



SUMMARY RECORD OF THE 59th MEETING

Chairman: Mrs. SHAHANI (Philippines)

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Distr. GENERAL  
A/C.3/33/SR.59  
1 December 1978

ORIGINAL: ENGLISH

The meeting was called to order at 10.50 a.m.

AGENDA ITEM 86: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE CREATION OF A POST OF UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/33/142, A/33/143 and Corr.1, A/33/151, A/33/206; E/1978/34; A/C.3/33/L.37, L.46, L.50 and L.53)

AGENDA ITEM 127: REVIEW AND CO-ORDINATION OF HUMAN RIGHTS PROGRAMMES OF ORGANIZATIONS IN THE UNITED NATIONS SYSTEM AND CO-OPERATION WITH OTHER INTERNATIONAL PROGRAMMES IN THE FIELD OF HUMAN RIGHTS (continued) (A/33/191 and Add.1; A/C.3/33/L.45)

1. Mr. ROS (Argentina) said that the tradition of respect for human rights in his country had been enshrined in the Constitution of 1853. Argentina had played an active role in United Nations activities in the field of human rights and, in that connexion, would seek the nomination to fill a Latin American vacancy in the Commission on Human Rights at the next session of the Economic and Social Council.

2. In his delegation's view, existing United Nations machinery for the promotion of human rights and fundamental freedoms was adequate, requiring only some further strengthening in terms of guidelines and means for their proper implementation. The creation of a new agency would further complicate an already complicated bureaucratic system and would therefore tend to dissipate rather than strengthen efforts to improve the enjoyment of human rights.

3. The original ideals of the international community were today in danger of being impaired by partisan interpretations. One question to consider, for example, was whether pressures brought to bear in the name of morality might prove detrimental to the principle of the sovereignty of States, particularly in cases in which those who had set themselves up as judges had no real understanding of the political, economic and social realities of the countries against which they levelled accusations. In the view of his delegation, human rights could best be defended through a common effort based on mutual respect and bearing in mind that States could overcome temporary crises in the normal course of their own political evolution and within their own institutional framework. The Commission on Human Rights and the Economic and Social Council had been right in recommending to the General Assembly that the promotion of human rights should be pursued by strengthening the national institutions of each State.

4. His delegation shared the view that the problem of human rights could not be viewed separately from its national economic and social context. The application of a double standard in matters of human rights was also to be deplored. No one could question the need to protect human rights, but such protection must be provided within a political framework. It had been argued that the principle of non-interference in the domestic affairs of States did not apply when violations of human rights were at issue. Consistent human rights violations which had been condemned by the General Assembly and the Security Council, such as apartheid,

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(Mr. Ros, Argentina)

should not, however, be equated with occasional alleged violations deriving from political emergencies. Such a comparison would be of doubtful legality, since nothing in the Charter or in the practice of the General Assembly would justify disregarding the principle of non-interference in the internal affairs of States when a situation arose involving an alleged violation of human rights. The most suitable machinery in all questions involving human rights was clearly that of international co-operation and dialogue; militancy and bias must be excluded. Such a principle had been recognized at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries held at Belgrade in July 1978.

5. During the current session of the General Assembly, spokesmen from different areas of the world had declared for the first time that international terrorism was one of the most despicable violations of human rights. It endangered the lives of individuals and the collective security of peoples. It had been generally accepted that it would be a grave mistake to license violence in the name of human rights. His delegation totally rejected the use of terrorism. He hoped that the considerations it had raised would be reflected in the draft resolutions to be examined by the Committee.

6. Mr. VALTASAARI (Finland) said that his country's views and values in the field of human rights were based on the Nordic traditions of freedom, solidarity and justice. There was an interrelationship between peace, security and prosperity in the world, on the one hand, and the promotion of human rights on the other. Successful action by the international community to protect human rights should be based on a broadly shared common ground; since values in the field of human rights varied between nations, no purpose would be served by attempts to impose the values of one nation or group on others. International action to promote international peace and security and to promote human rights should take place in a parallel manner; neither should be a pre-condition of the other.

