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*President: Mr. Indalecio LIEVANO (Colombia).*

AGENDA ITEM 33

**Thirty years of the Universal Declaration of Human Rights:  
international co-operation for the promotion and observ-  
ance of civil, political, economic, social and cultural rights  
(continued)\***

1. The PRESIDENT (*interpretation from Spanish*): We are gathered here today to celebrate the thirtieth anniversary of the proclamation of the Universal Declaration of Human Rights [resolution 217A (III)]. From time to time, in this hall, we pause to reflect on the destiny of that Declaration which is so intrinsically bound up with our Organization and, as we shall do this evening, we single out for the admiration of mankind a few individuals and institutions that have struggled for its implementation and, in many cases, have paid with their lives for their attachment to those rights. These are paradigms which carry forward, in space and in time, the torch that was lighted centuries ago in the cities of Greece, when the individual rose above the crowd, pondered the responsibilities incumbent on him as a participant in the life of the community and discovered for the first time the principle of humanism: the principle of man as the measure of all things.

2. In times of crisis, like the present, there emerges in the twilight of civilizations a special capacity to synthesize the rich texture of history. This United Nations Declaration of Human Rights can indeed be viewed as the epitome of our liberal civilization. In these rights were embodied the wisdom of millennia, the origin of which we may find among the Greek sophists who knew them by intuition; in Christianity, which gave ecumenical and transcendental expression to them; and among the British and French philosophers of the Enlightenment who proclaimed them as the essential boundary between the all-embracing powers of the State and the inalienable rights of the individual and as the last protection of the citizen against the imperious will of the sovereign. These rights formed the ideological basis for the liberation movements of the eighteenth and nineteenth centuries, and in the Americas were embodied in

the written laws and the common law of States which, for that reason, considered themselves heirs to Western culture.

3. Since then, since those rights became a part of various legal orders, their implementation has been the focus of an unending struggle which continues today in many places throughout the world, nearly always on unequal terms: a solitary struggle by the individual against tyrannical Governments and by peoples against their own armies, which act like occupation forces. In addition, in some countries those legal orders are still a dead letter, thus apparently allowing affluent States, among other violations of human rights, to discriminate, on grounds of origin and race, with respect to the free movement of persons across frontiers; to vary opportunities to work according to the colour of the skin; and to restrict access to sophisticated, scientific knowledge to a minority of the population. Such States forget that peoples which receive the legacy of a liberal culture based on respect for human rights have a special obligation to overcome any circumstance which temporarily prevents the full implementation of those rights.

4. It would not be proper for us to judge by the same yardstick young nations which have attained an independent existence only in the last few years, after a painful colonial experience. The structure of some of those nations involved complex sociological systems in which the individual was immersed in the society. The colonial Powers, in order to maintain their domination, preserved tribal divisions and kept in ignorance those who were living in slavery or were the product of exported slavery, denying them any knowledge of advanced forms of political organization. It would therefore be presumptuous for us, at this time, to judge all States indiscriminately and to expect of them an identical understanding of problems which have been for some the product of slow development over millennia and for others a sudden discovery.

5. The duty of our Organization is to encourage, as we are doing today, those who stand before their peoples as leaders, pointing the way to the implementation of human rights. Otherwise, if human rights are arrogantly imposed they may be turned into political instruments. Furthermore, the end result would be to elevate a few rulers to the status of judges of mankind, conferring on them alone the privilege of determining who are the good and who the evil.

6. As we celebrate this thirtieth anniversary, emphasis must also be placed on the growing concern of Member States regarding the full implementation of all human rights—in other words, not only political rights but also social, economic and cultural rights; the right to a roof over one's head, to health, to work, to a life free from fear and

\* Resumed from the 50th meeting.

education allowing entry to the institutions of learning which today are the preserve of an élite. We have heard about this in the various Committees of the General Assembly, along with an avowal of the tremendous economic barriers which exist to the attainment of those aspirations. There is an insistent call for a new international economic order because, while on the one hand demands are made for the implementation of human rights, on the other hand the decline in prices of raw materials, the imbalance in the terms of trade, the restrictions on the transmission of technology, the high costs of the transfer of financial capital and the resurgence of protectionism impose constraints on the ability of freely-elected democratic Governments to shoulder their responsibilities with dignity and without self-interested assistance.

7. Human rights are delicate concepts that should be placed above any political interests. They are fragile precepts, the implementation of which is mandatory for those States which have known and accepted them in the past and for all those which are now discovering them. From these rights, expressed in a few feeble words lacking any coercive power, hangs suspended, as if by a miraculous thread, the life of entire peoples; of outstanding individuals who often embody all that is best in the human spirit and who are driven to rebel against dogmas which they had no hand in formulating; and of communities subjected to cruelties and deprived of every prospect in life by arbitrary authorities and despotic bureaucracies. They are, I would add, precious principles, the legacy of some peoples and the goal of others, which would enable men to live in peace with their neighbours and which therefore demand our full support. In short, they are the foundation of our Organization, and hence of the world order.

8. I call now on the Secretary-General.

9. The SECRETARY-GENERAL: The thirtieth anniversary of the Universal Declaration of Human Rights comes at a time when the occasion serves as more than a symbol. It is a time when, both in the United Nations and outside, we are witnessing a new surge of thought and feeling about the importance of human rights in national and in international life.

10. We are gathered here to commemorate the adoption of the Declaration and rededicate ourselves to the aims and principles enunciated therein. Rededication demands that we assess realistically how far we have come in 30 years in achieving our objectives, and how much remains to be done.

11. The record shows, I believe, that we have accomplished much. It shows that many nations in all parts of the world have initiated reforms and broken new ground with human rights legislation inspired by the Declaration. It also shows that the United Nations and its family of specialized agencies have adopted a wide range of important international covenants, conventions and procedures which give expression to the moral conscience of humanity.

12. Our progress in the delicate and complex area of human rights is all the more significant in view of the political and cultural diversity that is the mark of our Organization. A lively debate has taken place in the world

as to how human rights are to be interpreted in particular social and economic contexts. This demonstrates the strength of the concern about human rights felt by Member States. It would, indeed, be strange if, with their various traditions, ideologies and levels of economic development, they did not differ in their points of emphasis as far as the totality of human rights is concerned.

13. However, the debate has reinforced the consensus that human rights are mutually interdependent. All are agreed that an improved international security system would reduce suspicion and fear, and thus enhance the prospects of the realization of fundamental freedoms for the citizens of all States. Likewise, there is now a recognition of the fact that human rights cannot be fully attained unless a new international economic order is established. It is now agreed that civil and political rights are closely related to economic, social and cultural ones. There is a greater awareness now than ever before of the scope and implications of different rights. As a result, some misconceptions are being discarded.

14. It is recognized that we cannot detach the problem of human rights from that of equitable economic relations or consider the development process as overriding human rights. Thus we have witnessed a synthesis of viewpoints voiced by different groups of countries. Nothing in the debate which has taken place detracts from any provision in the Universal Declaration of Human Rights. Though proclaimed in the early years of this Organization, it has stood the challenge of all later developments.

15. International co-operation is at the heart of the Declaration, and it is largely responsible for such progress as we have made. However, we would do a disservice to the anniversary we observe today if we did not acknowledge how far we still are from securing the "equal and inalienable rights of all members of the human family".

