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**President: Mr. Abdelaziz BOUTEFLIKA**  
(Algeria).

*In the absence of the President, Mr. Ingles (Philippines), Vice-President, took the Chair.*

**AGENDA ITEM 42**

**United Nations Conference on Trade and Development:  
report of the Trade and Development Board**

**REPORT OF THE SECOND COMMITTEE (PART I)**  
(A/9826)

**AGENDA ITEM 44**

**United Nations Institute for Training and Research:  
report of the Executive Director**

**REPORT OF THE SECOND COMMITTEE**  
(A/9839)

1. Mr. LASCARRO (Colombia) (Rapporteur of the Second Committee) (*interpretation from Spanish*): I have the honour to submit to the General Assembly the first part of the report of the Second Committee on agenda item 42 [A/9826]. In paragraph 15 of its report, the Second Committee recommends to the General Assembly the adoption of three draft resolutions. Draft resolution I, entitled "Special measures in favour of the least developed countries", was adopted by the Second Committee by 112 votes to none, with 1 abstention. Draft resolution II, entitled "Report of the Trade and Development Board" was

adopted by the Second Committee by a roll-call vote of 78 to 4, with 33 abstentions. Finally, draft resolution III, entitled "Fourth session of the United Nations Conference on Trade and Development" was adopted without a vote.

2. I also have the honour to submit to the General Assembly the report of the Second Committee on agenda item 44 [A/9839]. In paragraph 9 of its report, the Second Committee recommends to the General Assembly the adoption of a draft resolution entitled "United Nations Institute for Training and Research", which was adopted by the Committee without a vote.

*Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the reports of the Second Committee.*

3. The PRESIDENT: We shall first take up part I of the report of the Second Committee on agenda item 42 [A/9826]. I shall now call on those representatives who wish to explain their vote before the vote on any or all of the three draft resolutions recommended by the Second Committee.

4. Mrs. GROSSMAN (Dominican Republic) (*interpretation from Spanish*): Upon instructions received from my Government, my delegation will vote for draft resolution II in the report [A/9826], despite the fact that we abstained from voting in the Second Committee as a matter of principle and because we regarded this as a purely humanitarian matter; but our vote does not imply any breach of the principle of non-intervention in the internal affairs of other countries, a principle that is the corner-stone of the foreign policy of the Dominican Republic.

5. Mr. CORREA (Chile) (*interpretation from Spanish*): Draft resolution II before us is one more demonstration of how the rules of procedure of international organizations are violated when Soviet influence decides to attack a country politically. Indeed, last September this matter was introduced at the fourteenth session of the Trade and Development Board even though it had not been included in its agenda nor was it within the Board's competence to express any opinion on the matter. Thus, in a corresponding report before the Second Committee, an item was included that was completely improper, with clearly political implications. Also, despite the protests of our delegation, the attention of that Committee was distracted by a matter that had no relevance or significance.

6. The irregular procedure that was followed to obtain approval of a meaningless and irrelevant draft resolution was compounded because, before the vote, the delegation of Chile in the Second Committee was deprived of the opportunity to explain the present situation of Mr. Clodomiro Almeyda and the circumstances and background connected with his trial. Thus, a draft resolution was adopted in total ignorance

of the facts. The attitude adopted by a circumstantial majority of the Second Committee constitutes a serious transgression of one of the most basic rights, that of any party involved to be heard before any decision is reached, and weakens the moral prestige of this body.

7. The draft resolution commissions the President of the twenty-ninth session of the General Assembly and the Secretary-General of the United Nations to request the Government of Chile to release immediately Mr. Almeyda. Although the draft resolution was adopted in the Second Committee, we believe the President of the General Assembly and the Secretary-General should not comply with it, since Article 2, paragraph 7, of the Charter of the United Nations states:

“Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter . . .”.

The draft resolution before us violates that precept of the Charter, both because it represents open interference in a matter falling within the internal jurisdiction of Chile and because it claims to subject the outcome of a trial to a procedure it stipulates.

8. I have repeatedly stated that Mr. Almeyda is being detained and tried because of an indictment before the regular courts of justice of my country, drawn up by the Office of the Controller-General of the Republic, a body that is completely autonomous and independent of the executive power. He is accused of a common crime, which was duly explained in the Second Committee.<sup>1</sup> Therefore his detention and trial have nothing to do with political considerations, and are completely outside the purview of the government Junta of Chile since they are within the jurisdiction of the judicial branch, which has absolute autonomy. That means the executive branch cannot interfere in decisions of the judicial branch, much less intervene in the judicial process leading up to them.

9. It is very difficult for totalitarian countries to understand this, because in them the judicial branch has no autonomy and is compelled by force to act in accordance with the wishes or instructions of the Government. We believe, however, that democratic countries will quite easily understand our position, because in them the separation of public powers is the very essence of the organization of the State.

10. Therefore, since Mr. Almeyda is subject to trial in a regular court, our Government, even if it wished to, would not be able to make any exception in his favour. The trial in question is being conducted in accordance with the rules of the penal code and code of penal procedures, which, though amended over the years, have been in effect for a century.

11. As can be seen, the draft resolution benefits no one. It merely represents interference in the domestic affairs of Chile and is an insult to the judicial power in Chile, which is being asked to act on grounds other than strictly legal criteria. The precedent accepted by countries that voted in favour of the draft resolution or abstained without indicating their reservations should lead them in future to accede to resolu-

tions interfering in the domestic affairs of their own States. That may be the price they will have to pay for the adoption of ill-advised and inconsistent attitudes.

12. We are, at least, satisfied that the drafting of the text implicitly recognizes the fact that there is no violation of human rights, as some red Nazis have brazenly maintained. It is understood that a preambular text containing such an imputation was not included, because it is known that Mr. Almeyda has frequently been visited by representatives of international bodies. Among recent visits have been those of the mission sent by Senator Kennedy of the United States of America, of the Board of the College of Lawyers of Chile and of the Secretary for External Relations of Mexico, all of whom agreed on the special deference with which Mr. Almeyda has been treated. That open-door policy of the Government of Chile contrasts with the “walls” and “curtains” that isolate the totalitarian countries, making it impossible to give any protection to the millions of human beings who are suffering so many and such serious assaults on their human dignity.

13. It is therefore grotesque to devote so much attention to a country that is attempting to restore the social peace, undermined by a minority, when in some of the countries that are sponsoring the draft resolution tens and possibly hundreds of thousands of people have died recently as a result of political struggles and the totalitarian actions of their Governments, without this Assembly having said a word about it.

14. It is obvious, as one representative said, that there is a different yardstick for judging compliance with human rights in Chile and in the totalitarian countries, and this implies a high degree of hypocrisy. There is an unbridgeable gulf between Chile and those countries and thus we can understand that, for example, such cases as that of Imre Nagy can occur, and there can be a Gulag Archipelago.

15. For all these reasons, we shall vote against the draft resolution now under consideration, which is one more proof of the degree of blind politicization and partiality that this Assembly and its subsidiary bodies have reached; this is the dangerous seed of its self-destruction.

16. Mr. DIALLO (Upper Volta) (*interpretation from French*): I wish formally to propose an amendment to the text of draft resolution I in the report of the Second Committee on agenda item 42. I propose that, in operative paragraph 3, the word “Requests” be replaced by the word “Invites”. As amended, the text would then read:

“Invites the international financial institutions, in particular the International Development Association and the regional development banks, to allocate urgently additional resources to the least developed countries.”

This proposal is designed to overcome the difficulties certain delegations are experiencing in view of the nature of the relations existing between the General Assembly and the agencies and institutions referred to in that paragraph. My delegation hopes that the text, as amended, can be adopted unanimously.

17. Mr. SCHAUFLE (United States of America): Regarding the amendment proposed by the represen-

tative of Upper Volta to draft resolution I, I should like to express the appreciation of the delegation of the United States for the acceptance by the sponsors of this minor modification, which will allow the United States delegation to agree to the adoption of this draft resolution without a vote. In our view, this gesture by the sponsors of the draft resolution would help to avoid the problem that might arise because the views of the General Assembly are not necessarily binding on the international financial institutions, and the use of the word "Invites" in place of "Requests" puts things in their proper perspective.

*Mr. Bouteflika (Algeria) took the Chair.*

18. The PRESIDENT (*interpretation from French*): The General Assembly will now take a decision on the three draft resolutions recommended by the Second Committee in paragraph 15 of its report [A/9826].

19. Draft resolution I is entitled "Special measures in favour of the least developed countries". In this connexion, I should like to recall that the representative of Upper Volta has proposed that, in operative paragraph 3, the word "Requests" should be replaced by the word "Invites". If I hear no objection, I shall take it that the General Assembly adopts that amendment.

*The amendment was adopted.*

20. I shall now put draft resolution I, as amended, to the vote.

*Draft resolution I, as amended, was adopted by 130 votes to none (resolution 3214 (XXIX)).*

21. The PRESIDENT (*interpretation from French*): We turn now to draft resolution II, entitled "Report of the Trade and Development Board". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Albania, Algeria, Australia, Austria, Bahrain, Bangladesh, Belgium, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Dominican Republic, Equatorial Guinea, Finland, France, Gambia, German Democratic Republic, Germany (Federal Republic of), Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia.

*Against:* Chile, Honduras, Nicaragua, Paraguay, Uruguay.

*Abstaining:* Afghanistan, Argentina, Barbados, Bhutan, Bolivia, Burma, Central African Republic, Costa Rica, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Haiti, Indonesia,

Israel, Japan, Laos, Lebanon, Malawi, Malaysia, Philippines, Sierra Leone, Singapore, Spain, Thailand, Uganda, United States of America, Venezuela, Zaire.

*Draft resolution II was adopted by 88 votes to 5, with 33 abstentions (resolution 3215 (XXIX)).<sup>2</sup>*

22. The PRESIDENT (*interpretation from French*): We come now to draft resolution III, entitled "Fourth session of the United Nations Conference on Trade and Development". The Second Committee adopted this draft resolution without a vote. May I take it that the General Assembly decides to do likewise?

*Draft resolution III was adopted (resolution 3216 (XXIX)).*

23. The PRESIDENT (*interpretation from French*): I shall now call on those representatives who indicated a wish to explain their votes after the vote.

24. Mr. BOTERO (Colombia) (*interpretation from Spanish*): In explaining our vote on draft resolution I, on special measures in favour of the least developed countries, I should like once again, at the risk of tiring other delegations, to express my delegation's views on the following points.

25. First, Colombia applauds the measures that have been taken by the United Nations and its related agencies to promote the least developed among the developing countries. It also notes with satisfaction the fact that in special circumstances—in times of crisis, and in island countries and land-locked countries for example—countries requiring special aid from organizations within the United Nations system will indeed receive it.

26. Secondly, our delegation is nonetheless concerned about the preferential treatment for those special categories of countries if that impairs the achievements of other developing countries. We have repeatedly expressed the view that the socio-economic conditions of those countries, which at other times we have called the middle-class countries among the developing countries, are not satisfactory and that the indices of population and gross national product should not be the only criteria for classifying those countries into separate groups. The matter becomes more serious if we consider the fact that for these middle-class countries the indicative planning figures have been frozen—which really represents a reduction in aid granted to them because of the present inflationary situation and because of international monetary deterioration.

27. Mr. ETUK (Nigeria): We should like to explain our vote on draft resolution II, entitled "Report of the Trade and Development Board". We voted in favour of the draft resolution because of its humanitarian intentions, but that vote should not be interpreted as an attempt to interfere in the internal affairs of Chile.