7. The record of the United Nations in creating a viable code of conduct for nations in the field of human rights was one of the major achievements of the Organization. In the view of his delegation, the international community should in future concentrate on the more effective implementation of the international instruments for the protection of human rights. Firstly, as only States were in a position to take the necessary legislative, administrative and other measures for the enjoyment of human rights within their jurisdiction, the international community should continue to advocate the widest possible ratification of those instruments. Secondly, existing international human-rights machinery should be made more efficient and more responsive to new tasks and challenges. The adoption of General Assembly resolution 32/130 was an important expression of international concern for the cause of human rights and was of particular importance in its reaffirmation that all human rights - civil and political, as well as economic, social and cultural - were indivisible, interrelated and interdependent. In that connexion, his delegation had sponsored draft resolution A/C.3/33/L.46, which requested the Commission on Human Rights to give priority to completing its over-all analysis of United Nations human-rights activities.

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(Mr. Valtasaari, Finland)

8. In his delegation's view, the analysis should take account of the ongoing work of restructuring the economic and social sectors, as well as the work of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. It should also review the often overlapping current activities of the various United Nations organs in the field of human rights, with a view to making recommendations for improved co-ordination. The Commission on Human Rights and its Bureau should follow a stricter practice with regard to the allocation of time to various items. Special sessions could be convened to discuss specific topics which had been postponed several times. Better use could also be made of informal working groups and subsidiary machinery to prepare the consideration of items. His delegation welcomed the results achieved under resolution 1503 (XLVIII) of the Economic and Social Council for dealing with communications which had revealed a consistent pattern of gross and reliably attested violations of human rights. One possible further improvement might be an extension of the role of the Chairman or the Bureau to act between sessions in urgent cases. The fact-finding procedures implemented in co-operation with the Governments directly concerned, and with the good offices of the Secretary-General, had proved effective. Their utilization could be improved by the establishment of a permanent panel of experts which could facilitate the application of fact-finding procedures and fulfil an advisory function. Advisory services should be given a greater share of the human-rights budget.

9. His delegation considered it essential that the report on the results of the analysis should be submitted to the General Assembly at its thirty-fourth session. Governments, specialized agencies and other organs within the United Nations system, as well as relevant non-governmental organizations, should therefore submit in good time their comments on the Commission's progress report. Furthermore, the proposal for the creation of a post of United Nations High Commissioner for Human Rights should be given full and serious consideration in the context of the over-all analysis.

10. Mr. RAKOTONAIVO (Madagascar) said that the thirtieth anniversary of the Declaration of Human Rights had provided an opportunity for the international community to take stock of its accomplishments in the field of human rights. His delegation wished to focus attention on three aspects: international instruments; the concepts deriving from those instruments and their implementation; and institutional machinery.

11. The setting of standards in international instruments such as the various covenants and conventions represented a positive achievement for the United Nations, and in that connexion, it was encouraging to note that the number of States which had become parties to such instruments had increased from year to year. However, the effectiveness of action in the field of human rights depended largely on the manner in which such instruments were implemented by States. As a result of varying political objectives, implementation had been influenced by frequently divergent interpretations. The existence of different concepts had prevented an over-all solution and had made it difficult for States to understand the problems which had arisen in different parts of the world. It was essential to distinguish

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(Mr. Rakotonaivo, Madagascar)

two categories of problems: those which related to the internal affairs of States and those which were the common concern of the entire international community.

