



SUMMARY RECORD OF THE 37th MEETING

Chairman: Mrs. MAIR (Jamaica)

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The meeting was called to order at 11 a.m.

AGENDA ITEM 80: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (continued) (A/32/3, chap. VI, sect. A, A/32/138, A/32/180, A/32/222, A/32/225; A/C.3/32/L.13, L.14 and L.15)

1. Mrs. FRASER-DAVIES (Sierra Leone) said that torture, the most degrading form of offence against the dignity of man, was expressly prohibited by the laws of her country. Her delegation could categorically declare that in the whole of Sierra Leone no one was subjected to pain or suffering by a public official for the purpose of obtaining information or a confession. Furthermore, her Government condemned without reservation such inhuman practices and the régimes which perpetrated them.

2. However, torture as an instrument of State policy persisted in various parts of the world, and in some countries it was being perfected and used against the indigenous population. For example, the racist minority régimes in South Africa and Zimbabwe were systematically resorting to arbitrary arrest, indefinite detention without trial, torture and other cruel treatment. They had institutionalized those practices with a view to eliminating potential leaders of the black population. A recent case was that of Stephen Biko, who had been tortured to death. Reports emanating from South Africa confirmed that he had suffered brain damage.

3. United Nations efforts to wipe out torture and promote full respect for basic human rights and fundamental freedoms had succeeded in enhancing awareness of that evil, and thus constituted a first step towards eliminating it. Further steps should now be taken to ensure that Member States adhered to the guidelines set forth in United Nations instruments.

4. Her delegation supported the request in paragraph 1 of draft resolution A/C.3/32/L.13 that the Commission on Human Rights should prepare a draft convention against torture. She would also welcome the submission of information by Member States to the Secretariat for close study by the Commission on Human Rights, so that the international community would be aware of the steps taken to put into practice the principles embodied in the Declaration on the Protection of All Persons from Being Subjected to Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The Declaration should also be given adequate publicity. Furthermore, law enforcement officials should undergo special training and efforts should be made to ensure effective legal remedies for victims of torture and for the prevention of torture. Her delegation therefore supported the draft resolutions before the Committee.

5. Mr. SOBHY (Egypt), noting that the practice of torture was still widespread, said that efforts must be intensified to eliminate sadism and nazism as practised

(Mr. Sobhy, Egypt)

by certain régimes. His delegation continued to support efforts to combat torture, and had co-sponsored draft resolutions A/C.3/32/L.13 and L.15. Torture represented a means of repressing peoples struggling to attain their freedom, as in South Africa, Namibia and Southern Rhodesia. Stephen Biko had been a victim of such repression. Yet torture would not dissuade the peoples of southern Africa from striving to attain their freedom.

6. It was tragic that the victims of nazism, having suffered repression and torture, should apply those same measures against the Palestinian people. The international community had been provided with a wealth of information from various sources concerning the repressive measures used by Israel against detainees in the occupied Arab territories. For example, a particularly detailed account of such practices had been published in The Sunday Times, of London, dated 19 June 1977, which was reproduced in document A/32/132. In September 1977 the Swiss League for Human Rights had also distributed a report to the press about Israel's systematic use of torture and other inhuman practices directed against the population of the occupied territories. In document A/32/225 his delegation had requested the Secretary-General to draw the attention of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to that report. As a further example, he noted that the National Lawyers Guild of the United States had issued a press release in August 1977 relating to torture in the occupied Arab territories. All that information, it should be noted, came from Western sources. It had been gathered in Israel and the occupied Arab territories from interviews with the victims and from testimony received from Israeli lawyers. The international community, which condemned the Pretoria and Salisbury régimes because of the crimes that they had committed in southern Africa, condemned with equal force the violations by Israel of the human rights of the Palestinian people.

7. His delegation could support the proposed code of conduct for law enforcement officials embodied in the draft resolution submitted by the Economic and Social Council (A/32/138, annex) for adoption by the General Assembly.

8. Lady GAITSKELL (United Kingdom) said that torture and violence constituted an increasing phenomenon of the modern age, despite the guarantees of humane treatment of arrested and detained persons provided for in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The wider acceptance and implementation of the obligations assumed under those instruments should continue to be the aim of the United Nations. In that connexion, she said that her Government supported the development of more detailed standards to give greater effect to the Declaration on torture embodied in General Assembly resolution 3452 (XXX). It was therefore in favour of draft resolutions A/C.3/32/L.13, L.14 and L.15, which complemented each other and should contribute to the attainment of that objective.