16. We cannot pretend that the gap has been bridged between aspiration and achievement. Millions continue to suffer the indignity of racial discrimination officially sanctioned in the evil practice of *apartheid*. Other problems of a different kind beset efforts to close the gap. A world in which millions are uprooted from their homes, an untold number arrested arbitrarily or imprisoned without trial, a world which still witnesses the practice of torture, a world in which millions live under alien subjugation, a world in which more than a billion people are illiterate and large numbers are on the brink of starvation or lack medical care, a world in which children are exploited, the elderly neglected and women consigned to an inferior status—such a world is not, by any reckoning, a world where human rights are being universally respected.

17. In the light of the efforts made thus far and the size of the obvious gap that remains to be filled, we need to consider what can be done to advance the purposes of this Universal Declaration of Human Rights which we come here to commemorate.

18. As far as I am concerned, the advancement of human rights has always been a priority objective, and I remain ready to be helpful in any way possible. The main criterion for all our efforts in this regard has always been, and must

always be, to find the way best suited to achieving positive results in assuring respect for the human rights of all individuals everywhere. Nothing brings me greater satisfaction than helping to save the life of a human being, freeing prisoners of conscience or otherwise alleviating human suffering. Perhaps one of the greatest hopes this Organization has to offer peoples throughout the world is the assurance that we care what happens to them as individual human beings and are dedicated to trying to bring them a better and more secure life.

19. This hope would be strengthened if individual Governments would also examine what further measures they might take. I appeal to Governments to review their legislation to see whether it can be modified or implemented in a way more responsive to the purposes of the Universal Declaration. I also appeal to those Governments which have not yet ratified the existing conventions and covenants in this field to do so as soon as possible. For our goal must be to bring into being a universal system governed by the rule of law for the protection and promotion of human rights.

20. Our success ultimately depends upon the commitment, political will and co-operation of all Member States. Without that support, the Organization will be unable to meet the many challenges before us; with it there is a very real promise of progress towards fulfilling the Declaration's goal of a world in which freedom, justice and peace rest on a foundation of equal and inalienable rights for all peoples everywhere.

21. The PRESIDENT (*interpretation from Spanish*): I should like to inform the General Assembly that we have received messages from the following Heads of State or Government: Afghanistan, Botswana, France, Holy See, Panama, Spain, Sudan, Syrian Arab Republic, United States of America, Upper Volta, Turkey and Venezuela. These messages will be reproduced in an official document of the General Assembly.<sup>1</sup> They are also being issued as press releases.

22. There are 36 speakers already on the list. I propose that we close the list of speakers at 1 p.m. today. I take it that the General Assembly agrees to this proposal.

*It is so decided.*

23. The PRESIDENT (*interpretation from Spanish*): I now call on the Minister for Foreign Affairs of Iceland, who will make a statement on behalf of the Nordic countries.

24. Mr. GRÖNDAL (Iceland): On behalf of the five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden, I have the honour to make the following statement at this meeting on the occasion of the thirtieth anniversary of the Universal Declaration of Human Rights.

25. During the past 30 years the universal and effective recognition and observance of human rights have attained increasing prominence in international politics and international co-operation. When the General Assembly of the United Nations on 10 December 1948 adopted the

Universal Declaration of Human Rights and proclaimed it a common standard of achievement for all peoples and all nations, a development of the greatest importance to humanity was set in train.

26. In the international community as well as in individual countries the Declaration has served, and will continue to serve, as an inspiration and the guiding light for the codification and progressive development of human rights and human rights standards.

27. The Declaration enumerates those rights that ought to belong to each individual, and which the authorities of a society should always respect. It proclaims not only the civil and political freedoms, but also rights of an economic, social and cultural nature.

28. In proclaiming this enlarged human rights concept, the Declaration has significantly contributed to that common understanding of human rights and fundamental freedoms which, according to the Declaration, is of the greatest importance for the full fulfilment of the pledge of Member States to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of these rights and freedoms.

29. The over-all human rights concept is truly humanistic in the sense that it not only respects the right of the individual to assert himself but also implies genuine obligations towards his fellow man.

30. Civil and political rights, as well as economic, social and cultural rights, are indivisible and interdependent, and equal attention should be given to both groups of rights. Neither group should have priority over the other. This does not alter the fact, however, that individual rights—such as the right to life or the right to personal freedom—are of particular importance, since their enjoyment is a precondition of the enjoyment of all other human rights.

31. The political system of the Nordic countries is based on the long-standing Nordic tradition of freedom, solidarity and justice. These countries have therefore spoken out clearly against violations of human rights, especially violations of the integrity of the individual. They have tried to help the victims of such violations.

32. In their international work for human rights the Nordic countries have also taken an active interest in the economic and social aspects of these rights and have endeavoured to make a truly constructive contribution to their implementation.

33. In the continuing codification process of establishing legally binding treaties for the protection of human rights the Nordic countries have continued and will continue to stress the importance of incorporating in these treaties suitable forms of international implementation. A whole body of international human rights instruments has come into being since 1948 under the auspices of the United Nations and the specialized agencies. I should like to mention here, for example, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and its Optional Protocol [*resolution 2200 A (XXI), annex*], the International Convention on the Elimination of All Forms of

<sup>1</sup> Subsequently circulated as document A/33/467.



Racial Discrimination [resolution 2106 A(XX), annex], the Convention on the Prevention and Punishment of the Crime of Genocide [resolution 260 A (III), annex], the Convention relating to the Status of Refugees<sup>2</sup> and the numerous Conventions adopted by the International Labour Conference.<sup>3</sup> These instruments indeed represent considerable progress towards establishing a universal legal foundation for the protection of human rights at the international level. Some of these instruments provide for procedures making it possible also for individuals to institute proceedings at the international level to secure observance in practice of their human rights.

34. On the other hand, international implementation procedures are still imperfect in many respects. For this reason, continued efforts should be made in order to strengthen the international human rights machinery of the United Nations, stimulate regional co-operation in the field of human rights and secure the widest possible accession to international human rights instruments. The Nordic Governments hope that an increasing number of contracting parties to the International Covenant on Civil and Political Rights will make use of the optional implementation system provided for in article 41 of the Covenant as regards inter-State complaints and in the Optional Protocol to the Covenant as regards complaints by individuals. The Nordic countries also take an active interest in current efforts aimed at the further promotion and encouragement of human rights and fundamental freedoms, under consideration in the Commission on Human Rights, in the hope that speedy agreement will be reached on new constructive measures in the interest of both individuals and States. Based on their own positive experience from the functioning of the Office of the ombudsman, who acts between the individual and the executive, the Nordic countries are in this context also favourably disposed to such proposals as that concerning the creation of a post of United Nations High Commissioner for Human Rights. The functioning of the United Nations High Commissioner for Refugees has given ample proof of the tremendous aid of a purely humanitarian character which can be rendered through such an office directly to the individual human being in need.

35. While searching for further ways and means of improving the effective implementation of existing international human rights instruments, we should not lose sight of the fact that there are still important areas within the field of human rights where elaboration of international legal binding standards is called for. I am thinking first and foremost of the current efforts to abolish the use of torture and other cruel, inhuman and degrading treatment or punishment by, among other things, adopting a specific and substantive convention on this subject. The Governments of the Nordic countries will spare no effort in trying to secure the expeditious conclusion of such a convention.

36. Another field of major concern is that of the effects on human rights of scientific and technological develop-

ments. In this fast-growing field of activities, which poses many potential risks to individuals and peoples, it is high time to try to single out those areas where legal regulation from the point of view of human rights is most needed.