28. The PRESIDENT (*interpretation from French*): We turn now to the report of the Second Committee on agenda item 44, on the United Nations Institute for Training and Research [A/9839]. The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 9 of the report. The Second Committee adopted the draft

resolution without a vote. May I take it that the General Assembly decides to do likewise?

*The draft resolution was adopted (resolution 3217 (XXIX)).*

## AGENDA ITEM 12

### Report of the Economic and Social Council

#### REPORT OF THE THIRD COMMITTEE (PART I) (A/9829)

## AGENDA ITEM 53

### Elimination of all forms of racial discrimination:

- (a) Decade for Action to Combat Racism and Racial Discrimination;
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General

#### REPORT OF THE THIRD COMMITTEE (PART I) (A/9808)

29. Mr. VON KYAW (Federal Republic of Germany) (Rapporteur of the Third Committee): I have the honour to introduce part I of the report of the Third Committee [A/9829], dealing with agenda item 12. I have the honour to introduce also the report in document A/9808, concerning items 53 (a) and (c) dealing, respectively, with the Decade for Action to Combat Racism and Racial Discrimination and with the status of the International Convention on the Elimination of All Forms of Racial Discrimination.

30. In accordance with the decision taken by the Third Committee at its 2070th meeting,<sup>3</sup> I should like first to introduce the report [A/9829], dealing with item 12, in so far as the human rights questions in chapter V, section C, of the report of the Economic and Social Council on the work of its fifty-sixth and fifty-seventh sessions [A/9603] are concerned.

31. This year, the section on human rights in the report of the Economic and Social Council gave rise to a particularly intensive debate in the Third Committee. That debate is fully reflected in the relevant summary records. It centred primarily on the need to combat the practice of torture and on the human rights situation in Chile. The Third Committee adopted five draft resolutions, contained in paragraph 36 of its report [A/9829], which it recommends for adoption by the General Assembly.

32. Draft resolution I, entitled "Torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment", was adopted by 111 votes to 1, with 2 abstentions. It gives expression to the concern voiced by many delegations in the debate about the widespread and increasing use of torture and the need for adequate measures against it on the national as well as the international level. It reaffirms the rejection of any form of torture and other cruel, inhuman or degrading treatment or punishment. It asks for certain specific actions to be taken by Member States, by the Secretary-General, by the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, by WHO and by UNESCO. These actions concern national safe-

guards against the practice of torture; articles 24 to 27 of the draft principles on freedom from arbitrary arrest and detention, prepared for the Commission on Human Rights;<sup>4</sup> the elaboration of an international code of ethics for police and law enforcement agencies; the Standard Minimum Rules for the Treatment of Prisoners;<sup>5</sup> and an outline of relevant principles of medical ethics.

33. Draft resolution II, entitled "Protection of human rights in Chile", was adopted by 83 votes to 9, with 21 abstentions. This draft resolution expresses deep concern that constant flagrant violations of basic human rights and fundamental freedoms in Chile continue to be reported. It urges the Chilean authorities to take all necessary steps to restore and safeguard those rights, and endorses the recommendation by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 8 (XXVII), that the Commission on Human Rights at its thirty-first session should study the reported violations. It also requests the President of the twenty-ninth session of the General Assembly and the Secretary-General to assist in any way they may deem appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile, and further requests the Secretary-General to report to the General Assembly at its thirtieth session on action taken and progress achieved.

34. The text of the draft resolution thus reflects the concern expressed in the debate in the Third Committee by a considerable number of delegations about the human rights situation in Chile. On the other hand, certain delegations, and in particular the delegation of Chile, expressed the opinion that, in violation of established procedures, the draft resolution would prejudge the recommended study by the Commission on Human Rights, that it does not take into account positive developments in Chile, and that it singles out Chile while other countries continue to violate human rights.

35. Draft resolution III, entitled "Assistance and co-operation in accounting for persons who are missing or dead in armed conflicts", was adopted by 72 votes to none, with 27 abstentions. The draft resolution states and reaffirms international concern about an important humanitarian problem. Reaffirming the applicability of the Geneva Conventions of 1949<sup>6</sup> to all armed conflicts as stipulated by those Conventions, the draft resolution calls upon all parties to armed conflicts, regardless of their character or location, to take into account the basic human desire to know the fate of those lost or missing in armed conflicts by providing information about them, by helping to locate and mark graves, and by facilitating disinterment and the return of remains.

36. A number of delegations underlined the purely humanitarian and apolitical purpose of the draft resolution, while some delegations observed that the problem had to be considered within the legal context and framework of the Geneva Conventions, as well as in the context of specific conflict situations prevailing in certain parts of the world.

37. Draft resolution IV, entitled "Improvement of the effective enjoyment of human rights and fundamental freedoms", was adopted by consensus. It deals with the need for adequate information and documenta-



tion in order to facilitate consideration next year, at the thirtieth session of the General Assembly, of the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", which is to be included in the provisional agenda of that session in accordance with paragraph 3 of General Assembly resolution 3136 (XXVIII). The Secretary-General is requested to prepare a concise analytical report based primarily on available and updated studies, the views of Member States, the specialized agencies and regional inter-governmental organizations, and on material submitted by the appropriate non-governmental organizations.

38. The adoption of draft resolution IV in the Third Committee by consensus underlines the determination of the Committee to move forward towards improving and further developing the procedures and mechanism within the United Nations system to ensure the effective enjoyment of human rights and fundamental freedoms.

39. Draft resolution V, entitled "Human rights and fundamental freedoms", was adopted by 108 votes to none, with 9 abstentions. It deals with the right of all peoples to self-determination, freedom and independence and with the legitimacy of their struggle to free themselves from colonial and foreign domination in conformity with the Universal Declaration of Human Rights. It also takes up the question of moral and material assistance given to these peoples and the policy of certain Powers referred to in operative paragraph 5 as assisting racist régimes.

40. I should now like to introduce the report in document A/9808 concerning items 53 (a) and (c). That report deals with a particularly important subject, the elimination of racial discrimination, which received first priority in the order of consideration of items by the Third Committee. The many delegations participating in the debate stressed the importance of the Decade for Action to Combat Racism and Racial Discrimination and the need for concerted action to implement its goals. Delegations, welcoming developments in the Portuguese colonies, drew attention to the serious and deteriorating situation in southern Africa requiring urgent action, and to the need for universal implementation of the Programme for the Decade [resolution 3057 (XXVIII), annex] on the national as well as on the international level. Attention was also drawn to the need for educational measures, as well as to the relevant international instruments, especially the International Convention on the Elimination of All Forms of Racial Discrimination [resolution 2106 A (XX), annex], and to the desirability of their ratification by all Member States. A number of representatives referred to the problems of migrant workers, including the exploitation of labour through illicit and clandestine trafficking, and to the importance of the study initiated in this respect by the Sub-Committee on the Prevention of Discrimination and the Protection of Minorities.

41. The Committee adopted three draft resolutions, all reflecting the main issues discussed by the Committee under items 53 (a) and (c).

42. Draft resolution I, entitled "Decade for Action to Combat Racism and Racial Discrimination", addressing itself specifically to the question of the imple-

mentation of the Programme for the Decade, was adopted without a vote. This draft resolution condemns the intolerable racial conditions prevailing in the southern part of Africa and elsewhere and appeals to Member States, United Nations organs and bodies, specialized agencies and non-governmental organizations to take a number of specific actions to implement the Programme of the Decade.

43. Draft resolution II, entitled "Measures to improve the situation of migrant workers", adopted by 97 votes to none, with 4 abstentions, aims at ensuring equal treatment for migrant workers and respect for their human rights. It addresses itself also to the question of the treatment of workers who have entered the receiving country illegally. The draft resolution gives expression to the concern felt by sending and receiving countries, as well as by the international community in general, about this problem.

44. Finally, draft resolution III, entitled "Status of the International Convention on the Elimination of all Forms of Racial Discrimination", adopted unanimously by the Third Committee, deals with the status of the Convention, appeals to States which have not yet become parties to the Convention to accede thereto, and calls for the universal implementation of the provisions of the Convention as one of the goals of the Decade for Action to Combat Racism and Racial Discrimination. The name of Jamaica should be added to the list of sponsors of the draft resolution in paragraph 15 of document A/9808.

45. The PRESIDENT (*interpretation from French*): The representative of Chile has proposed that the report of the Third Committee be discussed under rule 66 of the rules of procedure, which reads as follows:

"Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one third of the members present and voting at the plenary meeting consider such a discussion to be necessary. Any proposal to this effect shall not be debated but shall be immediately put to the vote."

I shall therefore immediately put to the vote the proposal that the report of the Third Committee be discussed.

*The proposal was adopted by 70 votes to 20, with 28 abstentions.*

46. Mr. HUERTA (Chile) (*interpretation from Spanish*): The General Assembly must reach a decision on a draft resolution approved in the Third Committee that constitutes an affront to Chile and a trampling under foot of the spirit and standards that should guide the conduct of the United Nations. While expressing a concern for respect for human rights, the motion conceals a deliberate attempt to harm Chile, to make its Government lose prestige and thus to justify new foreign interference in its domestic affairs. The movers of this draft resolution have taken no care to hide their true purpose. Both within the United Nations and in public proceedings in various countries, they prove their intent to interfere. In the absence of serious, effective and proven arguments, we have heard recently a repetition of insults, calumnies and political slogans designed to present to international public opinion so distorted an image of the situation in Chile

as to make the most far-fetched inventions seem credible. If they are successful in their campaign to create the image of an infernal and inhuman country, they will have taken the first step towards bringing about the isolation of Chile and preparing for armed intervention. This objective, which is disguised here by an alleged concern for human rights, is openly expressed in rallies, financial campaigns and the sending of Soviet arms intended to promote aggression in Chile.

47. The Soviet campaign against Chile demonstrated in this draft resolution has been joined by Governments that are either ill-informed or guideless, and others that seek the support of the communist votes to bolster their precarious and unstable domestic majorities.

48. It is clear to all delegations how the Soviet Union and its satellites have raised this question in political terms, but it is important to note how the representatives of other Governments have also succumbed to such motives. As an example, there is a country that has attributed to itself the leadership of the non-aligned movement and has publicly manifested its political antagonism towards the present Government of Chile. This is also the case with a Nordic country, the Prime Minister of which participated in public demonstrations and other activities to collect funds to finance the campaign against Chile. This not only demonstrates a political position but is also an unheard-of violation of the principle of non-intervention which that Government claims to support.

49. In all these cases and in other less obvious ones, political partiality is evident. The motion against Chile has therefore been dealt with without any impartiality or objectivity and the countries that are parties to this political confrontation should be morally precluded from setting themselves up as judges.

50. Various representatives pointed out, and rightly so, during the discussions in the Third Committee, how strange it was to limit the problem of human rights to Chile, and they indicated categorically the contradictions of such obvious partiality.

51. In an era in which specific cases of persecution and political crimes, of racial discrimination, of devious violations of fundamental human rights are denounced daily, and while international public opinion learns with stupefaction of the existence of new forms of slavery and degradation, not as isolated events but instituted as permanent systems of oppression and domination, the United Nations remains mute, deaf and blind to all this reality. In only becomes active, concerned and worried, it only meets and reaches decisions when it comes to alleged violations which, according to the report, are supposed to be occurring in Chile.