12. The first category of problems involved the protection of the rights of the individual. Under the Constitution of 1975, any international instrument ratified by his country's legislative organ was incorporated into national law. The people of his country were aware of such instruments, which were published in the official journal and were the subject of press and radio comment. The public in many developing countries, however, had only limited knowledge of such international instruments. The relevant United Nations programmes should therefore give consideration to the wider dissemination of international law in the field of human rights. Account must also be taken of the special legal problems which had arisen in certain developing countries regarding the scope of fundamental freedoms, particularly in countries where substantial inequalities of wealth and culture existed. History had shown that the forces of imperialism and reaction had used the pretext of defending human rights when they had really been attempting to impose their own concept of such rights. The international community had a duty to scrutinize the respect countries gave to human rights within their national territories, but it was important to accomplish the task without disregarding national sovereignty.

13. Problems in the second category included the massive and flagrant violation of human rights resulting from the policies of apartheid, racism and racial discrimination and colonialism, from refusal to recognize the right of self-determination of peoples under colonial or foreign domination, from failure to respect the territorial integrity of countries and from aggression and threats against the sovereignty of countries. Furthermore, the current international economic order itself represented a subtle example of massive violation of human rights and the rights of peoples. Respect for human rights, viewed in such a context, fell within the general framework of Chapter IX of the Charter. In that connexion, his delegation endorsed the concepts contained in General Assembly resolution 32/130, which would serve as a basis for the future work of the Organization in the field of human rights.

14. Institutional machinery could not be effective without broad-based support among Member States. The United Nations already had a number of representative and competent organs in the field of human rights, and his delegation would therefore oppose any proposal to entrust responsibility for the problem of human rights to a single individual. In practical terms it was difficult to imagine how a United Nations High Commissioner could co-ordinate the work of the various bodies which had been set up under international conventions and by the Economic and Social Council. It was unlikely that a High Commissioner could depoliticize the human-rights activities of the United Nations. His delegation believed that the proposed appointment of a High Commissioner would only serve to exacerbate international difficulties and tensions between States and to undermine international co-operation in the field of human rights. It therefore hoped that the proposal would be rejected.

15. His delegation would support the amendments contained in document A/C.3/33/L.50.

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16. Mrs. BEN-AMI (Israel) said that the Universal Declaration of Human Rights had been hailed as a great accomplishment expressing a moral code which should serve as a guideline for standards and goals to be striven for in the field of human rights and fundamental freedoms. While the principles were stated clearly, it was the duty of the individual Governments to implement them. Although the Declaration was not legally binding, the moral and educative value of ideas that were internationally formulated and endorsed should not be underrated.

17. The problem of elaborating procedures for determining what constituted a violation of human rights was complicated by the fact that not all States understood the concept of human rights in the same way. It was a characteristic of democratic States that faults, weaknesses and failings were brought into full public view, where they could be corrected. That fact was all too often not taken into account in United Nations debates and resolutions concerning human rights problems. The failings of democratic societies were distorted in such a way that freedom was seen as servitude, free speech was equated with agitation and licence, social ferment with discrimination, and public order with oppression. Authoritarian régimes encountered no such difficulties. Since they were inherently antagonistic to the very notion of human rights, any slight move in the direction of a more humane and liberal policy was heralded as the start of a new era.

18. Another factor contributing to the distortion of the concept of human rights was the selective manner in which the subjects dealt with in United Nations organs were chosen, reflecting the mechanics of votes and political pressures rather than world realities and their respective urgencies.

19. By converting the principle of universality to an actual practice of selectivity in determining violations of human rights, some Members of the United Nations had perverted both the spirit and the letter of the United Nations Charter. Those Member States which persisted in singling out Israel for condemnation while ignoring grave violations of human rights throughout the world had done a disservice to the principles of the United Nations and had weakened the efficiency of the Organization, whose strength depended most of all on its credibility and integrity. Such States might be suspected of attempting to divert attention from the real violations of human rights occurring at that very moment in many countries.