37. The very idea or concept of human rights of course implies that these rights are applicable to every single human being without discrimination of any kind. One of the most embarrassing inequalities still existing between individuals almost everywhere is that between men and women. The adoption of a convention on the elimination of discrimination based on sex should therefore be a matter of the highest priority for the international community. The Nordic Governments are actively participating in the elaboration of such a convention.

38. One important group whose legitimate rights require special protection is of course children. I wish to express the hope of the Nordic countries that it may prove possible during 1979, which has been proclaimed the International Year of the Child [resolution 31/169], to consider ways and means of strengthening the protection of the rights of the child.

39. Other groups that are vulnerable and exposed to discrimination are the many groups of indigenous peoples in various parts of the world. In the view of the Nordic Governments, it is important that the world community of nations divert more of its efforts to establishing a common understanding of the problems and interests of these groups of peoples.

40. Moreover, the world community should take appropriate measures to promote international understanding, co-operation and universal and effective respect for human rights, particularly by emphasizing the educational approach both within and outside formal school systems. The essential role and responsibility of national and local institutions in securing the promotion and protection of human rights should always be kept in mind when we consider the international aspects of human rights.

41. The many existing international human rights instruments, and those to come, give rise to the question of establishing effective co-ordination between the different international bodies dealing with human rights, so as to enable the General Assembly to review periodically the work of these various international institutions. An in-depth study of the legal interaction between the relevant human rights treaties aimed primarily at the interpretation and application of the instruments concerned seems to be called for, and the Assembly might at an early date take action to this effect. If, in the future, a High Commissioner for Human Rights is appointed, one of his essential tasks may be to help in co-ordinating the work of the various United Nations organs concerned with the protection of human rights.

42. I wish to emphasize that the large number of international human rights instruments have made it clear that violations of human rights are not only internal matters, but problems of legitimate international concern. This is also spelled out in the very Charter of the United Nations. In the same way, the promotion of respect for human rights and long-term constructive work in favour of

<sup>2</sup> United Nations, *Treaty Series*, vol. 189, No. 2545, p. 150.

<sup>3</sup> See International Labour Organisation, *Conventions and Recommendations, 1919-1966* (Geneva, 1966). The conventions and recommendations adopted in subsequent years by the International Labour Conference have been published in the *Official Bulletin* of the International Labour Office.

human rights are also matters of international concern. The Nordic countries have always stressed that the international human rights instruments should serve as guidelines also in the elaboration of international development strategies and world programmes aiming at creating conditions for economic growth, a better quality of life and a New International Economic Order. Both in matters of security and international development co-operation it is more and more widely recognized that one of the main yardsticks of progress must be the effect on the life of individual human beings. All international efforts in the wide sphere of action of the United Nations ultimately must serve this need.

43. In conclusion I want to stress that the attitude of the Nordic countries with regard to human rights matters, be it at the national, regional or universal level, will continue to be one of active participation in the continuing codification and progressive development of all sectors of human rights.

44. The PRESIDENT (*interpretation from Spanish*): I now call on the representative of the Congo who will speak on behalf of the African group of States.

45. Mr. GAYAMA (Congo) (*interpretation from French*): On behalf of the African group of States I should like to express a few ideas in connexion with the celebration of the thirtieth anniversary of the Universal Declaration of Human Rights.

46. Many human achievements have been inspired and elaborated from a single idea and in special circumstances. Nevertheless, they are derived from all the past that has preceded them and from the whole of the future which will succeed them. This is how we see the Universal Declaration of Human Rights of 10 December 1948, which is an essential element among United Nations undertakings and the high point of the democratization of the developing universal civilization.

47. As Africans we celebrate this thirtieth anniversary with the enthusiasm that it deserves, but assuredly without unrestrained enthusiasm. Indeed, as far as we are concerned, the balance-sheet of these 30 years of formal freedoms introduced by the Declaration, even if impressive because those freedoms now form part of the patrimony of all of national legislations, does not cease with time to appear insufficient in comparison with the demand for economic, social, cultural and other rights of which a large part of humanity is still deprived. How could it be otherwise from the point of view of a continent which saw the birth of man but which has been given so little opportunity to enjoy all its rights because of a rather singular interpretation of that concept? It also happens that in southern Africa today we see a proliferation of the most serious infringements of human rights and we see posed in the most direct fashion the great question raised by the Universal Declaration of Human Rights, a monument of contemporary civilization to be sure, but one poorly prepared to face the test of reality. Yet this is a singular masterpiece of its kind in which man has imagined that he can tear himself away from the grasp of his principal enemy, man, so that he will not have to say—to paraphrase the words of Nelson Mandela, speaking outside of South Africa in 1962—that it is only outside of this world that a man can be free.

48. When the General Assembly, by its resolution 217 A (III) of 10 December 1948, adopted and proclaimed the Universal Declaration of Human Rights, it certainly shed light on the interpretation of the United Nations Charter, which was adopted in San Francisco in 1945. The world was emerging from the war and still thrilled to the determination, customary in such cases, that this should never happen again. "This" implied not only the horrors of the war with its aftermath of ruin and massacre and its demonstration of barbarity, condemned incidentally by the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the General Assembly on 9 December 1948 by resolution 260 A (III), but also the self-determination of peoples and their right to equality, justice, independence and sovereignty. To be sure, the Charter has already set out among the purposes and principles of the United Nations that of respect for the equality of the rights of peoples and their right to self-determination. In Article 73 of Chapter XI of the Charter, the colonial Powers were invited to protect the populations of the Non-Self-Governing Territories against abuses. But where the Charter limited itself to enunciating albeit general principles, such as that of the mission to develop in those Territories the capacity of populations to administer themselves, to take account of their political aspirations and to help in the progressive development of their free political institutions, the Universal Declaration of Human Rights, for its part, was driving a decisive wedge into the thick wall of prejudices which have for so long justified the adventures of colonial conquest, exploitation and domination of one race by another.

49. The Declaration provides in article 1 that:

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Here we are far from the "prelogical mentality" that anthropologists claim to have detected somewhere in the dominated countries and that could be shaped and exploited at will.

50. The Declaration then goes on to say in article 2 that:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

And that:

"Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty."

51. Thus a new interpretation of the Charter, in the light of the Universal Declaration of Human Rights, was the new phenomenon which personalities such as Mahatma Gandhi and the fathers of modern pan-Africanism understood in all of its implications. To some extent the Charter spoke to the

States and the Declaration spoke directly to people and individuals. As a matter of fact, it was at this time that we saw curiously elaborated in all its diabolical rigour the crime against humanity that is called *apartheid*. Gandhi was one of the first to fight against this aberration in South Africa itself. The disintegration of colonial empires, first in Asia and then in Africa, was to fulfil the most legitimate aspirations of the majority of these countries, which are now Members of the United Nations. Then came what has been called "the Bandung thunderclap", which marked the arrival of the non-aligned countries on the world scene.

52. Thus the Universal Declaration of Human Rights was of great value to our countries, for which it constituted a theoretical tool of great importance in the tradition of the framework established by, among others, the great Lenin and the Soviet Revolution, which had taken a decisive stand against colonialism and imperialism as acceptable types relations among peoples, nations and individuals.