52. Therefore, during the debate in the Committee, several representatives described the draft resolution directed against Chile as being an expression of the enormous hypocrisy prevailing in this matter. The fact that the Soviets and their satellites are sponsoring and supporting a draft resolution on human rights is the greatest cynicism and the most repugnant masquerade. We all know that the Soviet régime is based on terror and the denial of justice and freedom. It is not necessary to recall Stalin's crimes, which were denounced by Khrushchev. Nor is it necessary to recall the Nazi-Soviet pact, the division of Poland, the slaughter of

Polish officers at Katyn. Nor need I recall the aggression against Finland or the oppression of the Baltic States. Nor can anyone ever forget the massacre of the Hungarian people, the crushing of Czechoslovakia or the infamous Berlin Wall. And this is not past conduct, because, although the borders of the Soviet bloc remain closed, the magnitude of the anguish suffered by those peoples is known from denunciations such as those by Sakharov and Solzhenitsyn as well as from the revelations of Canadian psychiatrists.

53. Recently, the Government of another of the sponsors of this draft resolution revealed in a television interview that political prisoners who had been in prison for 15 years would never be set free and that in his country there is not and never would be freedom of the press or political freedom. What have the other sponsors of the draft resolution against Chile done when faced with this evidence? Have they been concerned about a case that needs no further proof because there is a confession? No; they have remained complacently silent. This is another precedent that confirms the lack of consistency and the partiality in proceeding with the case against Chile.

54. The campaign waged against Chile, organized by Soviet communism, has taken the form of a draft resolution of which this General Assembly is now seized. This draft resolution lacks any serious foundation. It is gravely lacking in truth. It is arbitrary and shows unjust prejudice; it violates the rules of the United Nations itself and the general principles of law.

55. This draft resolution is supposed to be based on five events, which are expressly indicated. It says first of all, in the document that you all have before you, "Taking into account the deep concern expressed by the Commission on Human Rights . . ." [A/9829, para. 36, draft resolution II]. In connexion with this first point, representatives can already see in it the general characteristics of everything that is said against Chile: its vagueness, its generality, its lack of precision, its inconsistency. Never is there a well considered point, much less a duly proved fact. There are always clichés, such as "reports from a wide variety of sources".

56. If you look at the summary records of the Third Committee, you will see that no reference is made to any one of the reports invoked here. It is not known what merit they might have nor what their content might be nor how much truth or falsehood might exist in them.

57. But there is even more. The Commission on Human Rights is not now able to affirm it, first, because they have never received any trustworthy information in that connexion and, secondly, because it will only study the specific events at its forthcoming meeting in January 1975. It should also be pointed out that this self-same Commission on Human Rights, in the report on its thirtieth session,<sup>7</sup> set 1 December 1974 as the time-limit for Governments to send their observations. So the deadline is still pending for Chile to forward its comments on the nine cases submitted by the Secretary-General on 27 August.

58. But resolutions against Chile without consultations have been piling up. In the Third Committee, the representative of Colombia correctly stated, as can be seen in the records, that for all those reasons, it

was clear that the Committee did not have the necessary elements to judge the situation and that the draft resolution was untimely, discriminatory and based on facts that had not been proved.<sup>8</sup>

59. The General Assembly must ask itself whether it is possible for any agreements based on unproven data to be adopted, whether these agreements can be adopted when the deadline that has been given to a Government to answer a request is still pending. No self-respecting person, Government or nation can accept this as a serious, worthy and responsible system.

60. As I indicated, in the proceedings of the Third Committee no analysis was made of the "reports from a wide variety of sources", which are alluded to in this draft resolution. Nor was there even any indication of what they were. Some representatives mentioned "gross and massive violations" and quoted press reports, which, because they were of recent date, could not even be used as sources for "the deep concern expressed by the Commission on Human Rights".

61. Among the factors that influenced the representatives are the affirmations of the Soviet representative, Mr. Smirnov, since they appear to have been decisive in determining action against Chile. He said, at a meeting of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, on 5 August, as appears in the records,<sup>9</sup> that in Chile 80,000 persons had been killed. Prior to that, on 9 May 1974, at the 744th meeting of the Social Committee of the Economic and Social Council, he spoke of 2,500 killed. In a statement to the Third Committee, on 16 October,<sup>10</sup> his figures, as devoid of truth as the previous ones, referred to 30,000 dead. This total lack of seriousness does not prevent the majority, before knowing the truth, from accusing Chile of "gross and massive violations". Although no specific report has been indicated by the sponsors of the draft resolution, the delegation of Chile, nevertheless, during the debate, provided specific facts and background on the errors, omissions, falsehoods, tendentious affirmations or grave distortions in the opinions or the publications of other institutions mobilized in this campaign, such as the International Commission of Jurists and Amnesty International.

62. I affirm, with the full knowledge of the situation Chile lived through, that these publications are inaccurate. They are based on generalizations, on self-seeking or false declarations, on the known tactic of trying to transform isolated instances of abuse, which may even have been punished, into a system, to generalize and to multiply them *ad infinitum* in order to coin the expression "gross and massive violations".

63. Secondly, the draft resolution bases itself on the following point:

"Taking note of the appeal made by the Economic and Social Council, in its resolution 1873 (LVI) of 17 May 1974, to the Chilean authorities to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in that country, particularly in those cases involving a threat to human life and liberty." [*Ibid.*]

64. In this connexion, another of the characteristics inherent in these decisions against Chile within the

United Nations should be pointed out. These decisions were taken irrespective of established norms and the consideration due to a Member State. Indeed, the Economic and Social Council itself, on 27 May 1970, adopted resolution 1503 (XLVIII), which lays down the procedure for dealing with communications relating to violations of human rights and fundamental freedoms. In this resolution the Council sets out the standards that should be observed in that connexion; those referring to the Sub-Commission on the Prevention of Discrimination and Protection of Minorities appear in paragraphs 1 to 5 and 8, and those referring to the Commission on Human Rights, which reviews the findings of the Sub-Commission, in paragraphs 6 to 10. Despite the clarity of these standards, not one was observed by those bodies in connexion with the denunciations against Chile, and they took decisions in violation of resolution 1503 (XLVIII). What they did, in fact, was to prejudge a country and, at the same time, make it possible for these United Nations organs to serve as tools for a political attack against a Member State, which is the same thing as interfering in its domestic affairs.

65. In adopting resolution 1873 (LVI) of 17 May 1974, the Economic and Social Council did not wait for the outcome of the study that the Commission on Human Rights, either on its own initiative or as required by the Sub-Commission, would have prepared on charges against Chile in conformity with resolution 1503 (XLVIII). It preferred to follow the path of approving an agreement before it had considered whether or not the informal information on which it was based was trustworthy.

66. I repeat: Chile was told on 27 August 1974 about the cases to be considered by the Commission on Human Rights in January 1975. But already, in the May previous, a prior agreement had been reached to the effect that the charges were true and proven. Is this the serious, considered, measured behaviour expected of a United Nations body? Is this the way to comply with resolution 1503 (XLVIII), which it itself established?

67. It is sufficient to read its provisions and those of resolution I (XXIV) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>11</sup> to see how flagrantly and contemptuously they were violated on that occasion. I do not wish to weary representatives by reading resolution I (XXIV), but it does state that communications will be admissible only after consideration thereof, together with the replies, of any of the Governments concerned, that they should contain a description of the facts, indicate the purpose of the petition and the rights that have been violated; that communications will be inadmissible if their language is essentially abusive and, in particular, if they contain insulting references to the State against which the complaint is directed; that they will be inadmissible if they have manifestly political motivations or if they are based on reports disseminated by mass media; that they will be inadmissible if domestic remedies have not been exhausted, and that there would be no consideration of communications relating to cases that had already been settled by the State. Each and every one of those standards has been repeatedly violated when accusations against the Government of Chile have been accepted.



68. The draft resolution submitted to the General Assembly against Chile has a third foundation. It states:

“Noting that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 8 (XXVII) of 21 August 1974, made an urgent appeal to the Chilean authorities to respect the Universal Declaration of Human Rights and to comply with the International Covenants on Human Rights signed and ratified by the Government of Chile,” [Ibid.].

69. Representatives must note with consternation, if they are sincere in wishing to encourage an efficient defence of human rights by the United Nations, that in the case of Chile, action has been taken disregarding all the rules and in a completely arbitrary fashion. Resolution 1503 (XLVIII) stipulates a compulsory procedure that requires the Sub-Commission to submit to the Commission on Human Rights any situations which

“... appear to reveal a consistent pattern of gross and reliably attested violations of human rights . . .”

70. We can see how it acted on this occasion. In the summary records of the meetings of the twenty-seventh session of the Sub-Commission we can see that it was at the request of Mr. Smirnov that the case of Chile was dealt with. The Soviet representative, at the 688th meeting, on 5 August 1974,<sup>9</sup> stated that he wished to draw the attention of the Sub-Commission to an extremely urgent matter which would brook no delay; the Sub-Commission must act as swiftly as possible to save from execution four people who were threatened with death. In his capacity as a member of the Sub-Commission, he had received communications from various sources describing brutal violations of human rights in Chile. The Economic and Social Council had already received testimony indicating that as many as 80,000 people had been killed. In subsequent meetings, Mr. Smirnov repeated his attacks on Chile and proposed a motion of condemnation.

71. Mr. Martínez Cobo, at the 711th meeting, on 21 August,<sup>12</sup> declared that [under item 11 of the agenda of the Sub-Commission] the Sub-Commission had heard representatives of non-governmental organizations denounce Chile and make all kinds of accusations against that country. The Sub-Commission had acted in accordance with its mandate and, in the absence of proof, had confined itself to listening to the testimony and transmitting it to the Commission on Human Rights. It could do the same in the current case.

72. Lady Elles, at the same meeting,<sup>12</sup> expressed regret at the turn that the consideration of agenda item 14 [of the Sub-Commission] had taken. She went on to say that the Sub-Commission was not acting in accordance with its mandate in concentrating on the situation in one country. Having made this point, Lady Elles announced that she would therefore abstain from voting, and requested that the word “reported” be inserted before the word “violations” in references to Chile. Mr. Abu Rannat<sup>12</sup> accepted the amendment without objection because he believed that it was designed to ensure that the Sub-Commission did not prejudge the question.

73. Lady Elles, in another statement, pointed out that the report of the Commission on Human Rights on its thirtieth session<sup>7</sup> did not mention gross and massive violations of human rights in Chile. Mrs. Daes, for her part, when announcing that she would vote for the draft resolution,<sup>12</sup> wished none the less to salve her conscience and therefore emphasized that the draft resolution should in no way constitute a precedent and that the Sub-Commission should henceforth conform strictly to the procedures laid down in Economic and Social Council resolution 1503 (XLVIII).

74. Miss Dubra abstained from voting<sup>12</sup> because she believed that the draft resolution might well constitute a dangerous precedent, which could be detrimental to the work of the Sub-Commission. Mr. Ingles stated that he had not supported the draft resolution,<sup>12</sup> and explained that he felt that the Sub-Commission had followed a procedure which departed from the provisions of Economic and Social Council resolution 1503 (XLVIII) in that it had removed the mantle of confidentiality from its proceedings and had taken a decision before the Government involved had been able to reply.

75. Despite these serious and well-founded reservations, the Sub-Commission approved the proposal of the Soviet Delegation. But what did it approve? It decided to submit this matter to the Commission on Human Rights, which would deal with it at its session in the coming year. But in addition, as that moderate action did not serve the purposes of the Soviet representative, the Sub-Commission approved a public statement, an urgent appeal to the Chilean authorities, an appeal with a clear political intent. I must remind representatives of the provisions of paragraph 8 of Economic and Social Council resolution 1503 (XLVIII):

“Decides that all actions envisaged in the implementation of the present resolution by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or the Commission on Human Rights shall remain confidential until such time as the Commission may decide to make recommendations to the Economic and Social Council.”