9. Progress was also possible in other areas. Her delegation endorsed the recommendation by the Sub-Commission on Prevention of Discrimination and Protection of Minorities that it be authorized to establish a working group to analyse material received on the question of torture and prepare the Sub-Commission's annual review

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(Lady Gaitskell, United Kingdom)

of developments in that field. Her delegation also supported the more technical work done by the United Nations Congresses on the Prevention of Crime and the Treatment of Offenders and the Committee on Crime Prevention and Control. That work should be encouraged and developed.

10. Amnesty International, which had done commendable work in publicizing the incidence of torture throughout the world, had stated without mincing words that the potential for torture was present in man, and had gone on to say that only institutional, legal and religious constraints could prevent it. It had frankly acknowledged the difficulty of obtaining confirmation of allegations of torture: very few Governments were prepared to admit that torture existed in their countries or were ready to institute internal inquiries. That was an area where freedom of information and a free press had a vital role to play.

11. Torture flourished in situations characterized by conflict, suspension of the rule of law and the creation by propaganda of a class of "enemies of the people". She reiterated the conviction she had expressed at the previous session of the Assembly that where a people could change their Government peacefully there was less likelihood of torture. Of course, responsibility for torture was not confined to Governments: some opposition groups also resorted to it and in that situation there was no possibility of redress for the victim.

12. She noted that some statements made in the debate implied that torture took place only in countries of which the speaker disapproved politically. Her delegation deplored such selectivity.

13. In conclusion she wished to draw attention to the statement in the report of Amnesty International that the confrontation between the individual and the limitless power of the State, between the torturer and the victim, took place in the darkest recesses of political power.

14. Mr. SAARIO (Finland) welcomed the efforts made with a view to adopting a code of conduct for law enforcement officials and a code of medical ethics, both aimed at eliminating torture, and took note with appreciation of resolution 7 (XXVIII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities regarding its annual review of developments relevant to the human rights of detained persons. The measures taken by the United Nations thus far to eradicate torture and other cruel treatment reflected the general feeling of the world community that that abominable practice must cease. Article 5 of the Universal Declaration of Human Rights, article 7 of the International Covenant on Civil and Political Rights and the Declaration on torture adopted in General Assembly resolution 3452 (XXX) were important milestones in the history of efforts to achieve that objective, but still further measures were obviously needed.

15. His delegation was co-sponsoring draft resolution A/C.3/32/L.15, and fully supported draft resolutions A/C.3/32/L.13 and L.14. The fact that all three overlapped to some extent was no obstacle to the attainment of their common goal, namely, to intensify efforts aimed at eliminating torture. Indeed, they complemented each other by emphasizing different means to that end. In particular,

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(Mr. Saario, Finland)

the unilateral declaration envisaged in draft resolution A/C.3/32/L.15 would give Governments a chance immediately to declare their intention to comply with the Declaration on torture. The same result would, of course, be achieved by the convention envisaged in draft resolution A/C.3/32/L.14, but that also involved ratification procedures and legislative measures. In addition, it was to be feared that those States in whose territory torture was systematically practised might not be willing to ratify a convention against it.

16. In addition to the measures envisaged in those three draft resolutions, world public opinion should increasingly be mobilized against Governments which encouraged or permitted torture in their countries.

17. Mr. RAMLAWI (Observer, Palestine Liberation Organization) said that the international community, in examining the means of eliminating the vestiges of colonialism, also had to deal with the methods by which the colonialist régimes sought to survive, resorting to the most atrocious forms of torture. The stress placed on ill-treatment by law enforcement officials implied that torture was perpetrated only on an individual basis. Yet in some parts of the world torture was an instrument of State policy vis-à-vis an entire people. In such cases, the methods employed differed from those traditionally used against individuals and groups.

18. Never before in history had a people suffered so much from torture as had the Palestinian people at the hands of the Israeli authorities. Those who had not been expelled from their homeland were subjected to torture to force them to leave. In order to attain their ultimate goal of a purely Jewish State on Palestinian land, the authorities resorted to savage methods of treatment, as borne out, for example, by an article in The Sunday Times, of London, dated 19 June 1977, reproduced in document A/32/132.