53. What new attitude, then, can we now adopt with regard to human rights? What is their practical scope?

54. One attitude consists in seeing them from an intellectual point of view, almost as if one were in ecstasy over a beautiful building or work of art. This is the attitude generally chosen by those who base themselves on these rights, as on the concept of liberty, in order to gain advantages in the service of anything but democracy. In the name of human rights, selfish privileged interests are protected, even when these seriously and adversely affect the principles of equality, justice and sovereignty.

55. We firmly disapprove of this attitude, which gives rise to all sorts of abuses and which justifies the maintenance in poverty and dependence of millions of human beings, as well as all the forms of violence we are witnessing, from armed intervention and mercenary activities to pressures of all kinds, to repression when individuals or peoples wish to assert their rights, and even to political assassination.

56. Yet, from the Universal Declaration of Human Rights, regarded as the centre, has evolved a whole series of highly pertinent texts which the Secretary-General of our Organization, with his usual diligence, has brought together in a compendium of international instruments on human rights published in document ST/HR/1/Rev.1.<sup>4</sup>

57. In that we find, quite naturally, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, of 1966; the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV) of 14 December 1960; the International Convention on the Elimination of All forms of Racial Discrimination, of 1965; the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, of 1973; the Declaration on the Elimination of Discrimination against Women, of 1967; the Declaration of the Rights of the Child, of 1959; and also, of course, a whole series of other instruments relating to work, health, education, security and so on. Slavery, servitude and other similar

practices and institutions are also dealt with in properly established conventions, all of which have a more or less direct link with the Universal Declaration of Human Rights.

58. All this panoply of legal instruments, of which we have mentioned only a limited number by way of example, is most reassuring in regard to the implementation of principles adopted 30 years ago in the Declaration, principles to which these instruments in fact, for the most part, explicitly refer. However admirable that may appear, it nevertheless seems to us that, at a time when we are advocating a new and more just international order, there has not been a definition of man in reality, but merely of the rights of man in the abstract. Unless this is merely additional proof of the adage that history is nothing but constant repetition! As long as the privileged circumstances to which we referred earlier and which only achievements such as the Declaration are opposing have not lost their relevance, man quite naturally becomes what he has always been: a wolf in his dealings with other men.

59. Yet it is well known that the major problem of our time is that of reconciling social justice and liberty. It is only thus that man, whose rights have been proclaimed, will truly be identified and that the resources of all nations can be placed genuinely at the service of people. The sixth and seventh special sessions of the General Assembly [see resolutions 3201 (S-VI), 3202 (S-VI) and 3362 (S-VII)] gave to this concept of a new international economic order and sovereignty over resources absolutely determinant perspectives concerning the way in which we should today consider the happiness of human beings. In this regard, the Charter of Economic Rights and Duties of States [resolution 3281 (XXIX)] constitutes a highly important instrument whose provisions would be more valuable if they were properly applied.

60. If we have referred to what the concept of humanism means for us today, it is in order to emphasize the intolerable situation which, 30 years after the adoption of the Declaration, still affects a considerable part of Africa and of mankind: the perpetuation of colonial régimes in Zimbabwe, Namibia and South Africa and the perpetuation in the latter State of the crime of *apartheid*. All this seriously diminishes the concept of human rights for the peoples concerned.

61. The Government of South Africa, which practises *apartheid* and is subjugating Namibia, is presented as a respected Government by some States here which have established with it various relations—diplomatic, economic, military and cultural—which in my opinion, continue and progress in spite of the fascism of the most anachronistic type that that State proclaims and practises.

62. Therefore, this is an appropriate occasion on which to recall to those who are blasé but imbued with humanitarian ideas what the crime of *apartheid* is all about. As is well known, *apartheid* is a system of laws and practices which govern Africans other than white throughout their entire life, from birth to death. Although there are 18 million of them, they are allowed to have only 13 per cent of the least productive land, divided into bantustans. The treacherous laws, which are too numerous to mention here, and which, moreover, are known to all, prescribe for the blacks what

<sup>4</sup> *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.78.XIV.2).



their relationship should be with whites, with their compatriots and with their families and define their code of conduct at work and in society, and all this accompanied by the most serious penalties in case these laws are infringed upon. In other words, right, dignity and freedom are not known to them. In short, as far as the black man in southern Africa is concerned, this is the darkest night, which is not being illuminated even by the feeble light of the Universal Declaration of Human Rights.

63. If the United Nations intends to appoint a High Commissioner for Human Rights, we propose formally that he begin, as a matter of priority, by dealing with the violations of these rights in South Africa, where the situation requires the most urgent international intervention. The same applies to Palestine, where the rights of the Palestinians are ignored and trampled on. The tension we see in the Middle East and which every day threatens security throughout the world has its origin in the flouting of the inalienable rights of the Palestinian people. Without an awareness of this Palestinian reality on the part of the parties most directly concerned, the world can expect further evils, which could be avoided.

64. What the Universal Declaration of Human Rights teaches us is, first of all, that no peoples or nations are minor in relation to others and that, consequently, it is for the human race, conscious of its moral grandeur and its unity, to build a genuine universal civilization. These are great prospects which, if realized, would bring honour to our century. It is certainly true that the gods are dead. Thus there is no place, even in humanism, for dogmatism or fanaticism, still less for any demonstration of strength, which would only perpetuate the old structures and make it impossible for each person and each nation to realize even a part of their dreams. Firm guarantees of human life should also be given. There is no room for disease and poverty and we know that mankind, which sends men to the moon and is manufacturing atomic weapons and other means of mass destruction, is not willing to place science and technology at the service of the development of individuals and society.

65. In many cases men are unfortunately forced to take up arms and pay with their lives to obtain the changes which are refused them in the name of an ethic based on power. That is the definition of national liberation movements.

66. On the occasion of this celebration of the Universal Declaration of Human Rights, we must think of a few of the greater sons of Africa who fell so that the ideals of man might triumph on our continent. I am thinking of Patrice Lumumba, Kwame Nkrumah, Nasser, Amílcar Cabral, Eduardo Mondlane, Marien Ngouabi, Robert Sobukwe, all of whom are dead; and to them we must also add those who, like Nelson Mandela, are languishing in a South African gaol. Africans remember also those of the Diaspora: Frantz Fanon, Martin Luther King, Jr., William Du Bois, Toussaint L'Ouverture and so many others.

67. Considering the past, the present and the future, human rights, for Africa and for suffering mankind, still—as I pointed out a few moments ago—must be written with a huge question mark because, after all, as Frantz Fanon said, as far as we are concerned we have to start a new history of

man. It is on these lines that the Universal Declaration of Human Rights addresses itself to the peoples so that each and every one of them may enjoy its benefits. Democracy is to be achieved at this price. Along with formal freedoms, we must see a constant growth of genuine freedoms affecting the economic, social and cultural fields, so that peace, security and happiness for the greatest possible number of people may be assured.

68. The PRESIDENT (*interpretation from Spanish*): I now call on the representative of the Federal Republic of Germany, who will speak on behalf of the member States of the European Community.

69. Mr. VON WECHMAR (Federal Republic of Germany): Before speaking on this important item on behalf of the nine member States of the European Community, may I address to you, Mr. President, and through you to the Secretary-General, our sincere thanks and appreciation for the comprehensive introductory remarks which you have both submitted.

70. "All human beings are born free and equal in dignity and rights." This ringing affirmation opens the Universal Declaration of Human Rights adopted by the General Assembly 30 years ago in Paris and declared by it to be the "common standard of achievement for all peoples and all nations".

