions.

33. Unfortunately, the question of human rights presents the world community with a tragic paradox. While there is a greater and more widespread consciousness of the value of the individual than at any other time in the history of mankind, large-scale political, social and economic injustices continue to be directed against ethnic groups, populations, States and regions of the world.

34. South Africa's policies of *apartheid*, for example, constitute an egregious example of the violation of human rights on a national scale. Racism in South Africa has, of course, been a major concern of African and other developing States throughout the life of the United Nations, but we need make no apology for our preoccupation with this question. As long as the non-white majority in South Africa and Namibia continues to be stripped of human dignity and fundamental freedoms by the white minority on the basis of a virulent and institutionalized racism, we will not fail to exert every effort and to use every opportunity to condemn this evil system and to exhort all States to join in measures for its elimination.

35. The position of the African States on *apartheid* is eloquently stated in the following words of the 1969 Manifesto on Southern Africa:

“we acknowledge that within our own States the struggle towards human brotherhood and unchallenged human dignity is only beginning. It is on the basis of our commitment to human equality and human dignity, not on the basis of achieved perfection, that we take our stand of hostility towards the colonialism and racial discrimination which is being practised in southern Africa. It is on the basis of their commitment to these universal principles that we appeal to other members of the human race for support.”<sup>1</sup>

36. The extent of *apartheid*'s inhumanity can be seen in microcosm if we consider the human tragedy being played out in the rural village of Magopa in South Africa. The ruling authorities have designated Magopa as a “black spot” since it is surrounded by white communities and have decreed that this “black spot” must be eliminated. This means that the families who acquired their land by purchase 70 years ago have been ordered to resettle, against their will, in the unfamiliar, less-endowed surrounding of a so-called homeland. In doing so they would lose not only their homes and occupations but also their right of abode and citizenship in South Africa. Some have said they would prefer to die rather than leave their homes.

37. In our view, Member States could fittingly honour the anniversary of the Universal Declaration by committing themselves to the struggle against a state system which is unequalled in its violation of the provisions of that Declaration. Whether we consider the personal freedoms of the African people of South Africa, their family life, their civic and legal rights, their participation in society at large or their economic opportunities we find in every case the malign effects of *apartheid*. Without doubt, the General Assembly's judgement that *apartheid* constitutes a total negation of the purposes and principles of the Charter, a crime against humanity and a serious threat to world peace and security is well founded.

38. If we turn to the international scene we find that a frequent cause of tension and conflict lies in the fact that the violation of human rights often extends beyond national boundaries. South Africa again provides an example in that its policies of colonialism, military aggression and regional hegemony have unjustly and illegally kept the people of Namibia from the exercise of fundamental freedoms. These policies are also deliberately aimed at undermining the political, social and economic stability of neighbouring States.

39. In the Middle East, forces of injustice and colonialism have used oppression, terror and brute force in order to suppress the aspirations of the Palestinian people for self-determination and national identity. In consequence, turmoil, conflict and human misery on a vast scale have become endemic in that area.

40. In Afghanistan, Democratic Kampuchea and other areas of the world, foreign military aggression, domination and occupation provide further examples of the gross violation of the right of people to enjoy liberty and security and the right of nations, large and small, to establish without interference their chosen political, social and economic systems.

41. It is now a matter of international consensus that the violation of human rights is a major cause of mass flows of refugees. The situations in southern Africa, the Horn of Africa, the Middle East, West and South-East Asia, which have all spawned disastrous refugee flows, bear witness to the validity of this consensus. Oppression, injustice and resistance to tyranny in these areas have forced millions of unfortunate people to flee from their homes and countries and seek refuge in neighbouring States. The world's large and steadily growing refugee population is, rightly, a cause of grave international concern, for refugees are people deprived of fundamental human rights and their presence—usually in the developing world—strains the meagre resources of host countries.

42. Yet another aspect of the human rights paradox is the failure of North-South negotiations aimed at establishing a new and more just international economic order. As long as the present unjust system of international economic relations remains in place the majority of the developing countries will continue to be frustrated in their attempts to promote social progress and better standards of living in a more economically just world.

43. The ultimate threat to human rights lies, of course, in the dangerous arms race of the nuclear Powers whose global rivalry could well deprive us all of the right to life. It is appropriate, we believe, that this occasion should be used to appeal to these Powers to respond to the call of the human race for an end to the nuclear-arms race and for real progress in the reduction of nuclear arsenals and weapon systems.

44. Thirty-five years after the adoption of the Universal Declaration the widespread and often flagrant disregard for human rights evident in the world is cause for grave concern. It can also be recognized, however, that a slow but steady contribution is being made to the realization of the principles of the Declaration through national efforts and through international co-operation. The vast majority of States—whether long-established or newly independent—claim adherence to the Universal Declaration through customary law or through written constitutions which incorporate many of its provisions. On the international level, it has been accepted that serious and systematic abuses against citizens, carried out by internal or external forces, are a legitimate matter of international concern.

45. It is an important development that many States have acceded to such legal instruments as international

covenants dealing with economic, social, cultural, civil and political rights, to the International Convention on the Elimination of All Forms of Racial Discrimination and to the International Convention on the Suppression and Punishment of the Crime of *Apartheid* [resolution 3068 (XXVIII), annex]. Greater efforts must now be made to strengthen the legal and obligatory character of those instruments and to provide machinery for their enforcement. We can note with satisfaction also that in recent years national and international action on behalf of groups such as women, children, the aging and the handicapped has been welcome evidence of a deepening sensitivity to human needs.

46. These modest but significant developments make it possible to hope that Member States will make a more determined effort to carry out these obligations in the field of human rights which they assumed as parties to the Charter of the United Nations. It can be hoped also that human dignity will eventually take its proper place as the central element of national and international policies.

47. The PRESIDENT (*interpretation from Spanish*): I now call on the representative of Turkey, who will speak in his capacity as chairman of the Group of Asian States.

48. Mr. GÖKÇE (Turkey): Mr. President, as chairman of the Group of Asian States, I have the honour and privilege to speak on behalf of the members of that Group and to extend to you, Sir, and through you to the Secretary-General, our sincere thanks and appreciation for the comprehensive introductory remarks which you have both submitted.

49. I should like to state at the outset that we welcome this debate in the Assembly on the occasion of the thirty-fifth anniversary of the adoption of the Universal Declaration of Human Rights on 10 December 1948 in Paris by the United Nations General Assembly. During the past 35 years the universal and effective recognition and observance of human rights included in the Declaration have reached increasing prominence in international life. The Declaration has increasingly served and will continue to serve as a code of conduct for the international community as well as for States and also for the promotion and progressive development of human rights and fundamental freedoms. However, much more remains to be done in this field.