20. It was well known that Israel's human rights record could stand comparison with that of any State represented in the Committee. The Government was democratically elected by a citizenry with full political rights. Israel's Arab citizens were represented in the Knesset and in all branches of the administration. Domestic legislation applied equally to all citizens without exception, with the one proviso that Arabs were not conscripted into the defence forces. The labour laws applied equally to all citizens; both Arab and Jewish workers could belong to trade unions and therefore receive the same wages and work benefits. Transportation, health and recreational facilities, universities and public services in Israel were all fully integrated. There was absolute freedom of conscience in worship, and governmental interference in matters of personal choice, such as marriage, friendship and place of residence, was totally alien to the Israeli way of life. Her delegation wished to invite those who had singled out Israel for criticism with regard to any of those basic human rights to present their own records for scrutiny.

(Mrs. Ben-Ami, Israel)

21. Replying to the charges of violations of human rights in the territories under Israel's administration, she said that the Arab residents of those territories had held free elections, could express their views in open debate and in a free press, had access to open courts, public trials and lawyers of their choice, worshipped freely and administered their own holy places, and crossed freely into neighbouring Arab States to visit relatives and to pursue trade and commerce. In Judea and Samaria, they educated their children in schools according to the curriculum prescribed by the Jordanian Government. Although the Geneva Convention permitted the use of capital punishment, Israel had never imposed it in the territories, despite the atrocity of some of the terrorist crimes committed there.

22. It was not her intention to present Israel as being free of failings. It was an open society with a free press and a vigorous opposition, so that criticism and dissent were an integral part of the Israeli way of life. Nevertheless, Israel had nothing to hide, and any representative in the Committee could visit Israel in order to evaluate its human-rights record for himself.

23. In conclusion, she said that the responsibility to safeguard human rights was too sacred to be left hostage to political manipulation.

24. Mrs. GERÉB (Hungary) said that the United Nations had done important work in elaborating international standards concerning human rights. The thirtieth anniversary of the Universal Declaration of Human Rights was an occasion for analysing the results achieved in applying the standards formulated by the international community and for defining future tasks.

25. Her delegation believed that a major task of the international community should be the strengthening of international co-operation in order to end flagrant violations of human rights and to implement the international instruments and resolutions adopted by the General Assembly. Another major task was to formulate new international standards relating to human rights.

26. Much remained to be done in order to accomplish those tasks. Upon ratifying international instruments, States had a responsibility to implement the standards contained therein. The table contained in document A/33/143 showed that many States had failed to ratify a number of important international instruments on human rights. At the same time, certain States were attempting to use the principles of human rights as a pretext for interfering in the internal affairs of other countries.

27. Referring to the report on the thirty-fourth session of the Commission on Human Rights, she said that many delegations had made suggestions and proposals with a view to improving United Nations activities in the field of human rights, thus proving that the Commission had performed its task well. But its work was not yet finished. In accordance with General Assembly resolution 32/130, of which Hungary had been a sponsor, the Commission must present a final report on that matter at the thirty-fourth session of the General Assembly. Her delegation was convinced that appropriate measures could be taken on the basis of the final report.

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(Mrs. Geréb, Hungary)

28. The proposal in document A/C.3/33/L.37 disparaged the Committee and the Commission on Human Rights. Her delegation was of the opinion that there was a sufficient number of United Nations bodies dealing with the question of human rights. Of course, their activities could be made more effective, but one person, no matter how independent and impartial, could never win the degree of confidence gained by the elected commissions and committees representing the various geographical regions of the world. The reason for violations of human rights lay not in the lack of a High Commissioner for Human Rights but in the fact that some States did not wish to participate sincerely in the efforts of the majority of States to implement the fundamental rights of peoples.