19. The Zionist military authorities operated a vast network of prisons and collective detention camps, some of which even dated back to the British Mandate. They were used for many forms of physical and psychological torture, including the use of dogs trained to attack, and electric shock treatment. Reliable eyewitness reports were available to document those acts, in spite of the efforts of the Israeli authorities to keep them confidential. An Israeli general had even admitted that torture had been practised on persons refusing to speak and that that was why Red Cross representatives were not allowed to be present at interrogations. In another instance, an Israeli lawyer had testified to severe beatings being administered in the course of interrogation. Arab political prisoners were often incarcerated together with Israeli common criminals, who harassed and beat them. When prisoners complained, they were threatened with solitary confinement and withdrawal of privileges. The provisions of the relevant Geneva Convention were ignored and force was used to end hunger strikes.

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(Mr. Ramlawi)

20. He wished in particular to draw attention to the article and editorial reproduced in document A/32/132 confirming that the Zionist policy of practising torture was a deliberate and premeditated one deriving from the emergency laws dating back to the period of British colonialism, rather than a matter of abuses committed by individuals exceeding their authority.

21. PLO was convinced that international efforts to combat torture and to protect human rights must be viewed within the context of the racist policies which had been condemned by the international community and which persisted in spite of United Nations resolutions and decisions. He hoped that such efforts would succeed and thus further the cause of international peace and security.

22. Mrs. KULKARNI (India) said that the international community could exert strong persuasive pressure to combat the practice of torture, an odious violation of human dignity which debased both practitioner and victim. In some cases torture and inhuman treatment were motivated by revenge or sadism on the part of individuals acting on their own. In such cases the victim had a remedy because the torturer was answerable in a court of law. Far more disturbing and dangerous, however, were those instances where torture was practised with the knowledge and tacit consent of the authorities, where it was used as a political tool of repression by insecure Governments seeking to bolster unpopular rule. The recent case of Stephen Biko in South Africa was an example, and many similar instances in that country could be cited. In those instances the authorities who were supposed to prevent such crimes became instead their perpetrators.

23. Torture resulting from individual aberration was relatively easy to detect or contain, principally through efforts within the family and the educational system, and she hoped that UNESCO would be properly vigilant in that respect. There were also various legislative and administrative measures for placing appropriate restraints on law enforcement machinery and officials, and her delegation accordingly supported the draft code of conduct in document A/32/138. It also welcomed the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in formulating a body of principles for the protection of all persons under any form of detention or imprisonment and urged that the final draft should be submitted to the General Assembly for its consideration as soon as possible.

24. However, the paramount factor in eliminating the practice of torture was the will of the Government itself to do so. When a Government violated human dignity and practised torture against its citizens, there was practically no remedy open to the victims. In such cases, collective world opinion could exert an important influence, even though the decisive action would have to come from the Government itself.

25. In her own country a number of legal remedies against the practice of torture were available through the Constitution and the Supreme Court. Since the recent general elections, the fundamental rights of citizens had been further strengthened as a result of better understanding by the Government of its own limitations and of the need to respect its mandate from the people, and increased awareness on the

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(Mrs. Kulkarni, India)

part of the people of their rights and duties. Millions of Indians were poor and often illiterate, but they were not ignorant. They were highly sensitive and alert and had the courage of their own convictions, which they knew how to make effective. They had shown the world that they could practise genuine democracy and that they had fully assimilated their ancient traditions, which would brook no submission to torture and inhuman treatment. Moreover, a moral and social philosophy of non-violence, which had been converted by Mahatma Gandhi into the active political philosophy which had won India its independence, had shaped Indian life for many centuries. The people of India knew that a Government which held as firmly to that philosophy as the present one did would never commit an act of arbitrary violence against its people.

26. She then introduced draft resolution A/C.3/32/L.15 and said that Austria, Belgium, Italy, Nigeria and Tunisia had joined in sponsoring it. The draft had been prompted by the conviction reflected in the fifth preambular paragraph that the decisive action to eliminate the practice of all forms of torture must come from the Government of the country concerned, which alone was completely aware of the situation in the area within its domestic jurisdiction and was in the best position to control it. That too was why paragraph 1 of the draft resolution called upon all Member States to reinforce their support of the Declaration on torture contained in General Assembly resolution 3452 (XXX).

27. The fourth preambular paragraph recognized the need for further international action in the form of a legally binding international convention. The unilateral declarations called for in paragraph 1 would be an expression of the good faith of Governments and their moral commitment to the provisions of the Declaration on torture. The text annexed to the draft resolution was, of course, merely one possible formulation and should be regarded only as a model. The wording of any unilateral declaration would naturally be left to the discretion of each Government. The sponsors had confidence that each Member State would find a formula suited to its own situation.