50. It is therefore important for all States to ensure progressively greater observance and full implementation of the principles enshrined in the Declaration in order to advance the collective purposes we all share on human rights issues. In this respect adherence to the relevant international conventions and covenants and active participation in the work of the commissions and sub-commissions on human rights should be one of the basic duties of the Member States of this Organization.

51. It is our sincere hope that the celebration in the Assembly of the thirty-fifth anniversary of the Universal Declaration of Human Rights will provide another opportunity for Member States to direct particular attention to the promotion of the principles of the Declaration and of the Charter of the United Nations.

52. The PRESIDENT (*interpretation from Spanish*): I now call on the representative of the German Democratic Republic, who will speak in his capacity as chairman of the Group of Eastern European States.

53. Mr. OTT (German Democratic Republic): The world-wide commemoration of the thirty-fifth anniversary of the adoption of the Universal Declaration of Human Rights demonstrates the important place this document holds in international co-operation between

States. Proof of the viability and efficiency of the Declaration since 1948 is found in the fact that it has been directly or indirectly incorporated in numerous national and international legal acts, quoted in countless United Nations resolutions and taken into account in the preparation of almost all international codification projects, particularly in the field of human rights. Even if developments have taken place over the past 35 years which go far beyond the content of the Declaration, for instance, in the form of the recognition of the peoples' right to self-determination as a basic human right, the socialist States value the Declaration as a significant universal, anti-Fascist United Nations document of the post-war era.

54. The preparation and adoption of the Universal Declaration of Human Rights took place at a time when memories of the Fascist crimes perpetrated during the Second World War, of the 50 million lost lives, of those murdered by fascism and the victims in the battlefields and air raid shelters were still fresh in peoples' minds. Proceeding from the "barbarous acts which have outraged the conscience of mankind"—as stated in the Preamble to the Declaration—article 3 clearly specifies, *inter alia*, that "Everyone has the right to life". Today, more than 38 years after the Second World War, world peace is again highly endangered, drifting into barbarism again seems possible and mankind's right to life is again put into question. The imperialist policy of confrontation and super-armament has brought about a situation in which the people's lives are overshadowed by the threat of a nuclear war, an inferno which, if it were to happen, would be tantamount to the self-annihilation of life on earth.

55. Due to the deployment of new United States medium-range nuclear missiles in Western Europe—contrary to the vital interests and the declared will of the large majority of the peoples—the political climate has been further exacerbated on our continent. More than ever before, it is imperative to foil the plans of those circles which seek to plunge the world into a nuclear catastrophe. To prevent this from happening we stand together with all peace-loving forces which oppose a policy of strength and confrontation and which advocate arms limitation, disarmament and peaceful co-operation between peoples.

56. It is impossible to talk about human rights without referring to the key issue of our time: the earliest cessation of the arms race and the transition to disarmament. The socialist States have taken numerous steps to achieve this end. The proposals contained in the Political Declaration of the States Parties to the Warsaw Treaty, issued at Prague on 5 January 1983 [A/38/67 and Corr.1], and the joint statement by the highest representatives of parties and States of seven socialist countries in Moscow on 28 June [A/38/292] remain topical. They are directed at averting the danger of a nuclear war, halting the arms race, returning to détente and improving inter-governmental relations.

57. The commitment of the socialist countries to maintain and preserve peace is the expression of a policy in which the human being is the centre of all society's endeavours. The socialist States are not satisfied with abstract ideas and expressions about the free human being but have created conditions which constitute the basis and the guarantee that the individual can fully exercise his rights, that he is enabled to develop his personality in freedom and dignity.

58. The principle evolved by Karl Marx that the free development of each individual is the prerequisite for the free development of all human beings has been transformed into reality in socialist society. Millions of people experience day by day what it means in relations of

ownership preclude the exploitation of man by man, when profit for a few people is not the centre of all efforts, but the fruits of work can be enjoyed by everyone, and when a high standard of living for the whole population is the objective and motivation of society's activity. Unemployment, social insecurity, fear of the future are alien to our society. Social security, as we see it, is indivisible; it can either exist for all members of society or not exist at all. The elementary conditions of social security in our countries mean protection from material difficulties in the event of sickness and in old age, as well as appropriate housing conditions for everyone and the certainty that there is a place in society where he is needed and which he can fulfil. Finally, social security in our countries means that each person is enabled to develop his abilities and capabilities in all aspects, including having the possibility of receiving comprehensive education and acquiring the values of culture and science. Those few aspects and examples of our human rights practice and social policy may be sufficient to prove that the content and norms of socialist human rights policy go far beyond the standards of the Universal Declaration of Human Rights.

59. We, the socialist States, proceed from the fact that now, as before, the greatest significance has to be attached to the Universal Declaration of Human Rights. Mass violations of human rights in many parts of the world, in the form of acts of aggression, racism, *apartheid*, fascism, colonialism and neo-colonialism, demonstrate that the rights enshrined in the Declaration have so far not become a reality for millions of people. We therefore resolutely advocate—in full accord with the Declaration—granting absolute priority to the struggle against mass violations of human rights. We cannot simply ignore the hard lot of the peoples in southern Africa, the Palestinian people and the peoples in some Latin American countries, just as we cannot overlook the persistently rising unemployment and the cuts in social welfare in industrialized capitalist States.

60. Another major issue in the implementation of the Universal Declaration of Human Rights is, in our opinion, the further elaboration of the right to development. The great economic difficulties facing above all the developing countries obstruct the comprehensive implementation of human rights in those countries. Such difficulties result mainly from the colonial past and the present neo-colonial exploitation of the natural and other resources of developing countries. All States face the task of contributing to the restructuring of international economic relations. In that process the socialist countries proceed from the fact that the right to development cannot be limited to mere social issues and certain kinds of assistance. The right to development is comprehensive and in our view can be understood only as the demand to overcome the national and international limitations of the right to life of the individual human being and of the peoples.

61. The provisions of the Universal Declaration of Human Rights have been further developed in many aspects during past years, in particular through such important human rights instruments as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, the Convention on the Elimination of All Forms of Discrimination against Women [resolution 34/180, annex] and so on. These international instruments have not only considerably expanded the content of the

provisions of the Declaration and raised them to the status of internationally binding norms, but have also finally abandoned the bourgeois concept of limiting human rights to civil rights. Those instruments have strengthened the idea that concrete development and the assurance of human rights within the framework of the right of peoples to self-determination can assume various forms in individual States, that this lies fully within their sovereignty and must not be used as a pretext for intervention.