Therefore, resolution 8 (XXVII) of 21 August 1974 of the Sub-Commission was taken without any justification in serious breach of the procedure that had been established in Economic and Social Council resolution 1503 (XLVIII), with publicity, which was contrary to the binding rules. But representatives will be able to appreciate how useful these outrages have been in the campaign against my country. Today they even serve as proof and justification for the draft resolution under discussion.

76. As a fourth point, the draft resolution refers to resolution X of 24 June 1974 of the International Labour Conference,<sup>11</sup> which urged the Chilean authorities to cease violations of human rights and trade union rights.

77. The inclusion of the above-mentioned resolution as a basis for the present anti-Chilean draft does not lend it any strength. Quite the contrary; it merely serves to demonstrate the lack of consistency among the majority of the delegations to the International



Labour Conference and the swiftness with which the Third Committee acts now.

78. The ILO representative pointed out in the Third Committee<sup>14</sup> that, as early as May 1974—one month before the agreement was reached—Chile had agreed to receive the Fact-Finding and Conciliation Commission on Freedom of Association that had been proposed by the ILO, composed of persons whom Chile also accepted. This was also pointed out at Geneva at the Conference. However, and despite the sustained defence of our country by the Chilean trade-union leaders on the delegation, the Conference preferred to adopt a political decision, which first condemned and pretended to investigate later. There was no basis for that resolution. It was merely based on denunciations that had already been made and on the very denunciations that were to have been investigated and proven by the commission that had already been appointed by the ILO and accepted by Chile.

79. In the vote on that resolution, the representatives of France, the Federal Republic of Germany, Japan, New Zealand and Turkey abstained. Those are the same Governments that are now approving, as a basis for the present draft resolution, what they did not consider to be appropriate to approve at that time. However, the essential reason for abstaining at that time, manifested principally by the representative of France, still persists. He felt it was a text that condemned before carrying out any investigation or obtaining any proof.

80. Representatives must know that the ILO commission said that, on 27 November, after it had compiled the evidence it had received, it would go to Chile. Does this Assembly believe it to be a serious, responsible and dignified action to base a new resolution directed against Chile on the one adopted on 24 June when the investigation is just about to begin? Will it once again reach a judgement on the basis of unacceptable prejudice? So much aberration and injustice will not be on Chile's conscience, which is clear. Among the countries sponsoring the draft resolutions, there are many that have never accepted having such a commission within their borders. Since they do not accept such a procedure they are not investigated, nor are they sanctioned or condemned. But Chile, which does accept it, which is opening its doors, which is being investigated now, is hastily condemned, before the outcome is known.

81. The last preambular paragraph of the draft resolution now before the Assembly reads:

“Considering that, notwithstanding all the appeals made by various organs of the United Nations system, gross and massive violations of human rights . . . continue to be reported.”

It is interesting that representatives can at least evaluate an important, substantial part of these “reports”. Let us say, 330 of them. Indeed, 266 denunciations have exactly the same text, the only difference being the names of signatories. They were communicated to my country by the Secretary-General on 5 June 1974. The texts of those communications in themselves reveal that they are all inadmissible according to the provisions of Economic and Social Council resolution 1503 (XLVIII) and resolution 1 (XXIV) of

the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

82. I have here copies of the 266 communications with identical texts: they are inconclusive, general and vague; they do not describe the events or the rights that are supposedly being violated; they are “essentially abusive” and contain “insulting references to the State against which the complaint is directed”; and they are governed by “manifestly political motivations”.

83. Some 65 other denunciations, communicated on 7 June, which are all the same apart from the signatures, are also inadmissible for the same reasons and because “all available means at the national level” have not been “resorted to and exhausted”, as has been effectively demonstrated. The text referred to four death sentences handed out after trial by a military court, which were commuted a few days later by the competent judge in accordance with legal procedures that have been in effect for more than 50 years. For example, I shall read this brief text for the information of representatives.

*[The speaker continued in French.]*

“Kurt Waldheim, Secretary-General of the United Nations:

“The International Association of Democratic Jurists deeply concerned by sentencing to death of five members of the Chilean Socialist Party for legal activities under the Allende Government in contravention of universal principle of non-retroactivity. We request that you intervene to save these lives. Respectfully, Joe Nordmann, Secretary-General.”

*[The speaker resumed in Spanish.]*

84. It is thus quite obvious that the information referred to in the preambular part of the draft resolution is inadmissible in accordance with United Nations norms. Also, the repetition in unison of all the cardinal points, with the same text and at the same time, provides proof of the premeditation and political orchestration fabricated by Soviet communism.

85. Many other “reports” obtained during the course of the year and some that were put forward in debates in the Third Committee, provide new grounds for inadmissibility as they are based “exclusively on reports disseminated by mass media”.

86. Therefore, it cannot be denied that these items of information which “continue to be reported”, as the draft resolution states, do not constitute any valid foundation for the statement that indeed there does exist in my country the “gross and massive violations” for which it has been denounced. It is not genuine, trustworthy information, nor is it proven. It is inadmissible according to the norms of the United Nations itself.

87. But there is more. At the 2067th meeting of the Third Committee, during the discussion of draft resolution A/C.3/L.2108 [see A/9829, paras. 17-19], the representative of the United Kingdom proposed several amendments to the text, among them the insertion of the following two preambular paragraphs:

“Welcoming the fact that private and official groups have been permitted access to Chile to

observe and report on the observance of human rights within that country,

*"Encouraged by reports of an improvement in certain situations in Chile involving infringements of human rights, notably the release of persons detained without charges and the closing of detention centres."* [*Ibid.*, para. 18.]

That amendment was not accepted in the negotiations that followed. The representative of Greece said that she was pleased that references to the improvement in the situation in Chile were not included because, in her words, they "would lead dictators to believe that their régimes had become acceptable".

88. It was therefore evident that the only new information that had been received was favourable to Chile and it was not considered for exclusively political reasons.

89. The adoption of arbitrary, unfounded and discriminatory resolutions such as those adopted against my country in United Nations bodies, which are now supposed to be adopted in the plenary Assembly, establishes a sinister precedent. They open the way for an ill-informed majority or a majority politically influenced by a super-Power to accept misuse of the United Nations or to hand over its votes for an attack upon a country that a super-Power may wish to crush.

90. This misuse of the United Nations, resorted to today against Chile, might tomorrow be turned against any other country which, because of its domestic policies, could affect the political or economic interests of some Powers.

91. The United Nations earns no prestige in taking such action, and even less so when it is quite obvious—as it is now—that this action is a stage in a well-orchestrated aggressive policy. Soviet communism has not hesitated to use the United Nations as an additional prop in its campaign against Chile. The seriousness of such a cynical use of the United Nations is all the greater once we realize that in this case there has been misuse of one of the most important objectives of this Organization, that is, its concern for human rights. Soviet communism, the most pitiless and cold example of a system built upon the denial of all individual freedoms and rights, is none the less the one which dares to launch such an attack against my country—an unequivocal sign of its cynicism, but also a demonstration of its certainty of domination and neo-imperialist influence. At its instigation, aberrant and unfounded resolutions are being adopted and rules and procedures are being violated. At its instigation and under its unhealthy influence, even in such serious matters as those affecting human rights, the representatives of many Governments have lent themselves to this hypocritical masquerade; they have dared to condemn before any investigation and before the truth was known.

92. The United Nations today, apparently, is only interested in the human rights of Chileans. But not the human rights of the 10 million Chileans: interest is centred exclusively on the human rights of those few Chileans who, encouraged by Soviet communism, have engaged in acts that are in conflict with the law, morality and national interests. It is this very small sector that is supposed to have suffered serious violations of their rights and freedoms

93. As a Chilean I cannot be grateful for this preferential treatment, because it is too false and too hypocritical. We did not receive it when Chile was suffering under the arrogance and abuses of the previous régime. There is too much complicity, unscrupulousness or apathy in following this game of Soviet communism. But my country feels that it is its duty to warn representatives that, in this very sinister precedent being established in the United Nations today, the loss is greater for the United Nations than for Chile. Chile is being maligned and slandered, but its people is not being deceived. The people of Chile knows what the truth is; it lives it; it is creating it with its work and with its freedom, with its faith and with its unity. It is not confused nor can it be divided by such resolutions. It does not fear Soviet manoeuvres because it has already defeated them on its own soil. It despises them. It does regret that many nations are allowing this utilization of the United Nations, destroying the integrity of its standards and the seriousness of its actions.

94. Chile is a free nation. Freedom, law and the soundest democratic principles are a part of the essence of being a Chilean. After its declaration of independence, in 1810, the values of humanistic and Christian culture, cast in the Spanish mould, were formed into a State of law—republican, democratic and representative—which led to the creation and the progress of our country. And these are the values which, strengthened in adversity, rescued from Soviet destruction, inspire the action of the Chilean Government and find protection in its authority.

95. Therefore, it is to deliberately stray from the truth to attempt to portray the Government of Chile as one that violates human rights. Every substantive change of a political system—from a monarchy to a republic, from tyranny to democracy, from colonialism to independence—has been accompanied by violence and confrontation. History teaches us the heavy cost of revolutions for all peoples in all ages.

96. In world history, there are very few examples comparable to that of Chile, of such a profound revolution and one decisively defined by a total change of course, which has shown more respect for the human rights of the vanquished, and even of those foreigners who have come to interfere in our political life.

97. I should like to be precise, to support the truth of what I am saying. The revolution in Chile, as happens in every revolution, followed a hard road; but it was not sought nor was it desired. Prior to it, hatred divided Chileans: more than 100 assassinations in two years, of which the causes and circumstances are known, bear witness to that; thousands upon thousands of unpunished offences were protected by the Government; terrorist violence became a political weapon; family life, education, creative work, the social economy, citizen morality were destroyed; the powers of the State were abused and trampled upon daily by a Government acting outside the Constitution.

98. The people of Chile began a final protest. Working people in all professions, in all kinds of activities and offices suspended their work, calling upon the Government to resign. Women filled the city streets demanding that it step down. Young people fought in the streets and in the schools to demand the end of the destruction of Chile. Incipient but definite violence,

armed struggle and civil war began to spread throughout Chile. More and more cases of the illegal entry of thousands of weapons were reported. Applying the law for the control of weapons, the armed forces noticed how Soviet communism had been establishing and arming terrorist commandos and guerrilla training camps, and was actively preparing for a coup d'état to impose a Soviet dictatorship and destroy national independence.

99. Other branches of the Government also denounced this situation. The Supreme Court of Justice did so on 26 May 1973, in a communication which is already known to this Assembly since it was mentioned in my statement at the 2146th meeting of the twenty-eighth session. On 22 August 1973, the Chamber of Deputies, in an impressive show of agreement, denounced the unconstitutionality of the Government and enumerated a long list of infringements and arbitrary acts committed by it. I shall not repeat every one so as not to tire representatives, but the list ends by mentioning the violation of such rights as university autonomy, freedom of assembly, freedom of teaching, the right to property; acts such as the illegal arrest of people for political reasons, those arrested being subsequently flogged and tortured; the denial of the rights of workers and their trade unions; the violation of the constitutional guarantee of the right to leave the country; and sheltering seditious organizations and the formation of armed groups. The Chamber of Deputies agreement concluded by calling upon members of the armed forces to put an immediate end to all the situations referred to above which infringe upon the Constitution and the law.