71. The fundamental concept of the inalienable dignity of man reflects the ideals and basic values cherished by many cultures. Now as in the past they constitute a beacon of hope and expectation for many peoples. People in all parts of the world have become aware of the persuasive force of the concept of human rights.

72. The United Nations, established in order to save future generations from the scourge of war, has made the concept of the dignity of man its guiding principle. According to the Charter, one of the objectives pursued by this Organization is to achieve international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms. This is also a reflection of experience that the denial of human rights and fundamental freedoms during the years preceding the foundation of the United Nations had brought untold suffering to mankind.

73. The Universal Declaration of Human Rights was the first international document to define and enshrine human rights and claim universal validity. Hence it constituted a breakthrough of historic dimensions. As a result, the observance of the rights of the individual human being has become the yardstick for the policies of all States and a point of reference in international policies as well.

74. The European Community, on whose behalf I address you, is based on a common outlook: respect for the dignity of man, his freedom and his inalienable rights. For its nine members, just as for the other European States, today's anniversary has a special European meaning as well. Twenty-five years ago, the European Convention for the Protection of Human Rights and Fundamental Freedoms<sup>5</sup>

<sup>5</sup> See United Nations, *Treaty Series*, vol. 213, No. 2889. See also document A/33/417, annex II.

entered into force, setting up a regional system for the protection of human rights.

75. To contribute to the universal realization of human rights is one of the priority tasks which the nine members of the European Community have set themselves in co-operating with the United Nations. We are also resolved to do everything in our power to help to strengthen human rights in all parts of the world.

76. Thirty years after the adoption of the Universal Declaration of Human Rights, there is no reason to be complacent.

77. On the basis of the 1948 Declaration, the United Nations has in recent decades succeeded in codifying human rights in a number of important conventions—a major achievement in itself—among them the International Convention on the Elimination of All Forms of Racial Discrimination and, in particular, the two International Covenants of 1966 which entered into force 10 years later and constitute yet another milestone. All these international instruments represent a qualitative change from a declaration to an international legal norm. We have thus been provided with an internationally-recognized framework for human rights.

78. However, this has also sharpened our awareness today of the gap which continues to exist between international norms on the one hand and their fulfilment on the other, between aspiration and reality. Unfortunately, violations of human rights continue to be all too common in many parts of the world. Racial discrimination, through which the dignity of man is violated in a particularly humiliating fashion, is a characteristic feature of the situation, above all in southern Africa, and has become one of the most urgent international problems.

79. On the other hand, we can also note that a new approach to human rights is asserting itself in international relations.

80. No State can any longer stay aloof from the issue of human rights. In their constitutions the majority of States commit themselves to the realization of those rights.

81. Human rights are no longer considered a privilege to be enjoyed only in specific States or regions, but require concern in all States and regions.

82. The realization of human rights, whether civil, political, economic, social or cultural, has become a theme of legitimate international concern. National sovereignty as well as international co-operation and responsibility have become the pillars of our interdependent world. While the States thus retain full responsibility for the realization of those rights, the community of States cannot remain indifferent in the face of violations of human rights in the world. No State can escape the critical attention of the international community, especially where gross and consistent violations of human rights are concerned.

83. A country's standing within the community of nations today also depends on the extent to which the human rights of its citizens are guaranteed and translated in real terms.

84. This new and deeper consciousness of human rights, this awareness of a world-wide solidarity, is, as in the past, being enhanced by the struggle for political emancipation by the peoples still under colonial rule and by the struggle against racial discrimination, especially *apartheid*.

85. The right to self-determination of peoples is part of the International Bill of Human Rights and constitutes the collective form of the rights of the individual. It is therefore generally and universally applicable, and it is inalienable with respect to all peoples of this globe.

86. Economic, social and cultural rights constitute an important dimension of human rights and have been given increasing emphasis by the world community. The fundamental freedoms designed to protect the individual against arbitrary action and abuse of power by the State are complemented by economic and social rights which establish their claims on the State and on society.

87. We hold to the principle that all human rights and fundamental freedoms are indivisible and interdependent. By that we mean that the realization of political and economic rights should be pursued with the same vigour; we mean that the effective enjoyment of civil and political rights is assisted by the progressive realization of economic, social and cultural rights; and we mean that economic rights are barren without civil and political rights, without freedom from torture or ill-treatment, without the right to free speech, to freedom of movement. Political and economic rights do not contradict each other; rather they reinforce and complement each other. The free development of the individual personality is a driving force capable of improving living conditions.

88. We do not shirk the international task of creating also the material conditions for the full enjoyment of those human rights which are related to such conditions. Here, too, lies a link between human rights and development co-operation. While there can be no room for compromise and relativity when confronted with gross and persistent violations of human rights, which destroy the core of human dignity itself, economic backwardness, mass poverty and misery equally have a direct effect on human dignity. Development co-operation and assistance can and must therefore contribute to the promotion of human rights. The European Community is doing everything in its power in order to ensure that the world as a whole becomes free from hunger and want. That is why we advocate a development strategy in the context of which the satisfaction of basic human needs plays a crucial role. To us, this means that participation of the population as a whole in the development process must be achieved. In that process the participation of the poorest strata of the population must be increased.

89. We appeal to all States to help ensure materially and effectively the realization of economic rights by making an increased contribution of their own towards world-wide development.

90. As the international instruments covering human rights continue to be further developed, the issue of the realization of human rights on a world-wide scale is moving into the foreground. On the occasion of the thirtieth



anniversary of the Universal Declaration of Human Rights we must state the sober fact that, while human rights have been extensively codified, the instruments of implementation continue to be very limited. Most progress has been achieved at the regional level and this will remain an area of major importance. Thus the European Convention for the Protection of Human Rights and Fundamental Freedoms provides for the possibility of individuals' appealing to neutral bodies of a judicial nature.

91. At the universal level, the debate continues on how international responsibility for human rights can be given a more concrete form by assigning responsibility for their implementation to international institutions.

92. The International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, under which States report to international bodies on the human rights situation in their countries, the mechanisms instituted by a number of specialized agencies and the procedure of the Commission on Human Rights under resolution 1503 (XLVIII) of the Economic and Social Council<sup>6</sup> represent an important beginning. The sending of a United Nations commission of inquiry to a country, with its voluntary consent, constitutes an important step forward. We have thus been provided with a model for the international investigation of allegations of gross and consistent violations of human rights.

93. We must tenaciously pursue the international debate on the implementation of human rights. The international community does not accept that human rights are just a matter of internal responsibility alone. Even if the discussion of these subjects may give rise to controversies, the very obligations of international co-operation themselves require that these matters be addressed. We therefore welcome the spirit of co-operation among all regional groups on the over-all analysis which has been evident at this General Assembly. We hope that it will be continued and broadened within the Commission on Human Rights. We hope that proposals on alternative approaches and ways and means of improving enjoyment of human rights, including the appointment of a United Nations High Commissioner for Human Rights, will be considered on their merits.

94. Insistence on respect for the dignity of man and his inalienable rights cannot stop at any frontiers. This unique universal Organization is called upon to ensure the realization of human rights in all parts of the world. In making this mandate the aim of our political action as well, we do so in a spirit of non-partisanship and openness. We are ready to face any international criticism of our system and of conditions in our States which deserve to be criticized.

95. We object to every attempt to misuse the demand for human rights as a political instrument applied selectively against countries viewed with disfavour. No double standard should be used in the application of human rights. International criticism of human rights violations should not depend on the region in which or on the political or social system under which they are committed.