62. The inclusion of human rights within the duty of States to preserve peace and the concept of their being based upon the right of peoples to self-determination have become the corner-stone of the United Nations concept of human rights.

63. As we commemorate today the adoption of the Universal Declaration of Human Rights, all States should be called upon to accede to the international instruments I have mentioned. The socialist States did so many years ago and are parties to the majority of human rights conventions. In contrast, certain Western States keep citing human rights but are not prepared to accede to those conventions and thereby to commit themselves to the progressive development of the Declaration.

64. In the 35 years of existence of the Universal Declaration of Human Rights there have been far-reaching positive results for many peoples. Despite such achievements the ideals and objectives proclaimed in the Declaration have not yet been fully achieved everywhere. The socialist States are ready to make an active contribution to that end so that those ideals and objectives may become a reality for all peoples and all human beings.

65. The PRESIDENT (*interpretation from Spanish*): The next speaker is the representative of Guatemala, current chairman of the Group of Latin American States, who will speak on behalf of that Group.

66. Mr. QUIÑONES-AMÉZQUITA (Guatemala) (*interpretation from Spanish*): Allow me, Mr. President, to thank you and the Secretary-General for your interventions this morning on human rights.

67. As current chairman of the Latin American Group, Guatemala wishes to make a contribution to the celebration of Human Rights Day, which is today observing another anniversary. The date of the adoption of the Universal Declaration of Human Rights, 10 December 1948, has a special place in the annals of the United Nations. This is an appropriate occasion for serious thought about what has been achieved and what remains to be achieved to comply with the provisions of the Declaration.

68. Article 1 states that all human beings are born free and equal in dignity and rights. Freedom is necessary for the life of peoples, and freedom cannot exist, even though proclaimed by 100 declarations of human rights or 100 constitutions, if those in power do not show by their own example respect for what is most sacred to man: freedom.

69. Article 1 of the Declaration does not define freedom, but article 2 states that everyone is entitled to all the rights and freedoms set forth in the Declaration. Peoples live only when they have a soul, and they have a soul only when they have freedom. Among the fundamental freedoms set forth in the Universal Declaration of Human Rights are the right to a public hearing by a competent tribunal; the right to freedom of movement and to choose one's residence within the borders of a State; the right to leave any country, including one's own, and to return to it; the right to freedom of opinion and expression; the right to freedom of peaceful assembly and association; the right to form and join trade unions; and,

for parents, the right to choose the kind of education that they desire for their children.

70. The United Nations has done very little to protect the freedoms laid down in the Declaration. Many countries do not protect these rights, which are the basis of freedom, and attempt to shut them away, as though in a huge coffin, to prevent them from spreading. If the State does not facilitate the exercise of freedom, then freedom becomes a dead letter.

71. There are nations which proclaim the need to protect the State, but by protection they mean the prevention of free circulation of publications, of the use of courts, of freedom of education. The only universities they allow are State universities; they do not permit the communication and free circulation of ideas contained in books reflecting various kinds of thinking; they prevent the teaching of principles and doctrines. In short, they prevent the dissemination of the basic moral elements which are and ever shall be the glory of civilization and are the ideas which are fundamental to the human conscience.

72. Truth is slow, but it does assert itself, and no power can halt the march of time or prevent man from thinking. There may be setbacks, but mankind will always move forward.

73. With regard to freedom, whose tenets are enunciated in the Universal Declaration, much remains to be done. The process is becoming ever slower, for because of the lack of the will on the part of certain States to establish freedom few measures have been taken and the Assembly has done little. We must continue the struggle to protect freedom.

74. After these 35 years of the existence of the Universal Declaration of Human Rights there are still places where the most important and fundamental rights are not respected and where race and colour are invoked as pretexts for withholding those rights. But we must also recognize that much has been achieved in the efforts to protect certain human rights and the dignity of the human person. Thus, certain instruments have been adopted, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [*resolution 3452 (XXX), annex*], the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women.

75. At the same time as we protect and try to improve human conditions and rights, the United Nations must redouble its efforts to achieve a more just international economic order that will improve people's economic, social and political situation. The United Nations must continue its activities to that end. We must seek in every human being the dignity of the whole human species and remember that the pain of each individual is the pain of us all. We must bear in mind that any political change is good only if it is coupled with economic and social improvements. Only a more just international economic order will enable people to live in greater justice and harmony. Only when a fair price is paid for the products of our soil will those products, which are the life blood of our peoples, be judged at their true value.

76. Latin America rejoices at this celebration, despite the selectivity which has been exercised against Latin America with respect to human rights, through the submission of resolutions that do not take into account violations occurring in other continents. But this should not be allowed to spoil this celebration. History will judge whether or not there has been impartiality here, and it will judge our conduct.

77. We must persevere in our efforts to achieve a more just economic order; we must persevere in our efforts to obtain impartial treatment in regard to human rights; and, particularly, we must persevere in our efforts to preserve freedom. These struggles and these efforts will be the common heritage of our peoples, and the pride of this Organization.

78. The PRESIDENT (*interpretation from Spanish*): I now call on the representative of Ireland, the chairman of the Group of Western European and other States, who will speak on behalf of that Group.

79. Mr. McDONAGH (Ireland): Speaking, as I have the honour of doing, on this important subject on behalf of the members of the Group of Western European and Other States, I wish to express to you, Mr. President, and through you to the Secretary-General, our sincere thanks and appreciation for the comprehensive introductory statements which we have heard.

80. We are here today to mark a glorious page in the annals of the United Nations: the adoption of the Universal Declaration of Human Rights on 10 December 1948 in Paris. The Declaration set forth in simple and direct language principles which inspired enormous hope in a world that had just emerged from an era marked by human rights violations and suffering on an unprecedented scale. This broad range of basic principles was universally applicable and valid and laid a firm foundation for subsequent United Nations activity in the promotion and protection of human rights.

81. In the years since the adoption of the Declaration, the rights set out in it have been further elaborated and the question of their implementation has also occupied our attention.