100. Similar communications came from the College of Engineers and from the College of Physicians—which had an established leftist policy and of which President Allende had been chairman for a long time—concluding with the request that he resign from the presidency of the Republic. Also, from the Confederation of Professionals and Technicians came a petition signed by lawyers, architects, workers in civil construction, dentists, librarians, agronomists and so on; on 2 September, reporters requested United Nations intervention "to safeguard the fundamental values and principles for the full exercise of democracy in Chile".

101. It is a matter of record for representatives that at the beginning of September 1973 Chile had become practically paralyzed. There was no food; the streets were in the power of extremists; and the armed forces, obeying the call of the people, of the Supreme Court of Justice, of the Chamber of Deputies, and of all the trade unions in the country, took a historic decision on 11 September. That was a legitimate act as in history it has always been legitimate for a people to struggle for its freedom and its independence.

102. When the military Junta took over the Government, it was nevertheless anxious to avoid the excesses which might have been expected because of the hatred and violence prevailing in the country. Accordingly, one of the first measures taken was to prevent people from going out into the streets to carry out personal acts of revenge against the supporters of the previous régime. To that same end, all were urged to hand in their weapons to the churches, of any denomination, and to do so anonymously. The result was that thousands of weapons were picked up by the authorities.

103. Thousands of foreigners had come into the country after the previous Government had come into power. The vast majority belonged to extremist or terrorist movements in other Latin American countries, who had chosen Chile as their centre of operations with official protection. All of them left the country under the direction of the United Nations High Commissioner for Refugees, who, once he had concluded his work in Chile, acknowledged the co-operation of the present Government. More than 8,000 persons were granted asylum in foreign embassies; from political leaders to people who had never been sought by the forces of justice, all were given safe conducts to leave the country, even when Governments with which there was no convention on the right of asylum were involved. Those held under the State of Siege Law, which has been in force since 1874 and applied in the past by various Governments, now number fewer than 1,000. My Government is hoping that, with the aid of the International Committee of the Red Cross, a large number of these people will be able to leave Chile soon if they so desire.

104. Since the very outset we have been open to receiving observers from all parts of the world, because we believed that this attitude would be consistent with the freedom-loving traditions of the people of Chile. For some this might appear inexplicable or naïve, and would serve as an additional argument for the enemies of Chile. My Government has not failed to take this into account in its analysis; but in spite of it, we have permitted what almost no other country in the world would have allowed—that international commissions visit the detention centres and in all freedom record conversations will all kinds of detainees. The vast majority stated, as was logically to be expected, that their detention was unjust and that they had been badly treated by the authorities in charge of the detention centres. We are prepared to investigate and to reply in all concrete cases submitted to us, and within the time-limit set for us we shall deliver our reply to the Commission on Human Rights, to demonstrate that, despite everything, we respect the moral commitments contracted by our country. We have no doubt that in the minds of honest men, we shall gradually re-establish the truth, and that is more important to us than any adverse votes cast for motives alien to the cause of justice.

105. The United Nations should not lend itself to serving the aggressive political purposes of the Soviet Union against Chile. Soviet communism is using in this campaign the puppet régimes in its area and the unstable Governments of some democracies, which need the support of Communist votes to maintain their fragile parliamentary majorities. They have been using—and we have been able to prove it—international organizations, thus distorting their purposes, and have mounted a gigantic offensive of world propaganda, playing the same farce in all continents, in all languages, in every nation, in unison, at each Soviet order. The Soviet campaign has various purposes, none of which, of course, has anything to do with human rights. The purposes are political, and are connected with the neo-imperialist interests of Soviet communism. In Chile they suffered a gigantic failure. A carefully planned strategy failed. That strategy was to introduce, in the democracies, as though with a new Trojan horse, the tactics of "the legal



way to communism". In Chile it was demonstrated that this was a fraud: a temporary mask, to be torn off on reaching the Government. In Chile, the Soviet economy failed. The economic methods followed were so disastrous that the country was left with no reserves, with no food, with no development, with its debts unpaid and with a real inflation exceeding 1,000 per cent during the last 12 months of the previous régime.

106. The Soviets were not able to sustain the economy, nor satisfy the needs for credits, food, machinery and technology. They proved that their support was a gigantic bluff. In Chile, in a very special way, the Soviet image was shattered. The world could see that Soviet friendship was non-existent but Soviet imperialism was real; that aid did not exist, but rather Soviet neo-colonialism; that there was no collaboration or co-operation, but rather Soviet interference; that there were no cordial relations, but rather Soviet espionage and subversion.

107. Soviet interference in Chile was not an isolated case; it was a permanent policy. Since the United Nations has existed, the Soviets have come here to present themselves as the champions of peace. But more than 530 Soviet agents have been expelled from 57 countries throughout the world for espionage or subversive activities. I have the list here, but I shall not read it in order not to weary the Assembly.

108. To all the above must be added the interference by communist parties controlled by the Soviets, which they direct in most countries of the world.

109. The intervention of Soviet communism in the internal affairs of other States is, accordingly, not a phantom; it is a reality and a threat. The bitter experience of Chile should be making all Governments represented here reflect, instead of contributing with their support or indolence to easing the plans for domination of this new imperialism, which one day may strike any of those who naively play its game today. Soviet communism is making use of every possibility open to it. While democratic nations are generously opening their doors, delivering food and transferring technology to them, the Soviets seek to destroy them from within. Western Governments, and the private sectors, which often exert pressure on those Governments in order to negotiate with the Soviets, seem unaware that the latter still value Lenin's tactical thinking: "A bourgeois is always willing to sell the rope to hang him with, as long as he thinks he will make money".

110. The developing countries, for their part, do not fully understand that the Soviet Union is not and never will be a true supporter of either their rights or their interests. It pretends to support them in their differences with the capitalist nations, but only when that suits its political aims. It has been seen that in questions that are of such importance to the developing countries as, for example, the Law of the Sea or the review of the United Nations Charter—the Soviet Union immediately aligns itself with the major capitalist nations and against the developing nations.

111. That fact means, consequently, that the developing countries can take one of two paths: a dependent path or their own path.

112. The former régime of Chile, based on Soviet communism, followed a path dependent on "big brother"—as the Soviet Union was called. That resulted in a twofold failure. It was an economic failure, because of the neo-colonialism implicit in dependence on the Soviet Union; and it was a political and social failure, because freedom was destroyed and national sovereignty undermined.

113. Following one's own path means taking a nationalistic position, living in independence and freedom, faithfully maintaining one's own traditions and culture. It means that Governments are able to define their objectives and guide their action without foreign interference, and that they can adopt their own effective and realistic solutions to confront and solve their problems of economic development and social progress.

114. Chile, which has had the bitter experience of a dependent Government, an experience that culminated in a deep crisis, today takes a nationalistic and renovating position. It seeks to rebuild its unity and ensure social justice, so often promised but always a mockery. Chile is prepared to support, together with all the peoples struggling for their freedom and development, the new features of the world of tomorrow.

115. National liberation, a resurgence of that Chilean spirit of progress and creativity that made of the poorest of the Spanish colonies a show-case for America and the Pacific, as well as the reconstruction of our economy and the progress and well-being of our people, will make it possible for us to regain our vanguard position and contribute to the common cause of the developing countries.

116. In the course of history, we have left behind old, outmoded capitalistic and colonialistic systems, which have no place in our times. Nor is the Communist Manifesto any longer a novelty or an advance. It was a novelty of the Victorian era, when the steamship was too. Today the ideas of that Manifesto are outmoded and retrograde. Hence, because it does constitute a step backward for mankind, it can be imposed and maintained only through oppression and violence.

117. Chile aspires to struggle for a new world in which the spiritual, cultural and moral values that shape each nation will have full force. We are struggling for a world free from poverty, oppression, hypocrisy, a world in which men and peoples will be able to live in true security, will be able to progress, and will have freedom of thought.

118. That is the task that we Chileans have set ourselves to accomplish as Chile's destiny. To that end, my country, supported by the strength of its tradition and the will of its united people, today rejects this unjust and hypocritical resolution and reiterates its intention to accept no foreign interference in its internal or external policy.

119. Representatives here can be certain—as the people of Chile are certain—that Chile will defend its sovereignty, its freedom and its independence against any attempts at foreign interference or intervention.

120. The PRESIDENT (*interpretation from French*): We shall take up first part I of the report of the Third Committee on item 12 [A/9829]. I now call on repre-

sentatives wishing to explain their vote on one or more of the draft resolutions recommended by the Third Committee in its report.

121. Mr. OSMAN (Egypt) (*interpretation from Arabic*): I should like to refer to draft resolution III, entitled "Assistance and co-operation is accounting for persons who are missing or dead in armed conflicts". The delegation of Egypt will vote in favour of that draft resolution, but wishes to place on record the following remarks.

122. First, Egypt will vote in favour of that draft resolution because of its deep awareness of the need to respect humanitarian principles in all circumstances.

123. Secondly, that stand must be understood in juxtaposition with the clear and unswerving position of principle that the Geneva Conventions<sup>6</sup> must be regarded as an integral instrument and all of them must be enforced.

124. Thirdly, on the basis of clear and specific resolutions adopted unanimously by the General Assembly in this field, we must reject and protest against the attitude of any State that refuses to implement any of the Geneva Conventions or related conventions.

125. Fourthly, no country can single out certain provisions of the Conventions that it deems in keeping with its own interests and abide by them, while refusing to abide by the obligations flowing from the Conventions as a whole. Egypt states its rejection of such a concept, which it considers to be in complete contradiction with all the principles of international law and the humanitarian considerations at the basis of the draft resolution to which I am now referring.

126. Egypt's attitude on draft resolution III, on which the Assembly is about to vote, will be based on the foregoing considerations.

127. Mr. ŠMÍD (Czechoslovakia): My delegation would like to explain its position on draft resolution II of the report, regarding the protection of human rights in Chile. This draft resolution pertaining to fundamental human rights in Chile responds to the existing situation in that country, which is characterized by the brutal mass violations of the most fundamental human rights and freedoms by the Chilean military junta. The fact that violations of fundamental human rights in Chile continue has been evidenced by a number of clear facts that have been compiled in the debates in the Third Committee. I should also like to recall in this context the recent statement by the International Commission of Jurists based on direct analysis as well as an evaluation of the present alarming situation.

128. The number of sponsors of this draft resolution, their geographical composition as well as the fact that the draft resolution was supported by the overwhelming majority of delegations in the Third Committee clearly proves that in its present form the draft resolution represents the unified efforts of countries with differing social systems, and is not just the result of the efforts of a particular group of countries or, more specifically, of the socialist countries, as the agents of the junta are repeatedly trying to tell us here. We unfortunately have been forced to listen to a long statement by the representative of the Chilean junta, and I must say that we did not find anything new in it. It was merely the old anti-Soviet and anti-social-

ist propaganda in the typical old fascist style. The reason is very simple. The representative of the military junta was cornered and he therefore grasped at the usual old and shabby tactics of attacking the socialist countries. We know this tactic from the past. We have had our own experience in this field from the time of Nazi Germany, and we do not deem it necessary to deal with it now. My delegation, as well as the delegations of the other socialist countries, stated their positions fully on this matter in the plenary meetings and in Committee meetings. As I have already said, our delegation does not deem it necessary to repeat what it has already said on those occasions with respect to the continuing provocative statements made by the representatives of the Chilean junta who, at the same time, show a total disregard for the dignity of this Organization.

129. As I have said, the draft resolution represents the unified efforts of countries with differing social systems. Those efforts are aimed at putting a stop to the gross and massive violations of elementary human rights in Chile and at freeing thousands of innocent people imprisoned by the junta, including members of the Government of Popular Unity and important representatives of Chilean political, public, cultural and scientific life. The Czechoslovak people and Government emphatically request that the General Secretary of the Communist Party of Chile, Mr. Luis Corvalán, and the Minister for Foreign Affairs of Chile, Mr. Clodomiro Almeyda, be set free from among those imprisoned. The latter was, among other things, also a representative to the United Nations.