28. The draft resolution also urged Member States to give maximum publicity to their unilateral declarations and she supported the very useful suggestion made in that connexion at a previous meeting by the representative of Saudi Arabia. She hoped that the resolution would be adopted by consensus.

29. Mr. NOTHOMB (Belgium) said that because of the persistence of torture there was general agreement on the need for universal implementation of the Declaration contained in General Assembly resolution 3452 (XXX). Belgium had accordingly co-sponsored draft resolutions A/C.3/32/L.14 and L.15. With respect to draft resolution A/C.3/32/L.13, his delegation would have preferred to request the Committee on Crime Prevention and Control rather than the Commission on Human Rights to draw up the draft convention referred to in paragraph 1 because the Committee had more time to undertake such a task. However, it would vote in favour of that draft. It would also vote for the draft code of conduct for law enforcement officials set forth in the draft resolution annexed to document A/32/138 and hoped that all four draft resolutions, which complemented each other, would be adopted by consensus.

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30. Mrs. HOUNGAVOU (Benin) said that her country was opposed to any exploitation of man by man and had consistently denounced the use of torture for repressive purposes in South Africa, Israel and Chile. The racist régime in South Africa had no scruples about resorting to any means to extract confessions from persons who had been imprisoned or detained for their struggle to assert the rights of the black majority, as the recent case of Stephen Biko showed. Vorster's methods were very much like those of Hitler and they were copied by Ian Smith in Zimbabwe.

31. Although such methods would ultimately prove unsuccessful in combating the struggle for self-determination, they continued to be used in Palestine, where the torture of detainees and prisoners has been amply documented in the reports of various human rights organizations. The Israeli police acted in the manner of the Nazis in Europe. It was not surprising that such practices as torture and summary execution were widely applied in post-Allende Chile, in view of the fact that many Nazis had fled to that country after the Second World War. It was particularly ironic that the capitalist régimes which attacked alleged violations of human rights in the Soviet Union persisted in overlooking events in southern Africa, Palestine and Chile.

32. Her own country was opposed to torture everywhere and favoured any measures aimed at combating it.

33. Mrs. GERÉB (Hungary) said that torture and other cruel, inhuman or degrading treatment or punishment were diametrically opposed to the principles of the Charter of the United Nations, to the Universal Declaration of Human Rights and to the two International Covenants on Human Rights. Her delegation agreed that measures should be taken to end those practices and had accordingly co-sponsored draft resolution A/C.3/32/L.13, which requested the Commission on Human Rights to draw up a draft convention against such practices. The very existence of systems which practised racial discrimination represented a form of torture of entire peoples, just as much as did aggression against a sovereign State and foreign occupation of its territory. Her Government condemned torture and similar practices carried out against the progressive forces in South Korea which were struggling for democracy and peaceful reunification and noted that such treatment had not yet been stopped in Chile. Her delegation considered that any form of discrimination, whether based on race, colour, sex, language, religion, wealth or birth, constituted degrading and inhuman treatment. It also believed that the elimination of torture and similar practices required punishment of the criminals responsible for them and she drew attention in that connexion to the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity.

34. Her delegation shared the views already expressed by others on the draft code of conduct for law enforcement officials (A/32/L38); however, she believed it would be premature to take a decision on that matter until it had been referred to Member States for study. Her delegation had no objection to the draft resolutions contained in documents A/C.3/32/L.14 and L.15.

35. Mr. MEZVINSKY (United States of America) said that torture was increasingly being used to intimidate the leaders and spokesmen of the poor and oppressed. It was being used in an increasingly scientific and systematic way: in addition to the age-old problem of police brutality, there was the increasingly serious phenomenon of the use of terror and intimidation by the security forces of a State and the common practice of institutionalized mental cruelty and forced psychiatric treatment to control freedom of thought and expression. Moreover, torture was not limited to any one group of nations. The Byelorussian representative had named four countries where in his opinion torture was still being practised. That list was totally inadequate. The careful work of independent organizations such as Amnesty International, the International Commission of Jurists and the International League for Human Rights indicated that the current list of practitioners of torture was a long one. It was imperative to keep the spotlight on all countries which tolerated torture until that practice disappeared.

36. Torture was frequently used to intimidate whole peoples, so that in some cases régimes lacking any significant popular support were not only able to maintain themselves in power but also to claim to rule by popular consent, pointing to the absence of social conflict in their societies as proof of that assertion.