*Mr. Ali (Singapore), Vice-President, took the Chair.*

82. The bold affirmation which opens the Universal Declaration of Human Rights, "All human beings are born free and equal in dignity and rights", reflects the ideals and basic values cherished by many cultures. That sentiment is at the root of the common commitment undertaken by all Member States in the words of Article 1, paragraph 3, of the Charter of the United Nations:

"To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

83. Yet this common commitment has not been sufficient to ensure for the peoples of the world universal respect for the principles of the Declaration. Some progress has been made, but a wide gap continues to exist between those principles and reality. Failure to protect fully the rights of individuals established in the Declaration results in incalculable suffering throughout the world today. It is therefore important that the thirty-fifth anniversary be an occasion not only for celebration but also for the renewal of our common commitment to the principles enshrined in the Declaration. That is the profound hope of the members of the Group of Western European and Other States, some of whom will also be speaking on this occasion. We must keep faith with the hopes expressed so eloquently 35 years ago.

84. The PRESIDENT: I call on the representative of Saudi Arabia, the chairman of the Group of Arab States, who will speak on behalf of that Group.

85. Mr. SHIHABI (Saudi Arabia) (*interpretation from Arabic*): It is a pleasure for me, on behalf of the Group of Arab States at the United Nations, to express to the President and the Secretary-General our thanks and

appreciation for the valuable statements they have made during this commemoration of the thirty-fifth anniversary of the adoption by the General Assembly of the Universal Declaration of Human Rights.

86. This Declaration—which I view in its general aspects and not in its details, for some of which we might find a better drafting, for the benefit of mankind—was a principal mainstay of the morality of the United Nations. It gave the Charter a framework for its role in that period of history and enhanced the values of the Organization throughout the world by concentrating on the value of the human being and the rights of the individual within the context of the rights of the community made up of the States Members of this international system.

87. Since its inception the United Nations has achieved a great deal in various political, economic, technical and legal fields. But when this direct interest was taken in the individual and when endeavours were made to protect man from the injustice perpetrated by his fellow man, that was indeed a breakthrough in the quality of international relations, which the United Nations insists on as the main basis for appropriate international relations. These main principles of human relations have affected the positions of many States and groups of States towards the establishment of a more equitable international society.

88. The United Nations adopted the Universal Declaration of Human Rights 35 years ago. The principles and norms had been revealed in divine law long ago and had over the centuries become an international system, observed by States as an international obligation. The principles of the dignity of man and his fundamental rights are in our countries essential norms stemming from the doctrine of Islam which established the rights of the individual and set out his obligations in a way that makes him a good individual in a good society; the greater the observance by the citizen of these principles, the greater will be his value and the higher the standard of society. We hope that these principles complement comprehensive and balanced human rights.

89. Many of the principles of the Universal Declaration of Human Rights have been reflected to a limited extent in the national legislation of many countries of the world. The propagation of these principles has increased the awareness of the private and public sectors and led to economic and social reforms for the individual and the society in which that individual lives. We have witnessed the effect of this great development in an era in which military, political, intellectual and economic colonization has been receding, despite the exceptions we see which give rise to serious questions we deliberate here in this Organization—foremost among which is the question of the Middle East and Palestine, which is basically a humane question, a question of the Arab person whose own human rights as an individual and as a member of society have been violated. The crime perpetrated against him is being continued. Then there is the question of South Africa, where we see colonization, repugnant exploitation and racial discrimination threatening the value of human rights.

90. While we pay tribute to the achievements of the United Nations in the recent past in the field of human rights, we look forward to the future, to the day in which fundamental individual rights in a just international society will be ensured and universal and will be promoted by States of the international system to the level due them. We respect these rights in other countries and strive for them in our own countries. We remain optimistic.

91. Mr. KEYES (United States of America): The United States is proud of the role it played in the formulation

and adoption of the Universal Declaration of Human Rights 35 years ago and of the relationship of the Declaration to our own Bill of Rights: In this regard, we would like to pay a special tribute to Mrs. Eleanor Roosevelt and her dedication to this cause, as symbolized by the Declaration we are celebrating today.

92. Since its founding the United States has given priority to the rights of each individual and reaffirmed the need for ceaseless efforts to promote and maintain these basic human rights. At practically this very moment President Reagan is signing the following proclamation of 10 December as Human Rights Day and the following week as Human Rights Week in the United States.

“On December 15, 1791, our Founding Fathers rejoiced in the ratification of the first 10 amendments to the Constitution of the United States—a Bill of Rights which has helped to guarantee all Americans the liberty we so cherish.

“One hundred and fifty-seven years later, on December 10, 1948, the United Nations adopted the Universal Declaration of Human Rights, an effort aimed at securing basic human rights for the peoples of all nations.

“Americans have long honored the gift of liberty. So it is with glad hearts and thankful minds that on Bill of Rights Day we recognize the special benefits of freedom bequeathed in posterity by the Founding Fathers. They had a high regard for the liberty of all humanity as reflected by Thomas Jefferson when he wrote in 1787, ‘A bill of rights is what the people are entitled to against every government on earth.’ In this century alone thousands of Americans have laid down their lives on distant battlefields in Europe, Asia, Africa, and in our Western Hemisphere itself in defense of the basic human rights.

“When the Universal Declaration of Human Rights was adopted by the United Nations General Assembly in 1948, Americans hoped that the Jeffersonian vision was about to be realized at last. The Universal Declaration, it was believed, would embody the consensus of the international community in favor of human rights and individual liberty. And the United Nations, it was further thought, would serve as the instrument through which the observance of human rights by Governments would be enforced by the international community.

“Thirty-five years after the adoption of the Universal Declaration, it is clear that these hopes have been fulfilled only in part. Nevertheless, the Universal Declaration remains an international standard against which the human rights practices of all governments can be measured. Its principles have become the basis of a number of binding international covenants and conventions. At the United Nations it has served to strengthen the arguments of those governments which are genuinely interested in promoting human rights.

“Still, the fact remains that even as we celebrate Bill of Rights Day and Human Rights Day, human rights are frequently violated in many nations. In the Soviet Union, for example, brave men and women seeking to promote respect for human rights are often declared mentally ill by their Government and incarcerated in psychiatric institutions. In Poland, the free trade union movement Solidarity has been brutally suppressed by the régime. Throughout Eastern Europe and the Baltic States, the rights of workers and other basic human rights such as the freedom of speech, assembly, and religion and the right of self-determination are denied. This same tragic situation also occurs just 90 miles off



our southern coast. In South Africa the *apartheid* system institutionalizes racial injustices, and in Iran the Bahai people are being persecuted because of their religion. And in Afghanistan and South-East Asia toxic weapons, the use of which is outlawed by international conventions, are being utilized by foreign occupation forces against brave peoples fighting for their freedom and independence.