29. Her delegation was a sponsor of draft resolution A/C.3/33/L.46, reaffirming General Assembly resolution 32/130, and believed that it should be adopted by consensus. It could not support draft resolution A/C.3/33/L.37 and had therefore become a sponsor of the amendments contained in document A/C.3/33/L.50. It could not support draft resolution A/C.3/33/L.45, believing that it would be premature to adopt at the current session a resolution on the co-ordination of the activities of international organizations, and that the question should be considered within the framework of the study to be made by the Commission on Human Rights. Lastly, her delegation could not support draft resolution A/C.3/33/L.53 because it believed that it would be a mistake to decide at the present session of the General Assembly which of the proposals and suggestions in the report of the Commission on Human Rights should be examined at the thirty-fourth session.

30. Mr. SOBHY (Egypt) said that Egypt would consistently support any efforts directed towards consolidating the enjoyment of human rights by peoples and would take part in all activities in all fields of human rights within the United Nations and its specialized agencies. An example of that support was that Egypt had participated in the drafting and adoption of General Assembly resolution 32/130, which was considered one of the most fundamental United Nations documents in the field of human rights.

31. In spite of the difficulties encountered because of the sensitive nature and complexity of the subject of human rights, his delegation believed that the United Nations deserved praise for its achievements so far in that field. At the same time, a great deal could still be done to improve the effectiveness of United Nations activities in respect of human rights.

32. With regard to the proposal to create a post of United Nations High Commissioner for Human Rights, he said that it would be premature to discuss that question until the Commission on Human Rights had completed its study in accordance with General Assembly resolution 32/130. The establishment of such a post was only one of many possible initiatives, all of which should be carefully examined before deciding which approach was the best. A United Nations High Commissioner for Human Rights could not be effective without general acceptance by the international community. It appeared from the discussion in the Committee that a consensus had not been reached on that subject; his delegation therefore believed that it would be premature to consider draft resolution A/C.3/33/L.37 at the present time and urged Costa Rica to withdraw it.

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33. Mrs. WYNTER (United Nations Educational, Scientific and Cultural Organization) said that in 1978 there had been two major events at UNESCO in the field of human rights: first, the adoption by consensus at the 104th session of the Executive Board of a decision outlining procedures for the examination of cases and questions submitted to UNESCO concerning the exercise of human rights in the spheres of its competence, in accordance with articles 18, 22 and 24 of the International Covenant on Civil and Political Rights, and second, the holding of an International Congress on the Teaching of Human Rights at Vienna from 12 to 16 September.

34. The decision of the Executive Board, based on a mandate of the General Conference, empowered the Committee on Conventions and Recommendations to consider communications concerning human rights, provided that they originated from a person or group that could reasonably be presumed to be a victim of an alleged violation within the field of UNESCO's competence, or from a person, group or non-governmental organization having a reliable knowledge of the subject of the communication, which might refer to massive, systematic or flagrant violations resulting from a policy detrimental to human rights or might refer to an accumulation of individual cases. The Committee on Conventions and Recommendations would first examine in private session the communications transmitted to it by the Director-General and decide whether they met the 10 conditions necessary for admissibility. As UNESCO was not an international tribunal, the Committee, in considering the substance of the communication, with the Director-General taking a leading role, would do all in its power to solve the problem in a spirit of international co-operation and mutual consideration and understanding. However, questions of massive, systematic and flagrant violations of human rights and fundamental freedoms would be referred to the Executive Board and the General Conference for consideration in public meetings. It was required that communications should indicate whether an attempt had been made to exhaust available domestic remedies, and there was a provision for avoiding conflicts of competence, similar to article 5, paragraph 2 (a), of the Optional Protocol to the International Covenant on Civil and Political Rights. UNESCO, however, did not see its role as juridical or its procedures as investigative; they were flexible and reasonable, in line with the aim of strengthening co-operation with the Human Rights Committee in implementing the Covenant.