37. It was clearly the responsibility of the United Nations to act promptly and effectively whenever and wherever torture became a pattern of oppression. There were many people in the United States who were sceptical about the ability of the United Nations to do anything to combat it, but the current United States Administration believed that only the United Nations could deal effectively with the problem.

38. Torture and other cruel, inhuman and degrading forms of treatment were major obstacles to the realization of the economic, social and cultural rights of peoples as well as a clear violation of their civil and political rights. Economic rights and economic development were best secured with the free and full participation of the whole society, without intimidation and repression impeding the play of criticism and self-criticism. It had been part of the Western tradition to think of human rights as primarily civil and political rights, but the United States realized that those rights and economic, social and cultural rights were interdependent. Its experience had taught it that the existence of legal guarantees of political freedom could not in itself guarantee a life of human dignity and freedom for a nation, for the economic, social and cultural rights of all must be guaranteed as well.

39. Torture was primarily a political rather than a legal problem, and it was necessary to mobilize the political will of the peoples and Governments of the world to combat it, for if that political will existed, legal instruments could be made effective. The greatest allies of torture were indifference and scepticism as to the possibility of doing anything to eliminate it. To demand an end to torture, political assassination and resort to the "missing persons" tactic, by whatever Government, was perhaps the most important form of assistance which the United Nations could give to the struggle for national self-determination.

40. The General Assembly had examined the problem of torture every year since 1973.

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(Mr. Mezvinsky, United States)

Moreover, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had decided to undertake an annual review of the situation of the human rights of detained or imprisoned persons. The provisions of resolution 1503 (XVIII) of the Economic and Social Council for the maintenance of confidentiality had made it safe for people to testify before the Sub-Commission. His delegation wished to take the opportunity to commend the efforts being made by the Sub-Commission to promote the cause of human rights throughout the world.

41. Over the years, the United Nations had developed an impressive foundation for its efforts to protect humanity against such pernicious forms of intimidation as torture and other violations of the dignity and rights of the person. In recent months, his own delegation had been seeking more effective means to combat torture as an instrument of oppression, and to that end had participated in a series of fruitful consultations with various delegations. It had become apparent that there was a growing consensus among nations from all parts of the world on the seriousness of the problem.

42. Combating torture, especially when it was used to intimidate dissenters by an oppressive régime, should be a priority concern of the United Nations. At the same time, a concerted effort should be made to combat other forms of intimidation, such as the assassination of opposition leaders, kidnapping and the refusal of security forces to account for "missing persons", which was obviously a means of intimidation in certain countries, and the use of short-term detention, in conjunction with interrogation and threats, which was a form of officially sponsored terrorism designed to perpetuate intimidation.

43. The United States supported the proposals in draft resolutions A/C.3/32/L.13, L.14 and L.15, believing that together they constituted a strong package. Regarding the proposal in draft resolution A/C.3/32/L.13, it felt that Governments and non-governmental organizations should be well prepared before the Commission on Human Rights met to draw up a convention against torture, so that the Commission would not have to devote an inordinate amount of its time to that task. However, his delegation would be far from satisfied with even the sum of those three resolutions and therefore called upon the international community to continue its efforts to find even more effective and immediate means of combating torture as an instrument of oppression. In its view, the General Assembly should continue to study the question of torture each year until it was reduced to insignificant proportions. Each year the Secretariat should provide the General Assembly with a report on the most serious problems. He suggested that the Commission on Human Rights or the Sub-Commission on Prevention of Discrimination and Protection of Minorities might consider naming a special rapporteur to prepare such a text. A representative of the Secretary-General, the Commission on Human Rights or the Sub-Commission should be available for consultations with Governments having problems with torture in the territory under their jurisdiction; it would be more satisfactory to put an end to torture by means of consultations and the provision of assistance, developing a positive programme of promoting human rights, than to perpetuate the practices of condemnation, accusation and denunciation. The "good offices" role of the Secretary-General in combating torture and bringing aid and relief to its victims should be continued and expanded, and his delegation believed that that role could be developed by a high commissioner for human rights.

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(Mr. Mezvinsky, United States)

44. His delegation would not be satisfied until the United Nations had joined in a common and effective programme to combat torture everywhere and immediately.

45. The CHAIRMAN said that Cyprus, Hungary and Norway had joined the sponsors of draft resolution A/C.3/32/L.13, and that Italy had become a sponsor of draft resolution A/C.3/32/L.14.