“As Americans recall these and other human rights violations, we reflect on both the similarities and the differences between the Bill of Rights and the Universal Declaration of Human Rights. Both great human rights documents were adopted in the aftermath of a bitter war. Both envision a society where rulers and ruled are bound by the laws of the land and where government rests on the consent of the governed, is limited in its powers and has as its principal purpose the protection of individual liberty.

“Yet while the Bill of Rights was adopted by a nation in which free institutions already flourished, many of the countries which adopted the Universal Declaration of Human Rights lacked free institutions. Since human rights are the product of such institutions as a free press, free elections, free trade unions and an independent judiciary, it is not surprising that formal adherence to the Universal Declaration by governments which suppress these institutions has resulted in no real human rights gains.

“By posing as champions of human rights, many governments hope to disguise their own human rights abuses. It was with special pleasure that I noted the recognition offered by the Nobel Peace Prize to Lech Walesa for his real efforts on behalf of human rights in a country where the government speaks only of the illusion of human rights.

“Human rights can only be secured when government empowers its people, rather than itself, through the operation of free institutions. Because our Founding Fathers understood this, we are blessed with a system of government which protects our human rights. Today let us rededicate ourselves to respect these rights at home and to strive to make the words of the Universal Declaration a living reality for all mankind.

“Now, therefore, I, Ronald Reagan, President of the United States of America, do hereby proclaim December 10, 1983, as Human Rights Day and December 15, 1983, as Bill of Rights Day, and call upon all Americans to observe the week beginning December 10, 1983, as Human Rights Week. During this period, let each of us give special thought to the blessings we enjoy as a free people and renew our efforts to make the promise of our Bill of Rights a living reality for all Americans and, whenever possible, for all mankind.”

93. Mr. ALBÁN HOLGUÍN (Colombia) (*interpretation from Spanish*): First of all, my delegation wishes to thank the President and the Secretary-General for the most important messages which they read to us today.

94. In the origin of the Universal Declaration of Human Rights is man himself and his possibilities of living in dignity and freedom. It is the same human being that has been the victim of the violence unleashed by social injustice in certain parts of the world; held in contempt because of his colour or ethnic or other origin; kept in slavery by the persistent superiority complex of certain races regarding others; deprived of his property and compelled to flee situations of violence and political repression; the value of his life ignored; imprisoned, humiliated and tortured.

95. We are gathered here today to commemorate the thirty-fifth anniversary of the adoption of the Universal

Declaration of Human Rights, the human rights that are the foundation of the Organization's Charter, which proclaims many of them. The Preamble embodies noble concepts such as the belief of the United Nations and its Member States in the advent of a world in which human beings, freed from fear and poverty, enjoy freedom of expression and freedom of belief, express their faith in the dignity and value of the human person and the equal rights of men and women and wish to promote social progress and better standards of life in larger freedom. They declare that freedom, justice and peace in the world are based on the recognition of the intrinsic dignity and the equal, inalienable rights of all the members of the human family.

96. Observance of these tenets is, or should be, obligatory for all States, for once the Charter was adopted on a universal basis it became part of the constitution of every State. Since disregard of and contempt for human rights had led to acts of barbarism against man, it was considered essential that those rights be protected by a system of law. Those tenets came out of the very depths of the conscience of the peoples and were agreed to and proclaimed on the understanding that the United Nations would be the policeman and the implacable champion of those rights in whatever place, region or State they might be infringed. These were wise and balanced norms, based on an integral view of the human being as the focus of the universe, for whom it is important to feel part of a society which respects his rights, with which he can identify and within which he can establish a family, educate it and increase it, with the ensuring obligation to respect the common good and to serve society so that it may achieve its objectives. That is why the Universal Declaration of Human Rights says, in article 29, paragraph 1, that “Everyone has duties to the community in which alone the free and full development of his personality is possible.”

97. In order to have human rights there must be laws, and in order to have laws there must be force to back them up. In order to have international law there must be an international force to support it. But in the case of human beings in all countries, the only force which can support them is the determination of States Members of the United Nations to apply the principles of the Charter and the will of the international community as organized in the United Nations system.

98. We must recognize that, with the progress of technology, the development of communications and the elimination of frontiers, universal solidarity concerning human rights is more than ever necessary if our common destiny is to be peace and justice. But, unfortunately, this has not always been the case in this Organization, for we have become involved in specific political matters in such a way that each Government can interpret them in its own way according to its interests of the moment. The human being, the base of the great pyramid, is in danger of being replaced by concepts which formerly were subordinate to him, to the extent that today those matters which concern him are not dealt with while there are political or economic affairs which affect relations between Governments.

99. In no circumstances and for no reason can my Government consider any violation of human rights justifiable, whether within or outside its territory. We do not, however, accept the thesis that investigations should be conducted solely in this hemisphere, because this is perhaps where there are indeed possibilities of success or fewer political problems in achieving success.

100. We must realize that right is the protection of the weak and that human rights have been proclaimed to

protect not the powerful but the weak, that the only international force that can ensure that the principles of the Charter are being applied is that which emanates from the United Nations. If investigations are carried out in only one part of the world or within specific political parameters, the Organization may lose its prestige or its force and thus the human beings' chance of a life of dignity and freedom will be at the mercy of tyrants.

101. Let us show our faith in the Organization by expressing our respect and admiration for those eminent citizens of the world who gave us the immortal instrument whose promulgation 35 years ago we are commemorating today.

102. To honour the ideals of the United Nations, I should like to read the following statement made by the President of my country, Mr. Belisario Betancur, two days ago:

“Once again I hoist the white flag of peace and real freedom, and I do so not in an emotional gesture but in support of what the Government has done and will continue to do, with the idea that peace has a truer, more authentic name: justice. It is a difficult struggle to seek peace deliberately, as it is not a magic formula of government. Peace is a matter of cause and effect. Rather than from the State, it comes from a well-ordered and just society. A State or Government may feel protected against violence, but this means nothing if this security does not spread to our neighbours. Therefore I struggle constantly against the arrogance of power, for I believe that when there is greater tolerance there is greater stability for the State. Nothing is more dangerous than to believe that reason belongs to us alone. Therefore it is necessary to live in a country where, as the thinker would wish, freedom can spread from one place to another.”