130. The United Nations must not remain passive in the face of the gross violations of fundamental human rights in Chile, but is bound to respond in a resolute manner, in accordance with the principles of the Charter, to the resentment of the great democratically-minded masses of the people in the whole world and to the demands made by a large number of Governments of Member States and by international and national organizations to adopt immediately the strongest measures in order to restore human rights in Chile.

131. That is why Czechoslovakia expressed its full support of the draft resolution adopted on the situation in Chile in the Third Committee [*draft resolution II*] as well as the draft resolution requesting the freeing of the Minister for Foreign Affairs of the democratic Government of Chile, Mr. Clodomiro Almeyda, which was adopted in the Second Committee and also here in plenary meeting a short while ago [*see para. 21 above*]. I should like to express not only our conviction that the United Nations will adopt the draft resolution before us and will spare no effort towards the immediate and full implementation of both the draft resolutions I have mentioned, but also my Government's support of the measures to fulfil the above-mentioned aim that will be considered and taken by you, Mr. President, in co-operation with Mr. Waldheim, the Secretary-General of the United Nations.

132. Mr. KAUFMANN (Netherlands): My delegation was able to support each of the draft resolutions now before the Assembly. My delegation is gratified that, in draft resolution I, the Assembly—after reaffirming the absolute rejection, in its resolution 3059 (XXVIII), of any form of torture and other cruel,

inhuman or degrading treatment or punishment—is deciding this year to attempt to strengthen the structure of rules and guidelines which should govern the conduct of every person who exercises authority over individuals in detention. My delegation hopes that in this manner a first effective step will be taken to provide remedies for and strengthen the defence of those unfortunate individuals who fall victim to these evil practices.

133. This draft resolution can be nothing more than a first step, because the relationship between the individual who is the victim and the authorities who resort to the use of torture as a systematic State policy is an unequal one. While, on the one hand, we now attempt to make a start with the strengthening of the normative structure that could give the victim some measure of protection, we must, on the other hand, attempt to increase the awareness that torture can never be resorted to. Article 5 of the Universal Declaration of Human Rights permits no limitation: it applies to all—therefore, also to all those whose freedom of movement is restricted, for whatever reason, criminal, political, medical or other.

134. Draft resolution V, concerning human rights and fundamental freedoms, in so far as it is directed to the situation obtaining in southern Africa, is more specific. My delegation can support this draft in its principal intent, that is, the protection of the human rights and fundamental freedoms of all; and in its main purpose, to strengthen respect of the rights of, in particular, the peoples of southern Africa.

135. However, we cannot support operative paragraph 5 of this draft resolution. The reference in this paragraph to the North Atlantic Treaty Organization [NATO] is unacceptable to my delegation, for it infers that there could be a connexion between NATO and the racist régimes in southern Africa. We reject the notion of any such connexion.

136. Draft resolution II concerns the protection of human rights in Chile. As such it is directed to one Member State of our Organization. Throughout the year, several organs of the United Nations and indeed some of the specialized agencies have given expression to widespread concern over the protection of human rights in that country. Member States of those organs, exercising their prerogatives, based themselves on the many reports from private sources and information they possessed through their own sources and work done by other international organizations. In doing so, they did not disrespect the procedure specially established for this purpose by Economic and Social Council resolution 1503 (XLVIII), which is concerned with the procedure to be followed by the different organs of the United Nations in dealing with communications indicating gross and persistent violations of human rights submitted directly to the Organization by private individuals and groups. The organs of the United Nations have, however, exercised great care not to prejudge the issue. My delegation notes that the draft resolution submitted to the Assembly today follows this pattern. While it clearly expresses the concern that was raised by the many reports and indications concerning the protection of human rights in Chile and urges the Chilean authorities to respect fully the principles of the Universal Declaration of Human Rights, it also endorses the recom-

mendation of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities in its resolution 8 (XXVII) that the Commission on Human Rights should study those reports. Indeed we welcome such a study. The expressed willingness of the Chilean authorities to co-operate with the United Nations bodies studying the situation assures us that the Commission will be able to obtain a balanced and correct view of the protection of human rights in Chile.

137. The draft resolution, furthermore, empowers you, Mr. President, and the Secretary-General to assist in any way you may deem appropriate in the protection of human rights and fundamental freedoms. With this the Assembly places a heavy burden on you and also on the Secretary-General. We do so, however, with the certainty that, guided by your combined experience and wisdom, you and the Secretary-General will be able to find appropriate ways in which the protection of human rights and fundamental freedoms in Chile can be enhanced.

138. Finally, the draft resolution calls for a report to the General Assembly at its thirtieth session, concerning the situation in Chile. The Netherlands delegation hopes that this report will be of such a nature that the grounds for our concern will be dissipated and that it will assure us that the basic human rights enshrined in the Universal Declaration of Human Rights, a document to which Chile adheres, are respected in full. My delegation will vote in favour of this draft resolution.

139. Draft resolution III concerns assistance and co-operation in accounting for persons missing or dead in armed conflicts. My delegation supports this draft also, since it relates to a question touching upon a basic task of our Organization, that is to say, the promotion of co-operation to resolve humanitarian questions. The draft resolution focuses our attention on a particular problem, but the fact that it is particular does not mean that we should not consider it.

140. Finally, we have before us a draft resolution concerning the improvement of the effective enjoyment of human rights and fundamental freedoms [draft resolution IV]. This draft is essentially procedural. Its purpose is to ensure that the General Assembly at its thirtieth session can adequately and substantively deal with the intricate item concerning "alternate approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms". The draft, in so far as it is procedural, does not touch on the substance of the question. It neither prejudices that discussion nor forecloses any aspect of that discussion. It will only facilitate it, and for that reason my delegation fully supports it.

141. Miss DIAROMEYE (Niger) (*interpretation from French*): My delegation would like to explain its vote on draft resolution III, in regard to assistance and co-operation in accounting for persons who are missing or killed in action.

142. My delegation could not oppose a draft resolution on such a poignant subject as the search for persons missing in action. We could not oppose a draft resolution having to do, *inter alia*, with the Geneva Conventions to which we are a party. We are per-



fectly aware of the extreme importance of dissipating doubt for a mother, a father, a wife or a brother with regard to the fate that has befallen one of theirs. Nevertheless, we would emphasize the ambiguity and the misinterpretation that could result from the first sentence of operative paragraph 2, which begins: "Calls upon parties to armed conflicts, regardless of their character or location . . .". We emphasize the words "regardless of their character or location".

143. In the statement he made from this rostrum a few weeks ago, the Minister for Foreign Affairs and Co-operation of the Republic of the Niger stressed that the Niger has no enemies and that the Niger is a country of peace [2253rd meeting, para. 224]. So, if I emphasize operative paragraph 2 of this draft resolution, it is precisely in order to show that sometimes, even often, there are conflicts imposed by certain Powers that, as a counterpart, because of humanitarian considerations, lead to inappropriate demands. Therefore we emphasize that our vote will in no way detract from our vigorous denunciation, which was expressed elsewhere, of imperialist interventions and interference.

144. Mrs. WARZAZI (Morocco) (*interpretation from French*): My delegation would like to explain its stand once again, since we are about to vote on the draft resolution on the violation of human rights in Chile [draft resolution II].

145. Because of the importance of the draft resolution before us and particularly in the light of the atmosphere in which this draft was submitted, my delegation would like once again to specify its position concerning this vote, which should take place with a full knowledge of the facts.

146. In fact, as I said at the 2070th meeting of the Third Committee,<sup>15</sup> the draft resolution encompasses for the first time one element that, if need be, could be applicable to any country, whichever it may be, that has been guilty of gross and massive violations of human rights, disturbing to the world conscience. This is included in operative paragraphs 5 and 6 of the draft resolution. The General Assembly, in fact, in voting on these paragraphs, gives itself, so to speak, the right of deciding on violations of human rights of which people in any given country would be victims, and in so doing, it can also—although we do not know exactly in what way—participate in the re-establishment of the basic human rights and freedoms of Chile today, and perhaps of another country tomorrow, if, of course, the Assembly acts with total impartiality and therefore does not in any way take sides.

147. The Moroccan delegation has no difficulty in voting in favour of the two paragraphs that introduce this new element in United Nations resolutions. We should like to point out, however, that our vote for this draft resolution will be given for strictly humanitarian reasons. Consequently, we feel that the case of Chile should in no way be viewed as an isolated one in the annals of the United Nations.

148. The PRESIDENT (*interpretation from French*): The General Assembly will now vote on the five draft resolutions recommended to it by the Third Committee in paragraph 36 of document A/9829. Draft resolution I is entitled "Torture and other cruel, in-

human or degrading treatment or punishment in relation to detention and imprisonment".

*Draft resolution I was adopted by 125 votes to none, with 1 abstention (resolution 3218 (XXIX)).*

149. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution II, entitled "Protection of human rights in Chile". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Afghanistan, Algeria, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Colombia, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Equatorial Guinea, Finland, France, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zambia.

*Against:* Argentina, Bolivia, Brazil, Chile, Guatemala, Nicaragua, Paraguay, Uruguay.

*Abstaining:* Barbados, Costa Rica, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Haiti, Honduras, India, Indonesia, Israel, Jordan, Laos, Lebanon, Malawi, Malaysia, Philippines, Singapore, Spain, Thailand, Togo, Uganda, United States of America, Venezuela, Zaire.

*Draft resolution II was adopted by 90 votes to 8, with 26 abstentions (resolution 3219 (XXIX)).<sup>16</sup>*

150. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution III, entitled "Assistance and co-operation in accounting for persons who are missing or dead in armed conflicts".

*Draft resolution III was adopted by 95 votes to none, with 32 abstentions (resolution 3220 (XXIX)).*

151. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution IV, entitled "Improvement of the effective enjoyment of human rights and fundamental freedoms". The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

*Draft resolution IV was adopted (resolution 3221 (XXIX)).*

152. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution V, entitled "Human rights and fundamental freedoms". A separate vote has been requested on operative

paragraph 5. If I hear no objection, we shall vote first on operative paragraph 5 of draft resolution V.

*Operative paragraph 5 was adopted by 94 votes to 10, with 25 abstentions.*

153. The PRESIDENT (*interpretation from French*): I shall now put to the vote draft resolution V as a whole.

*Draft resolution V, as a whole, was adopted by 119 votes to none, with 10 abstentions (resolution 3222 (XXIX)).*

154. The PRESIDENT (*interpretation from French*): A number of representatives have asked to speak in explanation of vote. I shall now call on them, beginning with the representative of the Federal Republic of Germany.

155. Miss VOLLMAR (Federal Republic of Germany): My delegation would like to explain its vote on draft resolution V, entitled "Human rights and fundamental freedoms". Our explanation of vote on this draft resolution in the Third Committee was not correctly reproduced in the summary records.

156. As we have already stated in the Third Committee,<sup>17</sup> my delegation agrees with the general thrust of draft resolution V. Our general attitude with regard to the situation in southern Africa and our rejection of the policy of *apartheid* have also been expressed repeatedly in the Third Committee. In particular, my delegation pointed out that the Federal Republic of Germany respects the embargo against Southern Rhodesia and does not furnish arms to South Africa.