46. Mr. ABRAMOV (Israel), speaking in exercise of the right of reply, said that after listening to the recital of the horrors to which Arab prisoners in Israel were allegedly subjected he had a feeling of unreality produced by the persistent and systematic perversion of commonly accepted terms; the champions of hijacking and indiscriminate terror were parading as paragons of virtue in an anti-Israel campaign which had called into question the supremacy of the law in Israel and even the integrity of its medical profession. Israel was one of the most open societies in the world; it was a country which applied the rule of law and justice for all, on the basis of equality. Its criminal law and procedure were based on British common law and practice, including the appropriate safeguards. The judiciary was independent of the executive; judges were trained jurists appointed for life. The criminal law and procedure of the civil courts were applied in the military courts, where the judges were civilian jurists. The Attorney-General was independent of the executive, and the investigating agencies, including the police, were under his control. Any person living in Israel who believed that his rights had been infringed could apply to the High Court of Justice, where his case would be heard within 24 hours. On confessions, the law was explicit; confessions obtained by unlawful means were inadmissible as evidence. In case of doubt, the court would not admit the confession, which could not in any case be used as evidence for conviction unless corroborated by other evidence. Out of 247 persons in the administered territories tried for crimes liable to a penalty of imprisonment for 10 years or longer, only 31 had been convicted in 1975; the corresponding figures in 1976 were 434 and 26. The death penalty was not imposed in Israel, even in the case of terrorists who had murdered women and children. On 20 September 1977, the head of the International Committee of the Red Cross in Israel had stated that there was no evidence of systematic torture approved by the authorities. The horror stories which had appeared in The Sunday Times of London and which had been used in the anti-Israeli crusade had been admitted by that newspaper to have been based on allegations made by PLO and its sympathizers. Rebuttals by Israeli officials had appeared in the press for anybody who wished to read them. The publication of stories based on the allegations of one side without hearing the other had been severely criticized by high judicial authorities in the United Kingdom.

47. He did not wish to comment on the treatment by Arab States of Jews and other minorities as well as of prisoners; tortures applied to Arabs by Arab Governments had been reported by the appropriate Arab governmental agencies. Those matters would be raised at another time and in another Committee.

48. In conclusion he stated that the strenuous efforts being made to bring the Middle East conflict to an end could only succeed when the parties tried to create a climate conducive to the achievement of that end. The tactics employed by the Arab delegations seemed designed to have the opposite effect.

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AGENDA ITEM 81. INTERNATIONAL COVENANTS ON HUMAN RIGHTS (continued)

(a) REPORT OF THE HUMAN RIGHTS COMMITTEE (continued)

(b) STATUS OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND THE OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (continued) (A/32/44, A/32/188; A/C.3/32/4; A/C.3/32/L.11 and L.16)

49. The CHAIRMAN said that the consolidated text in draft resolution A/C.3/32/L.16 would replace the draft resolutions contained in documents A/C.3/32/L.7 and L.9. No new elements had been added. She believed that the Committee would wish to take a decision on that draft resolution at the current meeting and suggested that it should be adopted without a vote.

50. Mrs. WARZAZI (Morocco) suggested that the draft resolution should be adopted unanimously.

51. Draft resolution A/C.3/32/L.16 was adopted unanimously.

52. Miss RICHTER (Argentina) said with reference to paragraph 3 of the resolution, regarding the co-operation extended to the Human Rights Committee by States parties to the International Covenant on Civil and Political Rights, that all Member States contributed to the expenses of the Committee through the Regular Budget. Any extraordinary expenses should therefore be referred to the appropriate body.

53. Mr. EDIS (United Kingdom), supported by Mrs. KONGSHEM (Norway), Mr. MEZVINSKY (United States of America), Mr. O'DONOVAN (Ireland), Miss BEAGLE (New Zealand) and Mr. PIPER (Australia), noted that, whereas the sixth preambular paragraph of the resolution which the Committee had just adopted referred to the responsibilities of the Economic and Social Council in relation to the International Covenants, there was no reference to that responsibility in the operative part of the resolution. He hoped that that situation would be remedied.

54. Mr. GROS (France) stated that the International Covenants would be submitted for ratification to the French Parliament during its first session in 1978. The fact that they had not yet been ratified was due to the need to consult the various national bodies which would be involved in the implementation of the Covenants. All the provisions of the Covenants would have to be incorporated into France's internal legislation. However, French legislation already embodied the substance of those provisions and even went beyond them.

55. The CHAIRMAN stated that consideration of item 81 had been concluded.

The meeting rose at 1.30 p.m.