96. The nine members of the European Community believe in the principle of self-determination, independence and equality for all nations. We acknowledge the pluralistic character of today's world and view other cultures and ways of life with respect. Through large-scale co-operation, we are striving to create in this world of global interdependence a stable order characterized by co-operation among equals. Such a situation will not be an end in itself. Its purpose will be to serve man. The realization of his rights, the assurance of his dignity, will give international co-operation its meaning and its legitimation. An order of peace and co-operation must therefore aim at universal respect for and acceptance of human rights. Only thus can we give that order the necessary inner stability. The human rights conventions have set the standards. We are called upon to achieve them. This is, first of all, the responsibility of individual States, but then it is also the responsibility of the United Nations community of States. We shall have to approach this task from different aspects at the same time.

97. We should win the struggle for human rights while pursuing our efforts with a view to safeguarding man's material existence. The purpose of the manifold efforts of the United Nations to promote economic and social development—efforts to which the European Community renders a major contribution—is to translate into reality man's claim to live a life free from hunger and want.

98. We must staunchly uphold our plea for the basic rights and fundamental freedoms to be granted to every individual, and we must strengthen and make better use of the United Nations instruments for their protection. An essential prerequisite for achieving further progress will be the continuation of the present frank international dialogue in the United Nations and elsewhere concerning ways and means of improving the human rights situation in all parts of the world. We are aware that there is still a long way to go before human rights acquire full validity, but we are aware also that history is moving in that direction. History has borne out the power of the idea of human rights. Let us do our best to ensure that it remains the idea that puts its stamp on our age.

99. Mr. HUMPHREY (Canada): I should like to thank the Canadian Government for inviting me to be part of its delegation long enough for me to make this speech. I owe this privilege to the fact that I was a member of the Division of Human Rights in the Secretariat of this Organization when the Universal Declaration of Human Rights was adopted, and to the further fact that I have survived these 30 years, which is something for which I thank the genes I inherited from my ancestors. I am one of the very few people in this hall who was also present in the Palais de Chaillot when the Assembly adopted the Universal Declaration of Human Rights on the night of 10 December 1948.

100. Looking back after all these years, I now recognize the greenhorn I was in the art of diplomacy when I abandoned an academic career to become an international official. I committed my worst diplomatic blunder only shortly after joining the Secretariat, in a lecture at a western American university. After explaining that the rules of traditional international law did not extend to individuals, who neither possessed rights nor owed duties

<sup>6</sup> See *Official Records of the Economic and Social Council, Resumed Forty-eighth Session, Supplement No. 1A*.

under the order, I went on to say that the United Nations was attempting to change all that by setting up some kind of supranational control over the conduct of governments in their relations with individuals. And that, I concluded, was a revolutionary programme.

101. Now what I said was true and an appropriate thing to say in a classroom or academic gathering. The human rights programme was and still is a revolutionary programme in the sense in which I was using that provocative word, but a more experienced diplomat, realizing that his meaning might be distorted, would probably have found other language to make his point. My meaning was in fact distorted by certain groups which were opposed to the adoption of any international bill of rights, and later to the ratification of the Covenants. My unfortunate choice of language was welcome ammunition in their attacks on the United Nations. "Even the Director of the Division of Human Rights", they cried, "says that this programme is revolutionary".

102. Now that I am no longer an international civil servant and have recovered my full freedom of speech, I can call a spade a spade; and the first thing I want to say about the Declaration today is that it really is a revolutionary document, and this in more than one sense. It is perhaps a paradox, to which not enough attention has been paid, that this revolutionary document was adopted by representatives of Governments and hence of authority, that is to say the targets against which revolutionary action—in one meaning of the term—is usually aimed. The International Bill of Human Rights, of which the Declaration is part, was meant to and I think did, usher in a new era.

103. Another paradox: it is easier for a political body such as this Assembly to influence and bring about the development of legal norms than to fix the course of actual events. I will say something later about the actual state of human rights in the world. The point I want to make now is that the Universal Declaration of Human Rights has been an important, perhaps the most important, factor in the revolution in the nature of international law that has taken place since the Second World War. Whatever *jus inter gentes* may have been at the outbreak of the Second World War, it is certainly no longer a legal order governing only the relations of States. Witness the fact that this Organization, which is not a State, is now recognized as a person in international law. The changes in the scope and character of international law in the last three or four decades have been so fundamental that the name "international law" is no longer an appropriate description of a discipline which should now be called "world law". I venture to suggest that there has never been a more profound revolution in the history of ideas than this revolution in the nature of international law.

104. I have of course been using this word, revolutionary, in its primary sense of a great reversal of conditions or a fundamental reconstruction. The word also has a more popular meaning associated with the forcible overthrow of political authority. There is a reference to this latter meaning in the preamble to the Declaration, where it is said that:

"... it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny

and oppression, that human rights should be protected by the rule of law."

105. I think I can say, however, that the authors of the Declaration never intended to adopt a revolutionary statement in the sense that, for example, the Communist Manifesto was a call to revolt. I certainly was not thinking of that kind of revolution when I made the speech to which I referred earlier. Nevertheless, the Universal Declaration of Human Rights is, whatever the intentions of its authors may have been, a revolutionary document even in this sense, in that it provides succour and encouragement wherever and whenever men or women are fighting for their freedoms in the face of oppression. It was not for nothing—although as far as I know this was never noted at the time—that the Declaration was adopted in the centenary of that year of revolution, 1848. There is revolutionary dynamite in this Declaration; and there has probably been no social or political conflict anywhere since it was adopted in which it has not been invoked or played some role. In the light, however, of the norms and principles which it enunciates, this role must, in all logic, be played on the side of freedom, and I think it has been. The Universal Declaration of Human Rights follows on in the great tradition of other declarations of rights such as the United States Declaration of Independence and the French *Déclaration des droits de l'homme et du citoyen*. It is, however, a much more radical document than any of these. For one thing, it was the first international declaration of human rights. It was in the Universal Declaration of Human Rights, moreover, that, for the first time, the existence of certain economic and social rights was recognized and proclaimed, rights which, because they are just as important as the traditional civil and political rights, are mentioned in the Declaration—something which, in the context of 1948, was revolutionary indeed. That alone, I think, is enough to ensure for the Declaration a place in history.

106. It is safe to assert without any fear of contradiction that what this Assembly did on the night of 10 December 1948 will never be forgotten. Thirty years after its adoption, the Universal Declaration of Human Rights possesses a moral and political authority which is unequalled by any other international instrument, with the possible exception of the Charter of the United Nations itself. The adoption of the Declaration, like the inclusion of the human rights provisions in the Charter and the subsequent drafting and coming into force of the Covenants, was a reaction of the world community to unspeakable violations of the most fundamental rights during and immediately before the Second World War. That was the catalyst that prepared world public opinion and made it possible for the United Nations to undertake this revolutionary human rights programme.