157. With regard to operative paragraph 5 of the draft resolution that has just been adopted and the reference to NATO, we should like to emphasize that the organization was founded to save member States from oppression and to ensure their enjoyment of their human rights. Today that organization has become an essential pillar on which a policy of *détente* and peace in the world can be based. It is an alliance for defensive purposes only and is restricted to the geographical region of the North Atlantic. Reference to NATO in connexion with the criticism paragraph 5 seeks to formulate with respect to certain countries which happen to be members of NATO does not seem to be very logical and is indeed irrelevant. NATO has nothing to do with the problems with which draft resolution V deals.

158. In view of the foregoing, we voted against operative paragraph 5 and had to abstain in the vote on the draft resolution as a whole.

159. Mr. SCHAUFLE (United States of America): My delegation would like to say how warmly it welcomes the initiative taken by the United Kingdom in proposing the draft resolution concerning improvement of the effective enjoyment of human rights and fundamental freedoms [draft resolution IV]. Despite the achievements of the United Nations bodies responsible for human rights, we believe that the United Nations can and should be more effective in this field. The resolution we have just adopted is an essential step towards the goal of improving the United Nations machinery for safeguarding human rights. We hope that all Member States, specialized agencies and regional organizations will respond to this resolu-

tion with seriously considered ideas for improving that machinery.

160. My delegation also hopes that, with the co-operative efforts of all Member States, there will be a constructive and well prepared discussion of this important subject at the thirtieth session of the General Assembly.

161. Mr. SAFRONCHUCK (Union of Soviet Socialist Republics) (*interpretation from Russian*): Today the General Assembly has adopted a number of draft resolutions on human rights submitted by the Third Committee. In the opinion of the Soviet delegation, of particular importance for guaranteeing respect for human rights and fundamental freedoms are the resolutions concerning the right of the peoples of southern Africa to self-determination, freedom and independence, human rights in Chile and the inadmissibility of torture and other inhuman treatment. In this connexion, we should like to say how pleased we are at the successful outcome of the work of the Third Committee in the sphere of human rights.

162. The Soviet delegation particularly welcomes the adoption of the resolution designed to restore and protect human rights in Chile. By manifesting the gravest concern at the constant gross violations of human rights in Chile, the General Assembly has expressed its condemnation of the crimes perpetrated by the junta in Chile. We view the adoption of this resolution by the General Assembly as a very timely act dictated by the urgent need to put an end to the persistent, gross and massive violations of the most elementary human rights of the people of Chile by the Chilean military machine, which has been accompanied by unprecedented and widespread cruelty.

163. It is our firm conviction that the terms of the resolution represent the very minimum that the United Nations should do, in view of the prevailing conditions, to restore human rights in Chile, rights which have so flagrantly been violated by the fascist military junta. We cannot fail to note that it is precisely the repression by the Chilean junta which served as the decisive reason that gave rise to the adoption at the same time of another resolution, in which emphasis is laid on the inadmissibility of torture and other inhuman treatment.

164. The resolution the purpose of which is to restore and protect human rights in Chile was just adopted by an overwhelming majority—by 90 votes. It was supported by States Members of the United Nations from all the geographic groups of all the continents of the world, with different social and political systems.

165. More than a year ago the Chilean military junta, encouraged by imperialist circles from abroad, carried out a heinous crime, the murder of the constitutional President of the country, the distinguished statesman Salvador Allende, and overthrew the Government of Popular Unity and established a bloody dictatorship in the country. Many thousands of persons who are now dead and persons who have been tortured and thrown into jails and concentration camps have been denied their most elementary human rights. Because of persecution, they have been obliged to leave their country. And this is far from being a complete list of the crimes committed by the junta

and the sufferings to which it has doomed the Chilean people.

166. The pace of massive repressions in Chile is not slackening. They are being carried out with a ruthlessness and cruelty so extreme that there is no country in the world whose people has not been shocked and outraged by the crimes of the Chilean military machine. The whole country has been turned by the fascist junta into a huge gaol in which people are being harassed, tortured and killed solely because they are patriots and democrats and because they supported the Government of Popular Unity. The Chilean junta has trodden underfoot the human rights and fundamental freedoms proclaimed in the Charter of the United Nations and in the Universal Declaration of Human Rights and in the International Covenants on Human Rights [*resolution 2200 A (XXI), annex*], which have been ratified by the Government of Chile.

167. The crimes of the junta are continuing, notwithstanding the indignation and protests of world public opinion, in blatant defiance of many United Nations resolutions and other international organizations. Even now, in the prisons and concentration camps of Chile tens of thousands of patriots and democrats are languishing. Among them are an outstanding representative of the Chilean people, a Senator of the National Assembly, the General Secretary of the Communist Party of Chile, Luis Corvalán; the former Minister for Foreign Affairs, Socialist Clodomiro Almeyda; and other prominent figures of the Government of Popular Unity. Their lives are in mortal danger.

168. The resolution that has just been adopted by the General Assembly calls for the immediate liberation of all patriots and democrats. To the powerful voice of world public opinion, which has resolutely condemned the rampant terror and violence in Chile, there has been added the authoritative voice of the General Assembly of this Organization. The adoption of this resolution is a clear manifestation of international solidarity with the Chilean people and evidence of the determination of the international community of States to bring about a restoration of human rights and fundamental freedoms, which have been trodden underfoot by the fascist junta. The agents of the Chilean junta have even today been trying in every possible way to prevent the General Assembly from considering the question of these flagrant violations of fundamental human rights in Chile, and in an attempt to do this they brought into play the whole arsenal of completely unworthy methods available to them: lies, hypocrisy, brazen slander and demagoguery.

169. The main purpose of the emissaries of the Chilean Fascists is to divert the attention of world public opinion from the crimes they have committed. However, as was only to be expected, these cheap ploys proved incapable of deceiving anyone. The crimes committed by the junta are so monstrous, the list of their victims so colossal and the repressions and persecutions so ruthless and cruel that the General Assembly at this session could not fail to take appropriate measures. The adoption of the resolution will serve as a stern international condemnation of and warning to the junta, showing them that they cannot wriggle out of their situation by devious means and deceit. International public opinion and history have already passed a stern but just sentence on Chile, and

the day when that sentence is carried out surely cannot be far off.

170. In its resolution the General Assembly demands that the Chilean authorities fully respect the principles of the Universal Declaration of Human Rights, that they take all necessary steps to restore and safeguard basic human rights and fundamental freedoms, particularly those involving a threat to human life and liberty, that they release all persons who have been detained without charge or imprisoned solely for political reasons and that they continue to grant safe conduct to those who desire it.

171. The task to be undertaken now is to achieve the most rapid implementation of all the terms of the resolution.

172. The Soviet Union has consistently and resolutely opposed gross and massive violations of human rights, no matter where they have occurred, among them those perpetrated as the result of the policies of colonialism, racism and *apartheid*. Recent confirmation of this was the fact that the Soviet Union, together with African and other countries, voted in favour of the Security Council draft resolution calling for the expulsion of South Africa from the United Nations.

173. With regard to the adoption of the resolution on the protection of human rights in Chile, the Soviet delegation considers it its duty to draw attention to the alarming news of the danger threatening distinguished figures in the anti-imperialist forces of patriots and democrats in Uruguay. Their fate is of concern and alarm to the entire world community. The Soviet delegation calls for an end to their persecution and for the release of the senior Deputy of the Uruguayan Parliament and distinguished Latin American figure, the General Secretary of the Central Committee of the Communist Party of Uruguay, Rodney Arismendi, and other fighters in the anti-imperialist movement whose lives are in the gravest danger.

174. As Members in this Hall are well aware, all those who have taken part in this session of the General Assembly know that a group of delegations a month ago from this rostrum raised the question before the President of the General Assembly and the Secretary-General of the United Nations, that they, having confirmed the general will of the United Nations in the General Assembly, should issue a demand that an end be put to the fascist terror in Chile and that the democrats and patriots in Chilean gaols should be released. An expression of the will of the Assembly is to be found in the two resolutions on this question adopted today. The Soviet delegation hopes that on the basis of those resolutions the President of the General Assembly, and also the Secretary-General, will take all necessary measures on this urgent and pressing matter.

175. Mr. NORWORYTA (Poland) (*Interpretation from Spanish*): The Polish delegation would like to express its satisfaction over the adoption by the General Assembly of two very important humanitarian resolutions. I should like to stress the singular importance of the resolution approved by the General Assembly of the United Nations in defence of human rights in Chile.

176. The representative of the military junta of Chile expressed once again false and tendentious arguments,



attempting in vain to distract the attention of the Assembly and influence its decision. He endeavoured to capitalize on the gross anti-communism and anti-sovietism which are a tool of cold-war politics, forgetting that these can hardly convince anyone and that they belong to the past and not to the era of world *détente*.

177. The wide support given to the resolution by countries from various geographical areas and of different political ideologies confirms the isolation of the Chilean junta and the universal condemnation of its crimes. The General Assembly has participated actively in the world protest against the terror and cruelty of the fascist dictatorship in Chile. It has expressed its solidarity with all those who uphold democracy and freedom, who cannot remain impassive vis-à-vis the tragedy of the Chilean people. The above-mentioned resolution is an important action taken by the world community. It confirms the goals of the United Nations Charter and the Universal Declaration of Human Rights in so far as protecting man's rights is concerned. The resolution should provide a solution to the urgent, pressing problem, which is a challenge to the democracy of the vast majority of nations and peoples, something that is contrary to the basic human rights, freedoms and dignity of man.

178. Because of the above, the Polish delegation once again requests the release of all political prisoners and demands that an immediate end be put to oppression and arbitrary detention in Chile and supports the request for an end to be put everywhere to the repression of democrats persecuted because of their political ideas. Because of this we associate ourselves with all those who have spoken in favour of the release of the eminent figure and outstanding leader of the working class, Rodney Arismendi.

179. My delegation would like to stress the urgent need for implementing the resolution on the protection of human rights in Chile. Despite the assertions of the junta and of its representatives, according to which the situation in the country is returning to normal, thousands of persons continue to be deprived of the most basic human rights. Quick and decisive action on the part of the United Nations can remedy the situation and even have a decisive influence on their fate. We are convinced that the United Nations, if it takes adequate steps, can contribute to the end of repression, to the release of detainees and to the restoration of democratic rights in Chile. This would thus confirm in practice the role for which the United Nations was created, *inter alia*, upholding human rights, fostering respect for those rights and for the basic freedoms of men everywhere.

180. Mrs. WATANABE (Japan): My delegation voted in favour of draft resolution II concerning the protection of human rights in Chile in the Third Committee and it did so here in the plenary Assembly. We should like to give an explanation of our vote so that the position of the Government of Japan will be clearly recorded and our intentions correctly understood.

181. The Japanese people attaches great importance to the protection of human rights and is much concerned in the question of human rights throughout the world. For its part, the Government of Japan has given all possible support to the suggestions and recom-

mendations made within the framework of the United Nations and related agencies regarding measures to strengthen the protection of human rights whenever these questions have arisen.

182. My delegation supported the present resolution since it expresses the concern of the United Nations over a number of reported incidents that seemed to involve violations of human rights and we are inclined to share the concern over these reported incidents. However, my delegation believes that the General Assembly's expression of concern should be followed by fact-finding efforts because this resolution is based on what it terms "reported violations of human rights". Therefore the facts must be further ascertained wherever this is possible. If these reports should prove to be unfounded, we should feel much relieved.

183. As my delegation mentioned when we explained our vote after the vote in the Third Committee,<sup>18</sup> we considered it very important to take note in this connexion that the Chilean authorities had responded favourably to the request for the visit of a fact-finding and conciliation commission from the ILO. We also consider it important to pay due regard to the statement made by the representative of Chile in the Third Committee that the Government of Chile had invited the Secretary-General of the United Nations to go to Chile.