35. The International Congress on the Teaching of Human Rights, held at the suggestion of the Austrian Federal Minister for Foreign Affairs, had drawn up guidelines for the teaching of human rights and declared that a fresh impetus should be given to the development of such teaching through the preparation of a six-year plan by a committee of experts on the basis inter alia of the recommendations of the Congress. The Congress had raised two main questions: the desirability of preparing a Convention on Human Rights Teaching and Education to give effect to the principles set out in article 26, paragraph (2), of the Universal Declaration, and the possibility of establishing, within the framework of UNESCO's programme and with the support of the General Assembly, a voluntary fund for the development of knowledge of human rights through education and information, whose primary aim would be to contribute to the financing of activities conducted under the six-year

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(Mrs. Wynter, UNESCO)

plan and other activities of Member States and their competent institutions. The wide-ranging recommendations on which the six-year plan was to be based covered programmes, teaching materials, methods and structures, including recommendations on the teaching of all human rights, not only those falling within UNESCO's competence; co-operation by the entire United Nations system would therefore be necessary.

36. UNESCO was committed to the co-ordination of human-rights activities within the United Nations system and with relevant bodies outside it. It was on a UNESCO initiative that a meeting of persons responsible for human-rights activities had been called in July 1977. The Drafting and Negotiating Group of the General Conference had presented to it for adoption a draft resolution on UNESCO's contribution to human rights and peace, in which one operative paragraph, proposed by Switzerland, invited the Director-General to consider, in close co-operation with other organs of the United Nations system, what steps could be taken to improve the co-ordination of activities in the field of human rights. The intent of the paragraph was similar to that of the two operative paragraphs of draft resolution A/C.3/33/L.45. UNESCO would play its full part in ensuring that such co-ordination was improved and maintained.

37. The CHAIRMAN invited Committee members who wished to do so to make statements in exercise of the right of reply concerning agenda items 86 and 127, so that the Committee might conclude its consideration of those items.

38. Mr. ALVARADO (Nicaragua), speaking in exercise of the right of reply, said that his country had traditionally upheld the principle of non-interference in the internal affairs of other States. In violation of that vital principle, the representative of Cuba, in his statement the previous day, had once again revealed Cuba's interventionist policies and disregard for the principles of self-determination and non-interference. The Nicaraguan Government stood on democratic foundations and held the conviction that the people should decide by elections what government it wished. Cuba's system might be different, but that did not entitle it to criticize Nicaragua's political principles. Ever since 1960 Cuba had intervened in Nicaragua by training guerrilla forces. The same was true in other Central and South American countries, where terrorist movements had grown up under Cuban influence. Nicaragua's principles, by contrast, were the development of democracy, the search for peaceful solutions to Nicaragua's current problems, respect for the law and opposition to violence. Nicaragua supported the achievements of the United Nations in overcoming violence and terrorism and maintained an attitude of co-operation rather than confrontation.

39. Mr. KILESTOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that, in his statement of the previous day, the representative of the United Kingdom had, although in veiled terms, cast doubt upon the rights and freedoms existing in the Soviet Union. The hackneyed phrases he had used, so often found in Western propaganda directed against the Soviet Union, deserved no reply. The Soviet Union had a social structure and legislation providing maximum guarantees for the enjoyment of both economic and political rights; anyone who wished to consult the Soviet Union's legislation and constitution would find ample proof of that. Article 58 of the Soviet Constitution,

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(Mr. Khlestov, USSR)