107. It was not the intention of the General Assembly or of the States which voted for the Declaration in 1948 that it would be binding on States as part of international law. Indeed, it would have been impossible for this Assembly to achieve this simply by adopting a resolution. For, notwithstanding their great persuasive value, resolutions of the General Assembly are not binding in law, except of course in house-keeping matters. That is why it was always the intention from the beginning that in addition to the Universal Declaration of Human Rights there would be a

multilateral convention which would be binding on those States which ratified it. In the course of its preparation that convention was subsequently divided into two—the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights—both of which are now in force among the States which have ratified them. No, the Declaration was meant to be, as it says, “a common standard of achievement for all peoples and all nations,” a purely persuasive or admonitory document which, while it might influence the development of both national and international law, could at most be described as a political admonition. It was also an expression of hope and confidence in the future and, perhaps, of political intent. The authors also intended—and this also appears from the text—that the Declaration should serve an educational purpose. They understood that, while legal and political institutions need to be developed for the protection of human rights, in the last analysis what is most important is the force of public opinion and the attitude that people have about their rights and the rights of others. People who know their rights are likely not only to insist on their own rights being respected, but to respect the rights of others and to insist on their Governments respecting those rights. It may well be that it is in the achievement of this purpose that the Declaration has been most successful.

108. My generation and yours, Mr. President, has witnessed probably the most profound and extensive changes in popular attitudes towards human rights in any period in history. Even though human rights may not always be respected there is now in most parts of the world an awareness in these matters for which there is no precedent. Let me mention only the three most obvious examples: current attitudes towards racial discrimination, those towards discrimination against women, and the general acceptance of the proposition that economic and social rights are as important as the traditional civil and political rights. My point at the moment is not that the situation in respect of these matters is better than it ever was before, although I think that this is indeed the case, but that there is now general acceptance everywhere of this new morality, which has also become an international morality. Human rights have even become a factor in the foreign policy of certain States. These changes in attitudes did not just happen and they probably have more than one social cause; but one of the causes was undoubtedly the adoption of the Universal Declaration of Human Rights, and this Assembly can claim some credit for what has happened. The educational and moral impact of the Declaration has been immense, and, in the final analysis, that may be more important, I repeat, than anything else that has happened as a result of the decision taken by the General Assembly on 10 December 1948.

109. The Declaration was meant to become, and has become, all of these things. It may have become something more. Whatever the intentions of its authors may have been in 1948—and I have already explained that they did not intend that the Declaration should be legally binding—an idea had reached its time and, once adopted, the Declaration began to take on a life of its own. It immediately took on, as I have already said, a moral and political authority unequalled by any other contemporary international document, with the possible exception of the

United Nations Charter itself. Very soon, moreover, the General Assembly and other bodies began to use the Declaration as a standard for judging the conduct of States in their relations with individual men and women and with groups of individuals. In resolution after resolution the Assembly either asserted that the Declaration must be strictly observed or invoked the Declaration when condemning a State for violating its obligations under the human rights provisions of the Charter.

110. One of the purposes of the United Nations is to encourage respect for human rights and fundamental freedoms, and under Articles 55 and 56 of the Charter the Member States pledge themselves to take joint and separate action in co-operation with the Organization to promote universal respect for these rights and freedoms; but nowhere does the Charter list or define these rights and freedoms. When explaining their vote on the night of 10 December 1948, several delegations suggested that the Declaration would become the authentic interpretation of those provisions of the Charter which mention human rights but which do not list or define them, and that seems to be what has happened. By a kind of juridical consensus evidenced by the practice of States in the United Nations and elsewhere, the Declaration is now being used and has been used for many years to interpret the human rights provisions of the Charter. So much so, indeed, that it is now possible to suggest that, whatever the intentions of its authors may have been in 1948, the Universal Declaration of Human Rights—or, in any event, the justiciable parts of it—has now become part of the customary law of nations, and is therefore binding on all States. If that is so, the achievement we are celebrating today was a much greater and, I suggest, a far more revolutionary one than anyone could have imagined on the night of 10 December 1948.

111. But whether that is so or not—and it seems to me that there is a kind of logical necessity about the proposition that it is so—the Universal Declaration of Human Rights remains an instrument of the greatest moral and political authority, which unequivocally states the necessary conditions of human dignity and human aspiration, and which is both a common standard of achievement for all peoples and nations and a hope for the future.

112. Mr. ANDERSON (Australia): The Universal Declaration of Human Rights lays down in concise form the range of basic human rights and fundamental freedoms to which all people are entitled. The rights embodied in the Declaration derive from the promise that the United Nations era, emerging from the Second World War, would see the creation of societies in which all human beings would be entitled to live free from fear and free from want. The Declaration stands today as one of the most impressive and enlightened achievements of the United Nations.

113. Australian support for the Universal Declaration of Human Rights has never been in doubt. It is a document of immense and unquestioned importance. As the Australian Minister for Foreign Affairs said during the general debate earlier in this session [24th meeting], the moral authority of the United Nations depends on our recognizing the fact that the United Nations must deal with human rights issues in a fair and practical way. This, he said, is something we are particularly conscious of as we commemorate the thirtieth anniversary of the Declaration.



114. Australia played an active role in the early work of the United Nations which led to the adoption, first of the Charter itself, and then of the Universal Declaration of Human Rights. Article 56 of the Charter—under which Members pledge themselves to take “joint and separate action in co-operation with the Organization” so as to ensure universal respect for and observance of human rights and fundamental freedoms—was incorporated in the Charter at Australia’s suggestion. Indeed, Articles 55 and 56 provided the essential impetus for the international community to proceed with the drafting of what was then called the International Bill of Human Rights.

115. It had been the hope of many Member States, in the first years of this Organization, that an international bill could be drafted quickly, including not only a declaration representing the common aspirations of all peoples of the world, but also machinery to help in the implementation of rights. As is well known, almost 20 more years were required for the drafting of the two Covenants and the Optional Protocol, but that period did serve to help consolidate the Universal Declaration.

116. The Universal Declaration was adopted in the Palais de Chaillot when the United Nations was conducting its third session, in Paris, in 1948. It is appropriate that the Universal Declaration should have been adopted in the capital of the country which had proclaimed, in 1789, the right of all people to live together in liberty, equality and fraternity.

117. But we Australians have our own special association with this Declaration, for it was adopted under the presidency of the then Australian Minister for External Affairs, Mr. H.V. Evatt. I think it would be appropriate to quote from the statement made by Mr. Evatt immediately after the adoption of the draft resolution when he said, and his remarks are equally valid today, that the remarkable achievement of the adoption of the Declaration without any direct opposition was an answer to those who criticised the United Nations for paying too much attention to political activities and too little to the field of social, humanitarian and cultural progress, and that if the work in the social, humanitarian and cultural field was carried through progressively, it would gradually result in bringing to an end many of the political differences that divided the Members of the United Nations.<sup>7</sup>

118. This work has not yet been completed, but it is fair to say that those predictions have been very largely borne out by what we have seen in the last 30 years. The Universal Declaration has demonstrated that the social and economic changes which have resulted from, among other things, increases in communication between peoples, have brought with them opportunities for the relaxation of international tensions and opportunities for peoples to control their own destinies for the good of mankind as a whole.

119. I have already noted that the Universal Declaration of Human Rights constitutes but one part of what was seen

in 1948 as an international bill of rights. My Government has already become a party to the International Covenant on Economic, Social and Cultural Rights and is working towards ratification of the International Covenant on Civil and Political Rights. I should also note that further instruments are being elaborated within the United Nations system in order to expand the sense of and give practical effect to the basic texts set out in the Universal Declaration.