103. Mr. BLUM (Israel): It is with a profound sense of satisfaction that I bring, as the representative of Israel, my Government's message and greetings on the occasion of the thirty-fifth anniversary of the Universal Declaration of Human Rights. The moral and educational value of the ideas formulated in the Declaration cannot be underrated. The noted principles enshrined in it serve as a moral code for mankind. The ideas embodied in that momentous document, as well as in all subsequent related agreements, including the two human rights covenants and the various conventions adopted by the General Assembly, should be applied by all Governments. Indeed, their force derives to a great degree from the fact that their formulation rests on a consensus consisting of elements which are common to the different cultures and religions of the nations represented in the United Nations.

104. Israel's unfaltering commitment to human rights also stems from the prophetic vision of universal justice and universal peace cherished by the Jewish people throughout the ages. Some 3,000 years ago the prophets of Israel in Jerusalem proclaimed to the world the equality and brotherhood of man, the intrinsic dignity and value of the human being and the ideals of social justice based on eternal peace among nations.

105. The Bible, in the very first chapter of Genesis, enunciates the quality of man and woman, irrespective of race, colour and creed. Thus, Genesis 1:27 declares: “So God created man in his own image, in the image of God created He him: male and female created He them.” The brotherhood of man was given further expression in the very brief but very poignant passage in Leviticus 19:18. “Thou shalt love thy neighbour as thyself.”

106. The prophets of Israel realized that universal justice and equality could be achieved only in conjunction

with universal peace. This vision was forcefully expressed by the prophet, Isaiah, in Jerusalem some 2,800 years ago. His words, in Isaiah 2:4, now grace the plaza which faces this building: “And they shall beat their swords into plowshares and their spears into pruning hooks. Nation shall not lift sword against nation, neither shall they learn war any more.”

107. Even throughout centuries of persecution and oppression and throughout the darkest periods of the world's history, the Jewish people have not lost sight of this vision. Illustrious sons of the Jewish people have stood in the forefront of the struggle for protecting and guaranteeing human rights in their respective societies and at the international level. The terrible Holocaust that in our own lifetime befell my people did not diminish that hope but rather strengthened it. Indeed, the Jewish people rallied against the genocidal enemies of mankind, and many of its sons subsequently played an instrumental role in formulating the principles now embodied in the Universal Declaration of Human Rights and similar documents.

108. We mark today the thirty-fifth anniversary of the adoption by the General Assembly, on 9 December 1948, of the Convention on the Prevention and Punishment of the Crime of Genocide [*resolution 260 A (III), annex*]. It was a Jewish lawyer, Raphael Lemkin, whose family had been murdered in Poland during the Second World War, who was instrumental in drafting that Convention. Another illustrious Jew whose family had perished in Europe during the Holocaust, Sir Hersch Lauterpacht—attorney, scholar and subsequently judge on the International Court of Justice—was among the chief protagonists of the international protection of human rights. Yet another eminent son of the Jewish people, René Cassin, was one of the principal authors of the Universal Declaration itself and received the Nobel Peace Prize for his efforts.

109. Israel, as a free, democratic society guided by such a rich moral heritage, embodies in its laws, social values and political process the upholding of human rights, enjoyed by all citizens and residents of Israel, regardless of their different religious, ethnic and social backgrounds.

110. Looking at the situation in the world today, one sees that much remains to be done to translate the noble ideas and principles of the Universal Declaration on Human Rights into practice. Thirty-five years after the adoption of that Declaration fundamental freedoms continue to be violated and millions of people continue to suffer. Therefore, on this thirty-fifth anniversary of the Universal Declaration of Human Rights, let us all rededicate ourselves to the task of making that expression of mankind's noblest aspirations a living reality throughout the world.

111. Mr. ROA KOURÍ (Cuba) (*interpretation from Spanish*): The Minister for Foreign Affairs of the Revolutionary Government of Cuba has sent the following message to the Secretary-General in connection with the important event we celebrate today:

“The international community is commemorating the thirty-fifth anniversary of the proclamation of Human Rights Day, at a time when mankind is confronted with situations requiring the swift implementation of the initial postulate of the Universal Declaration of Human Rights, which states that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the sole basis for maintaining freedom, justice and peace in the world.

“It is clear that in the light of the provisions of the Universal Declaration, flagrant mass violations of the human rights of peoples and individuals affected by policies of racial discrimination, *apartheid*, colonialism, Zionism, military-political repression and armed and economic aggressions must not only be condemned, but their causes combated by the international community in keeping with the spirit and letter of the Charter of the United Nations.

“The economic and social injustice involved in the gap between the living standards of the highest levels of the developed capitalist societies and the exploited and humiliated masses of the world, particularly the underdeveloped world, is an affront to the collective conscience of mankind. To take account of these realities is an imperative need of our age because of what this situation, which affects three quarters of the human race, means in terms of human suffering and waste of intelligence and human lives.

“In view of the economic crisis and of the just demand of the peoples for a stable and lasting peace, there must be serious efforts to establish and implement a new system of international relations whose main aspect would be the establishment of the new international economic order, a just and equitable order, which would eliminate the abysmal differences between rich and poor countries.

“The imperialist policy of aggression, expansionism, exploitation and, of course, violation of the most fundamental human rights has intensified in recent months. Today the world is faced with the most ridiculous arms race in the history of the human race. In its scope, in its destructive power and in its level of technological sophistication, it is the greatest danger that has ever faced the human race and is clear proof of the madness and squandering of resources that characterizes the current international crisis. Against the backdrop of the danger posed by the arms race, there emerges the tragic situation of the genocide by omission committed daily by imperialism in condemning millions of human beings to death by the mere act of allocating vast resources to the development of means of killing human beings in another way.

“The sharpening of tension in the various centres of conflict to a world level has been the central purpose and direct result of the policy of force and reactionary violence of the present Government of the United States.

“Specific results of this imperialist plan are to be seen in many parts of the world. The Arab people are going through a critical period. Thanks to aid from the United States, Israel has unleashed a bestial policy of expansionism and domination against the Arab peoples and of liquidation against the Palestinian people in particular. Today there is an increase in the danger involved in the efforts to solve the complex situation in the Middle East, now that American troops have taken an active part in the fighting taking place in Lebanon, thus realizing the old dream of American imperialists to penetrate and dominate the Middle East.