in particular, afforded citizens the right to lodge complaints in court regarding the activities of officials and to require compensation for damage caused by such activities. Of course, in the Soviet Union rights and freedoms were exercised with due regard for the need to protect morality, social order and the security of the State, as was true of all States which had carried out a revolution and wished to protect the new society. Such protection was all the more necessary when there existed certain circles, particularly in the West, which did their utmost to undermine social systems that were not to their liking; as an example, he cited the attempts to assassinate such leaders as Fidel Castro of Cuba. It was natural for a revolutionary Government to defend itself, but human rights and fundamental freedoms were nevertheless better guaranteed in the Soviet Union than anywhere else. The Covenants on Human Rights themselves provided that States had the right to limit the rights and freedoms of citizens in the interests of the security of the State, social order and morality. In the United Kingdom, for example, laws had been enacted to protect the interests of the ruling class, e.g. laws regarding emergency measures and the punishment of rebellion. If particular countries were to be singled out for attention in the Committee's discussions of human rights, as the representative of the United Kingdom had done, many other interesting facts could be adduced. For example, the representative of the United Kingdom might wish to explain recent events in Ulster, where, according to press reports, some 2,000 people had been killed, there were some 3,000 political detainees, and troops were practising torture against the people. However, his delegation did not feel that such matters were a proper subject for the Committee's discussions and would not ask the representative of the United Kingdom to explain them. The purpose of the United Nations was to develop co-operation between States in order to further respect for human rights, and suitable machinery had been established for that purpose. The representative of the United Kingdom was to be thanked for providing further proof that the creation of a post of United Nations High Commissioner for Human Rights would lead to counter-productive debate among States.

40. Mr. Taweel (Jordan), speaking in exercise of the right of reply, said that the representative of Israel had spoken that morning about world peace and security, Article 55 of the United Nations Charter, the provisions of the Universal Declaration of Human Rights, the moral duties of mankind, and the violations of human rights by certain States, saying that such violations weakened the United Nations and citing Israel's record of compliance with human rights. He would have expected the representative of Israel to say anything but that, for although he could understand that Israel might advance such falsehoods under attack, the unjustified adoption of such an attitude by a lady was inconceivable. It was Israel that had violated the Charter and continued to threaten world peace and security, and illegally to treat Arab territories as if they were its own property. It continued to violate United Nations resolutions, as it had done since 1948. Was there a single resolution which it had not violated? It had expelled the Arabs and expropriated their lands and territories. In a village in one of the border territories, before June 1967, the Israeli military authorities, wishing to

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(Mr. Taweel, Jordan)

confiscate the land, had declared a curfew while the villagers were working in the fields; upon the villagers' return, the Israeli authorities had opened fire upon them and had killed many innocent people and imprisoned others, on the pretext that they had violated the curfew. Village lands had then been confiscated. And yet the Israeli delegation falsely claimed that Arabs had the right to move about freely within the Israeli-occupied territories. Israel's record was full of such barbaric violations, not only against the inhabitants of the occupied territories but against all Arabs. He was confident that no member of the Committee had been convinced by the assertions of the representative of a militaristic State which violated the basic tenets of human civilization. However, the effrontery implicit in Israel's pretensions to innocence was a matter better dealt with by the Special Political Committee.

41. Mr. GOMEZ ANZARDO (Cuba), speaking in exercise of the right of reply, said that his people had already exercised their right of reply in 1961 when they had repelled the invasion at Playa Girón. It might be recalled that that invasion had originated at a Nicaraguan port handed over by the tyrant Somoza to his friends and protectors in the Central Intelligence Agency.

42. For 40 years the Nicaraguan people had been resisting the aggression perpetrated by Yankee imperialism, which had killed Sandino and installed the Somoza dynasty in power. Since then, Nicaraguans had been imprisoned, tortured, killed and exiled in their struggle for freedom and genuine independence. The heroism shown during the eventful days of September, October and November 1978 by the Nicaraguan people and their fighting vanguard, the Sandinista National Liberation Front, constituted a clear demonstration of their unanimous repudiation of the bloody Somoza régime.

43. Using United States arms, advisors and mercenaries in his repressive campaign, Somoza had not hesitated to violate the territorial integrity of Costa Rica and to kill Costa Rican citizens. However, the Organization of American States, an institution whose prestige had diminished and which served solely the interests of capitalism, had merely held sterile debates and taken no action against a régime which endangered peace and security in Central America. In due course, the people of Nicaragua would settle accounts with the exploiters and criminals who had converted Nicaragua into a private preserve for United States monopolies and the bloody Somoza régime.