120. To this end, Australia, as a member of the Commission on Human Rights, is taking part in the drafting of an international convention on torture and other cruel, inhuman or degrading treatment.<sup>8</sup> We look forward to the early completion of that draft. Likewise, we look forward to the completion of the draft Convention on the Elimination of Discrimination against Women. The Commission on Human Rights, moreover, is drafting a declaration on the elimination of all forms of religious intolerance.<sup>9</sup>

121. Australia is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, which must be seen as one of the major achievements of the United Nations in the field of human rights. If there is any area on which there is universal agreement, it is that of racial discrimination, which is something that no nation, no people, no individual can tolerate. We are all committed to its early and total eradication.

122. Article 8 of the Universal Declaration provides that:

“Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.”

I would note our pleasure at having been able to participate in a seminar conducted at Geneva, from 18 to 29 September 1978, by the Division of Human Rights, in response to General Assembly resolution 32/123, on the subject of national and local institutions for the promotion and protection of human rights.<sup>10</sup>

123. In a statement marking the thirtieth anniversary of the Declaration, the Australian Attorney-General said that the Australian Government intended to introduce legislation next year to establish an Australian Human Rights Commission. The Attorney-General said he hoped that the Australian states would proceed with action to embody similar legislation in the state framework. Extensive discussions have already taken place with the states about participation in the proposed Commission.

124. Mr. President, we have observed that tonight you will be presiding over a special ceremonial meeting at which human rights prizes are to be awarded to commemorate this thirtieth anniversary. The four individuals and the four organizations that are to receive prizes<sup>11</sup> are all well known

<sup>8</sup> For the interim report on this question, see *Official Records of the Economic and Social Council, 1978, Supplement No. 4, chap. VIII.*

<sup>9</sup> See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 6, para. 198.*

<sup>10</sup> See document ST/HR/SER.A/2 and Add. 1.

<sup>11</sup> The list of recipients of the United Nations Human Rights Prize is given in decision 33/403, of 10 November 1978.

<sup>7</sup> For a summary of this statement, see *Official Records of the General Assembly, First part of third session, Plenary Meetings, 183rd meeting, p. 934.*

to us for their untiring efforts to secure the rights and freedoms to which all human beings are entitled.

125. I will now turn briefly to the programme in Australia for the celebration of the thirtieth anniversary year.

126. My Government has decided to implement a broad programme of activities for the anniversary. In drawing up the programme, the Government has taken full account of the need to place emphasis on educational approaches, both within and outside formal school systems, as recommended by the Commission on Human Rights in its resolution 3 (XXXIII),<sup>12</sup> and has also taken account of the guidelines proposed in General Assembly resolution 32/123.

127. The intention of the Australian programme, which was outlined by our Prime Minister on 20 July 1978, is to demonstrate that Australia reaffirms its commitment to the human rights standards that the international community has aspired to uphold for the past 30 years. The Government has prepared discussion kits on the Declaration for use by school children and also by ethnic and aboriginal organizations throughout Australia. Translations of the Declaration are being made available so that everybody in the Australian community will have a full understanding of its provisions. This has necessitated the translation and distribution of the Declaration in over 50 languages. The Government of Australia has also translated an explanation of the Australian Racial Discrimination Act into over 20 languages. In addition, an explanation of the Racial Discrimination Act is being translated into a number of aboriginal dialects for distribution on cassettes.

128. The Australian Government is also distributing posters and other material so as to encourage debate and discussion. A commemorative, embossed envelope is on issue to Australian post offices. I should note also that non-governmental organizations in Australia have been conducting programmes to commemorate the anniversary.

129. Because of the importance which my Government attaches to the educational basis of human rights, it sponsored the attendance of four Australian academics at the International Congress on the Teaching of Human Rights, in universities, which was held under the auspices of UNESCO at Vienna from 12 to 16 September 1978. The reports of the academics who attended that Congress will enable the Australian National Commission for UNESCO to co-ordinate follow-up activities. Without appropriate consolidation, many of the activities might prove to be of only limited impact, and we believe it is important that arrangements should be made to ensure that the celebrations are not forgotten as soon as the year is past. The discussion kits which are to be circulated in Australia will be available for use in schools and by community groups throughout 1979 and beyond.

130. I shall conclude this statement by noting that the Australian Prime Minister, in his statement made on 9 December to commemorate this anniversary, recalled the importance of the Universal Declaration, which is one of the most significant and enlightened achievements of the

United Nations. For 30 years it has been a basic document promoting the aspirations of all nations and all peoples concerned with fundamental rights and freedoms.

131. It is now our task to continue to work, jointly and separately as the Charter prescribes, to strengthen and expand the rights of individuals and peoples in our various societies. The task is not an easy one, but this debate today serves as an illustration of international commitment—to universal commitment—to the principles which are set out in the Universal Declaration of Human Rights.

132. Mr. ILLUECA (Panama) (*interpretation from Spanish*): The President of the Republic of Panama Mr. Arístides Royo, has honoured me by asking me to read at this commemorative meeting the message addressed by him on behalf of the Government and people of Panama to the thirty-third session of the General Assembly on the occasion of the celebration of the thirtieth anniversary of the Universal Declaration of Human Rights. His message reads as follows:

“The Panamanian nation joins all members of the human family in commemorating the thirtieth anniversary of the adoption of the Universal Declaration of Human Rights, which proclaims as a fundamental aspiration the advent of a world in which human beings shall enjoy freedom from fear and want and social progress in larger freedom.

“This is a propitious occasion for reaffirming the faith of the developing countries in human rights and for pursuing with renewed vigour our efforts to ensure that the Universal Declaration of Human Rights will be a dynamic instrument for promoting, through education and national and international action, respect for and universal observance of these rights and freedoms.

“Despite the progress achieved in the United Nations system”—under the wise leadership of the Secretary-General, Mr. Kurt Waldheim—“and despite the programmes to improve the conditions of women, children, youth and the aged, disregard and contempt for human rights continue to result in barbarous acts which outrage our collective conscience. Unfortunately, there are still places, islands of oppression and prejudice, where the principles of the Declaration encounter resistance, if not downright rejection: colonial enciaves; political prisons; abominable patterns of torture which put mankind to shame; detention camps where the horizon does not extend beyond the barbed wire; cities in ruins because of obsessive arrogance masquerading as government; destroyed homes where a mother or a wife weeps for the slain freedom fighter and, as a tragic setting for all these, frontiers ablaze where racial and political hatred intensifies the evils which flow from violence and intolerance.

“There are other places, too, where human rights do not prevail and which lie within our own societies: the economic imbalance in urban and rural areas; the squandering of resources on the arms race; the barriers of misunderstanding raised by ignorance and illiteracy; the physical and moral depletion which hinders the economic development of a society and its people and the satis-

<sup>12</sup> See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 6, chap. XXI.*

faction of their basic needs for housing, health, education and work.

“As a State party to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and, having had, in addition the signal honour of contributing to the working document which was used in drafting the text of the Declaration, Panama wishes this day, to send to the General Assembly of the United Nations, through me, a message of encouragement and hope, expressing the conviction that nothing can prevent the triumph of peace, freedom and justice.

“Today’s celebration should therefore serve the United Nations as an occasion to reaffirm our unswerving resolve to apply every possible resource to the task of oppression, prejudice and injustice, so that no blemish shall remain on the moral visage of our age. We shall strive to offer the coming generations, in accordance with the spirit of our times and with the establishment of a new international economic order, the positive prospect of a better world, governed at last by the noble principles of the Universal Declaration of Human Rights, as the common ideal of mankind.”

*The meeting rose at 1.05 p.m.*