“Likewise, the situation in southern Africa is continuing to deteriorate because of the activities of the South African racist régime, which persists in its policy of keeping the black people of South Africa under the most brutal oppression, exploitation and racial discrimination ever seen in history. The Government of Ronald Reagan has proclaimed the legitimacy of its strategic alliance with the Pretoria racists, and this is the underlying cause of the dangerous situation which continues to prevail in the southern part of Africa. This

has been accompanied by delaying tactics and brutal pressure to prevent a peaceful and negotiated settlement of the process of independence for the Namibian people, in disregard of the resolutions adopted on this subject by the United Nations.

“The region of Central America and the Caribbean is another typical example of the application of the ultra-reactionary ideology of American imperialism. The continuing threats of aggression and armed intervention in that area became a tragic reality in the recent military intervention against the people of Grenada. That act established a precedent which means that we must be on our guard against the imperialist threat, in all its dimensions, against the revolutionary movement in Central America.

“The mere possibility of direct imperialist military invasion has become an imminent reality. At the present time a virulent campaign of aggression has been shamelessly launched against Nicaragua from bases in Honduran territory; thousands of Somoza guards supplied, trained and assisted by the United States officials are harassing and killing the civilian population in Nicaragua. In El Salvador we find the very heart of the regional conflict. The state of insurrection in El Salvador has its roots in the age-long exploitation by colonialism, neo-colonialism and imperialism.

“History teaches us that in the end force has never been able to prevent the triumph of freedom, social justice and the sovereignty of the peoples. Once again we would express our conviction that the best way of ensuring the full implementation of the Universal Declaration of Human Rights and the Charter of the United Nations would be the abandonment by the imperialists of this policy of threats and confrontation. The aim of establishing the conditions of stability and welfare necessary for peaceful and friendly relations among States, based on respect for the principle of equal rights and the self-determination of peoples was complemented by the General Assembly's view that the right to development is a human right and that hence equal opportunities for development is the prerogative both of nations and of the individuals that make up those nations.

“The defence of human rights is a principle that cannot be manipulated on the basis of given circumstances, according to whether or not this suits imperialist policies. Respect for the human rights of the individual and of nations, in the view of the Cuban Government, is an absolute constant designed to eliminate the exploitation of man by man and all its evil consequences.

“The Cuban State is the guarantor and protector of human rights at the legal level. It can do this because the Cuban revolution abolished private ownership of the basic means of production, the exploitation of man by man, illiteracy, poverty and unemployment, so that the rights and duties of Cuban citizens are now fully guaranteed and protected, since the State not only recognizes these rights formally but also creates the material possibilities needed for the enjoyment of those rights.

“The Government of Cuba, always ready to preserve the right to self-determination and the dignity of the Cuban people, reaffirms its policy in support of peace and in opposition to régimes which cause the evils afflicting mankind, as the best contribution it can make to the full implementation of the Universal Declaration of Human Rights.”

112. The message is signed by José R. Viera Linares, acting Minister for Foreign Affairs.

113. Mr. GOLOB (Yugoslavia): We are gathered here today on this solemn occasion to celebrate the thirty-fifth anniversary of the adoption by the General Assembly on 10 December 1948 of the Universal Declaration of Human Rights. We of Yugoslavia consider this an important occasion for all Members of the United Nations once again to reaffirm the continued significance of this important instrument in the field of human rights.

114. Human Rights Day is going to be observed in Yugoslavia by a number of ceremonies to be held at various levels for the purpose of increasing the awareness of younger generations, and to remind their elders, of the important role the United Nations has played since its very establishment in all spheres of international life, including that related to the protection and promotion of all human rights and fundamental freedoms.

115. Setting the standards in all areas of human interaction is one of most fruitful and important aspects of United Nations activities. The preparation and adoption of the Universal Declaration of Human Rights have been followed by a number of instruments in this field: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of *Apartheid* and the Convention on the Elimination of All Forms of Discrimination against Women, to name only some.

116. Current activities within the United Nations include the preparation of the declaration on minorities, the declaration on the right to development as a human right, the convention on human rights of migrant workers and their families, and some other important ones. All these will be important additions to existing instruments and will set the standards for those significant and inseparable aspects of human rights.

117. Important as standard-setting is, it represents only a first step in the process of the universal protection and promotion of human rights and fundamental freedoms. In order for those rights and freedoms to become a reality, the widest possible ratification or accession to these instruments and their strict and full implementation by the States parties to them is indispensable.

118. On the question of the implementation of the established principles and norms, the existing situation does not give rise to feelings of satisfaction and accomplishment. Much remains to be done by certain countries and Governments to overcome their historically short-sighted, politically unjustifiable and morally and humanly unacceptable policies. The product of such policies, the crime of *apartheid*, an institutionalized form of racism, defies the very first provision of article 1 of the Universal Declaration of Human Rights, which recognizes that "All human beings are born free and equal in dignity and rights."

119. The displaced and deprived people of Palestine has for decades now been denied one of the basic rights recognized in the International Covenant on Economic, Social and Cultural Rights, and that is the right to self-determination.

120. The establishment of the new international economic order is a precondition for the strengthening of human rights. In the world of today millions of people are starving, ill and illiterate, without a roof above their head. In these conditions, economic and other, there can hardly be any talk of the full enjoyment of human rights.

121. It is, therefore, the duty of the Organization, and of each and every Member, to promote the goals set out in the Charter of the United Nations and the Universal Declaration of Human Rights, as well as in other instruments adopted by the United Nations, to promote peace, development and human rights for the benefit of the peoples the world over.

122. In Yugoslavia, the period since the establishment of the United Nations has been one of economic, social and political transformation and progress and of strengthening the socialist self-managing society, in which popular participation in all spheres of life, including workers' participation in management and self-management, represents the basis of our society. The principles set out in the Universal Declaration of Human Rights are intertwined with Yugoslav legislation and practice and the way of life of our peoples and nationalities. In the recent review conducted by the presidency of the Socialist Federal Republic of Yugoslavia on the possible need for adjustment of our legislation and practice in relation to its international obligations concerning the protection of human rights and freedoms, it was concluded that these rights and freedoms in Yugoslavia go well beyond the obligations laid down in international conventions. Of special importance in this respect is the inalienable right of all citizens of Yugoslavia to decide on all essential aspects of life in the existing political system of socialism and self-management.

123. We are determined to continue our activity within the United Nations towards the promotion of full enjoyment of economic, political, civil, social and cultural rights.

124. Mr. ALBORNOZ (Ecuador) (*interpretation from Spanish*): It is right and proper that the United Nations should be celebrating Human Rights Day, which marks a milestone in the world's progress towards peaceful coexistence, the dignity of the individual before the power of the State, the exercise of fundamental freedoms and the development of international law taking place in this Organization, a development which draws its major source of inspiration from human rights.