44. Mr. EDIS (United Kingdom), speaking in exercise of the right of reply, said that the representative of the Soviet Union apparently had chosen to see an attack in some of the remarks which the United Kingdom delegation had made the previous day. He wished to make it clear that his delegation had merely quoted factual statements made by Soviet representatives and published in the Soviet Mission's press releases and United Nations documents. They had been included in his delegation's speech in order to illustrate a point it had been making regarding the work of the Human Rights Committee. His delegation had said that it was refreshing to see representatives of Governments, including those of major States, being subjected to and responding to most detailed and direct questioning and that United Kingdom Government representatives received an equally tough but fair grilling.

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(Mr. Edis, United Kingdom)

45. Those who wished to look further into the human-rights record of the Soviet Union should read pages 277-285 of the current report of Amnesty International, an organization which had recently been awarded the United Nations Human Rights Prize. That organization's comments about the human-rights record of the United Kingdom could be found on page 267 of the same report.

46. Mr. ALVARADO (Nicaragua), speaking in exercise of the right of reply, said that he had not been surprised by the statement of the representative of Cuba. It was well known that the régime in Cuba had gained power by killing thousands of Cubans and that large numbers of persons were detained in its prisons and concentration camps.

47. The Government of Nicaragua had been democratically elected in 1974 in accordance with well-established procedures and in keeping with its political traditions. Everyone knew that the Cuban Government did not follow democratic procedures and it was in no position to criticize countries which did.

48. Mrs. BEN-AMI (Israel), speaking in exercise of the right of reply, said that those representatives who felt it necessary to interpret her words as a personal reference had by implication endorsed her earlier remarks.

49. Mr. ARMALIE (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said it was clear from the remarks of the Zionist representative that the Zionists had used brutal force to occupy the territory of others, to establish settlements and to drive out the original inhabitants from their land. Yet if anyone protested against those actions, he was called an anti-Semite. No one was supposed to say that the Jews, who had themselves been victims, had moved to Palestine and proceeded to violate the fundamental human rights of the Palestinians, nor was anyone supposed to refer to Zionist expansionism. However, that did not change the facts, and the crimes committed by Israel in the occupied territories were known to all.

50. In that connexion, he noted that the previous week the Special Political Committee had considered the question on the basis of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. The representative of Israel claimed that anyone could move freely in the occupied territories and benefit from the advantages offered there. It should be noted, however, that the Palestinian people could not return to their homeland, despite all the relevant United Nations resolutions. Nor were the three persons, known for their integrity, who had been appointed by the international community to carry out an investigation into Israeli practices allowed to enter the occupied territories.

51. The argument used by the representative of Israel to justify the occupation and colonization of those territories was the same as that used by the colonialist Powers during the colonial era and by the minority régimes in southern Africa, namely, that they were acting in the interests of the peoples concerned. However, members of the Committee were well aware of the nature of the so-called advantages

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(Mr. Armalie, Observer, PLO)

enjoyed by the colonial peoples. Even if what the Israeli representative had said in that regard were true, that would not be sufficient for the Palestinian people so long as they were denied the exercise of their fundamental human rights.

52. Mr. GOMEZ ANZARDO (Cuba), speaking in exercise of the right of reply, said that to describe the tyrannical régime in Nicaragua as democratic was to demonstrate a lack of respect for the members of the Committee. In any event, the valiant people of Nicaragua would soon provide a reply to the actions of that régime.

53. Mr. ALVARADO (Nicaragua), speaking in exercise of the right of reply, said that his country was a democratic one in which people expressed their views and cast their votes in a secret ballot. In so doing, they expressed their will and sought peaceful solutions. He stressed that Nicaraguans rejected foreign intervention and would solve their own problems. They reaffirmed their right to sovereignty and freedom.

54. The CHAIRMAN announced that the delegation of Mongolia had become a sponsor of draft resolution A/C.3/33/L.36.

The meeting rose at 12.55 p.m.