125. One would do well to remember that human rights are a product of the civilized evolution of the peoples, and that they took shape after a very difficult period. Today, in the age of the United Nations, they are reflected in the provisions of the Charter which reaffirm faith in the fundamental rights of man and in the dignity and worth of the human being, as well as in the Universal Declaration of Human Rights, adopted in 1948 without a single vote in opposition, which circumscribes the scope of the Charter and which led to the covenants to which we are signatories. Mankind should feel proud of the steps that have been taken to promote human rights and should prevent this noble instrument being used by certain parties to launch attacks on the United Nations to conceal other, narrow interests that would tend to subordinate the universal principles to the opportunism of a certain movement or national group or to exploit the subject of human rights in order to seem what they are not, at an attempt at a political deal by precisely those who should be punished for not applying human rights.

126. That is why Ecuador has proposed in the United Nations that, because of their importance and the respect that they deserve, human rights should be made as universal as possible, to avoid the present selective method of criticizing countries from one region in a world where the greatest violators of human rights are well-known, both for their abuses and their smug impunity. This applies to those who keep occupation forces in countries which are not theirs and to which they were not invited

by the inhabitants, who were unable to state their views in free elections. This applies to many governments which carry out ten of thousands of executions of political prisoners, the macabre lists of which meet indifference and silence from precisely those who draw attention to violations only in the countries of one region of the world. This applies to those with a single political party in power, where there is no choice, no pluralism, no elections, no freedom to enter and leave the territory, no elected parliament to make political plans, no free press to criticize abuses by Governments which are ever more powerful before the weakness of the individual.

127. That is why Ecuador has proposed that each year the United Nations should present a report on respect for and implementation of human rights in each of the Member States. At the same time, we believe that every country that is diligent in its criticism of other countries in the matter of human rights should simultaneously present the international community with detailed information on the degree of observation of human rights in its own territory, the frequency of popular elections, guarantees for opposition political parties, the degree of freedom of the press and the freedom of journalists to carry on their profession and other aspects of human rights set out in the Universal Declaration and the respective covenants.

128. These rights are fully respected in Ecuador, where we have an alternative and pluralist Government directly chosen by the people in elections that are absolutely guaranteed, in which the full range of our political parties take part. For example, there are today nine candidates and groups for the presidency and vice-presidency of the Republic, posts to which the incumbents cannot be re-elected, as well as for members of parliament, mayors, council men, prefects and provincial counsellors, campaigning in elections to be held on 29 January 1984. It should be added that in Ecuador there are no political prisoners, no curfew, no stage of siege, no press censorship and no restrictions on Ecuadorian or foreign journalists, who can enter and leave the country freely.

129. Ecuador has a noble tradition of respect for human rights consistent with the State structure. Over a hundred years ago the 1878 Constitution stated that the Ecuadorian nation recognizes the rights of man as the basis and purpose of the national institutions.

130. The Political Constitution, in its article 19, guarantees the rights of individuals, such as the inviolability of life, personal integrity and the right to full material and moral development. It prohibits torture and all inhuman or degrading treatment, prohibits all discrimination and guarantees equality before the law.

131. In article 44 of the Constitution, the Ecuadorian State "guarantees to all persons, man and woman, that may be subject to its jurisdiction, the free and effective exercise and enjoyment of civil, political, economic, social and cultural rights stated in the declarations, covenants, conventions and other international instruments in force". Therefore the Universal Declaration of Human Rights and its respective covenants have the status of law in our country.

132. Moreover, in the 1980 Riobamba Charter of Conduct, Ecuador, inspired by the ideals of Bolivar, and together with the Governments of Colombia, Venezuela, Peru, Costa Rica, Panama and Spain, reiterated in a very important step in the evolution of human rights, the pledge that "respect for human, political, economic and social rights constitutes a basic rule of the internal conduct of the States of the Andean Group, that their defence is an international obligation for States and that, consequently, joint action taken to protect those rights does not violate the principle of non-intervention".<sup>2</sup>

133. In keeping with this traditional approach, Ecuador is a party to the international instruments on the prevention and punishment of the crime of genocide, on the elimination of all forms of racial discrimination, on the suppression and punishment of the crime of *apartheid* and on the elimination of all forms of discrimination against women. We are also party to the 1969 American Convention on Human Rights and the 1948 American Declaration of the Rights and Duties of Man.

134. The President of Ecuador, Osvaldo Hurtado, promised the National Parliament two years ago the most scrupulous respect for human rights and civil liberties, and he has kept his promise.

135. The Universal Declaration of Human Rights, with its 30 articles, was the proclamation in one concrete edition of all that has been done in human history in defence of individuals through the enunciations of the great monotheistic religions, the Magna Carta of the English, the Laws of Castille of Spain, the Declaration of the Rights of Man and of the Citizen of the French Revolution and the Constitution of the United States. The covenants were stages on the way towards the universal observance and effectiveness of human rights in the form of treaties in the civil, political, economic, social and cultural fields. Increasing significance was gained, above all through the action of the new world democracies, including the Latin American countries, for collective rights, the right to work, equal pay for equal work by women, social security and trade union rights. The vigorous support of the United Nations has been such that, incorporated into national legislation, it is a commitment which today informs the international community.

136. That is why, here at the United Nations, in which the peoples of the world place their hopes, we are celebrating the anniversary of the proclamation of the Universal Declaration of Human Rights, just as it is being commemorated in the capitals and villages of all countries, in events promoted by Governments and institutions. In Ecuador, 10 December has been proclaimed Human Rights Day. Statements are made by high State officials, special parliamentary meetings and meetings of organizations and private bodies are held, programmes of instruction are developed and the Universal Declaration of Human Rights is published in the national languages of our indigenous minorities.

137. At its third session, the General Assembly, when it adopted the Universal Declaration, recommended that Member Governments, in accordance with Article 56 of the Charter, use all means at their disposal to publish solemnly the text of the Declaration and to distribute, explain, read and elaborate upon it in schools and other institutions of learning. In that way world public opinion, which is the true strength of the United Nations, will continue to support this peace organization and to enhance respect for human rights, in conformity with the objective enshrined in Article 1, paragraph 3 of the Charter of achieving international co-operation "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

*The meeting rose at 1.40 p.m.*

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#### NOTES

<sup>1</sup> *Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754, para. 4*

<sup>2</sup> A/C.3/35/4, annex, p. 2.