184. My delegation views with concern the reported violations of human rights in Chile, but we have also taken note of the statement of the Chilean delegation that the Government of Chile had generally allowed those desirous of leaving the country to do so and that 14,000 persons have thus been able to leave and that of the 11,000 persons originally detained under the emergency law, more than 500 have been released.

185. My delegation would like to add that acceptance of the paragraphs of the resolution calling for the re-establishment of human rights in Chile is based on the assumption that the reported violence did occur.

186. Finally, my delegation believes the General Assembly's decision on a resolution of this nature should be motivated by genuine concern for the protection and promotion of human rights. Our vote should not be construed in any way as an intention of interfering in the internal affairs of Chile.

187. Mr. GHELEV (Bulgaria) (*interpretation from French*): The General Assembly has just adopted, by a vast majority, the draft resolutions submitted to it by the Third Committee, including a particularly important one. I am referring to the resolution on the protection of human rights in Chile. I am not exaggerating when I say that that resolution will be among those adopted at this session that will enhance the moral authority of our Organization. In fact, the situation in Chile continues to be a cause of grave concern to world public opinion and to all those who see through the tragic events in Chile, that is to say, the temporary triumph of the forces of obscurantism, the assault on the noblest goals of mankind, on freedom and on democracy.

188. Numerous facts have been cited both in the Third Committee and here in the General Assembly, and they all prove irrefutably that the constant massive and gross violations of human rights by the Chilean military junta have not been ended—far from it. The

statements of the representative of the fascist régime in the Third Committee, of which one was reiterated here today, confirm the imperative need to awaken and mobilize world public opinion so that man's fundamental rights and freedoms may be restored in Chile.

189. The movement of solidarity with the Chilean people has gained unprecedented momentum. Solidarity with the struggle of the Chilean patriots has now become a binding link between social and political forces of all colours. That solidarity is a striking demonstration of the strength and influence of the ideals of democracy, freedom and social progress in the modern world. It shows the vigilance of the peoples and their determination to resist most energetically attempts to resurrect fascism wherever they may occur.

190. This session of the General Assembly, which has rejected the credentials of the racist South African régime and has just adopted two draft resolutions concerning the situation in Chile, faithfully reflects this increased awareness and this firm determination to fight against any recurrence of the fascist nightmare. Those decisions will undoubtedly rank among the positive steps taken by our Organization.

191. What is important at the present time is the taking of practical and urgent measures to implement the resolutions adopted, and in particular operative paragraph 5 of draft resolution II. The more energetic that action, the greater the warning will be—not only to the Chilean military but also to all those reactionary forces whose purpose it is to hamper United Nations action aimed at improving the international atmosphere and ensuring universal respect for human rights.

192. The pressure of world public opinion, and in particular that of the United Nations, aimed at putting an end to the gross violations of human rights in Chile should in no way be diminished. On the contrary, such pressure should be increased, since the Chilean junta stubbornly refuses in practice to hearken to the insistent appeals of the United Nations and of an impressive number of both governmental and non-governmental organizations.

193. The arrogant statement made today by the representative of Chile is one more confirmation, if further confirmation were needed, that the Chilean Government is endeavouring through demagogic statements to conceal its crimes and to lead world opinion astray.

194. The two draft resolutions the General Assembly has just adopted with regard to Chile show that these delaying and dilatory tactics have failed. In fact, 90 delegations endorsed draft resolution II. According to the Chilean representative, all of them are delegations of communist countries or of satellite countries. I believe the outcome of the vote in itself makes any comment on that point superfluous. It alone is a convincing reply and rebuttal to the gratuitous and false statements made here tonight by the representative of the junta. In addition, it highlights the total isolation of the fascist Chilean régime.

195. The Bulgarian delegation, which was a sponsor of draft resolution II, ardently hopes that the President of the General Assembly and the Secretary-General

will undertake the steps necessary to implement that resolution.

196. Mrs. IDER (Mongolia) (*interpretation from Russian*): The Mongolian delegation voted in favour of draft resolution II, entitled "Protection of human rights in Chile". The adoption of that important resolution by an overwhelming majority of the members of the General Assembly is yet another manifestation of the general condemnation of the mass terror unleashed by the Chilean military junta. The General Assembly resolution, which is a reflection of world public opinion, urges the military junta to respect and safeguard the principles of the Universal Declaration of Human Rights, and to restore and guarantee basic human rights and fundamental freedoms, and release all political detainees.

197. As is well known, the policy of lawlessness and violence pursued by the fascist junta in Chile has given rise to indignation throughout the world. Yet even today the military junta continues to disregard the concern of world public opinion and the numerous appeals of authoritative international organizations, including the United Nations and its specialized agencies. Unwarranted and massive arrests, summary executions, violence, the torture of detainees—all continue to be daily occurrences in Chile. Thousands of patriots, people of widely varying convictions, including members of the Government of Popular Unity, still languish in gaols and concentration camps and are subjected to torture and harassment. Their lives are in constant danger.

198. World public opinion resolutely condemns the flagrant massive violation of human rights and fundamental freedoms in Chile. The movement of solidarity with the people of Chile has taken on broad international dimensions. The people and Government of the Mongolian People's Republic have condemned with determination the fascist coup d'état in Chile and declared their full support for the brave struggle of the Chilean people against the military junta.

199. In our country there has been a vast movement of solidarity with the people of Chile. Civic organizations of Mongolia have appealed to the Secretary-General, Mr. Waldheim, and called upon him to act to put an end to the violation of human rights and fundamental freedoms in Chile and to bring about a release of political detainees.

200. We would again appeal to the President of the General Assembly, Mr. Bouteflika, and to the Secretary-General, Mr. Waldheim, to act to restore human rights in Chile and to bring about the release of political detainees, among them the General Secretary of the Communist party of Chile, Mr. Luis Corvalán, the Minister for Foreign Affairs of the Government of Popular Unity, Mr. Clodomiro Almeyda, and other prominent figures of the Government of Popular Unity, in accordance with paragraph 5 of the resolution on the protection of human rights in Chile.

201. Mr. HOLLAI (Hungary): I should like very briefly to explain the position of my delegation with regard to its affirmative vote on the resolution entitled "Protection of human rights in Chile".

202. For more than a year now the reactionary military junta, which had come into power through the forcible overthrow of the lawfully elected Govern-

ment and the assassination of President Allende, has conducted an almost unprecedented, heinous campaign of terror against the Chilean people. The brutal oppressive measures of the military junta in Chile, the imprisonment and massacre of innocent people, the systematic suppression of democratic achievements have aroused the indignation and the protests of millions of honest people throughout the world. The leaders of the Chilean fascist junta use every possible means—we could see it here tonight—in an effort to turn back, or at least to stop, the hands of the clock in Chile. The atrocities of the military junta bring back the dark, sinister era of Nazi fascism. The coming into power of fascism in Chile portends serious dangers for the international situation and poses a strong threat to the progressive forces in that region as well.

203. As I had occasion to explain here previously, the Hungarian Government and the entire Hungarian people from the very outset have most categorically condemned the Chilean fascist military junta's reign of terror against the people, and the massive violations of human rights in Chile, and have demanded an immediate stop to the bloody terror, the restoration of democracy, and the release of those innocent people who are detained or imprisoned without charges or solely for their political convictions. The Hungarian people declare their solidarity with the Chilean people oppressed by the reactionary junta, and support any international action aimed at providing relief for the people of Chile.

204. The Hungarian delegation is gratified to see that, following the actions initiated by various bodies and agencies of the United Nations joining together in the ever-growing international wave of protest against the activity of the Chilean junta, now, at the highest level and in the forum of the world Organization this year, the General Assembly has also taken up a position against the continued gross violations of human rights in Chile, against the total negation of the purposes and principles laid down in the Charter of the United Nations and in the Universal Declaration of Human Rights, and has spoken up for the re-establishment and protection of basic human rights and fundamental freedoms.

205. By adopting the resolution on the protection of human rights in Chile, the international community tonight has again let the usurpers of power in Chile know that it is deeply concerned about the events taking place there and condemns the gross violations of basic human rights committed by them.

206. The adoption of the resolution by a vast majority—larger than in the Third Committee—has made it clear that the mendacious and slanderous tirades that we heard tonight from the spokesman of the Chilean fascist junta cannot deceive the majority of Member States and hush up the monstrosities taking place in Chile.

207. Mr. President, I should like to express the hope of the Hungarian delegation that you, Sir, as President of the twenty-ninth session of the General Assembly, and Mr. Kurt Waldheim, the Secretary-General, in accordance with paragraph 5 of the resolution we have just adopted, will soon find a way to take steps towards assisting in the re-establishment

of basic human rights and fundamental freedoms in Chile.

208. Mr. MATSEIKO (Ukrainian Soviet Socialist Republic) (*interpretation from Russian*): The resolution just adopted by the General Assembly on the question of the protection of human rights in Chile reflects the deep disquiet of world public opinion at the situation which has come about in that country after the overthrow of the lawful Government of President Allende and the seizure of power by the military junta. The far-reaching discussion in the Third Committee in connexion with the persistent gross and massive violations of human rights in Chile has shown that the junta is in total international isolation and that the overwhelming majority of Member States of the United Nations condemn the fascist methods of terror and violence by which the junta is trying to assert its rule.

209. There is irrefutable evidence that a state of complete lawlessness exists in Chile, that the situation is not improving, that the junta quite openly disregards decisions of United Nations bodies calling upon the Chilean authorities fully to respect the principles of the Universal Declaration of Human Rights and to take all measures necessary to restore and protect fundamental human rights and freedoms.

210. The representatives of the junta use this rostrum to disseminate lies and slander against the socialist countries with regard to their position on the question of Chile. They really have nothing of substance to say at all. The fact is that the junta has destroyed the constitutional institutions of the country, has eliminated the most elementary guarantees and political and civil rights and freedoms. There is a state of complete lawlessness in Chile. A system of complete political terror of the fascist type has been established there.

211. Those indisputable facts cannot be covered up by incantations of the representatives of the junta designed to divert the Assembly's attention from the true state of affairs.

212. The result of the vote in this Assembly emphatically shows that all this is clearly understood by the representatives of an enormous majority of States Members of the United Nations.

213. In voting in favour of this resolution, the Ukrainian SSR has once again demonstrated that it condemns fascist régimes. Fascism caused too much heartbreak and suffering in our country for us to fail to come out resolutely against fascist régimes, wherever they may be established.

214. The United Nations must bring its full influence and authority to bear in order to save the lives of thousands upon thousands of supporters of the Government of Popular Unity, to bring about the release of all the political detainees.

215. The delegation of the Ukrainian SSR trusts that the Secretary-General of the United Nations and the President of the General Assembly will promptly set about implementing the resolution just adopted.

216. Mr. EVANS (Australia) The Australian delegation does not wish to make a lengthy statement in explanation of vote on the resolutions we have just adopted, but believes, in the light of statements already



made, that some points of clarification concerning draft resolution II are appropriate.

217. As my delegation said in the Third Committee debate concerning the human rights situation in Chile,<sup>19</sup> there have been appeals from many United Nations bodies and other international organizations reflecting the grave disquiet felt in many parts of the world over the denial of certain fundamental human rights in that country. The Australian delegation shares the deep concern expressed in international forums, including those within the United Nations system, at the failure so far to restore fully those fundamental freedoms and human rights that have been denied in Chile during the past year.

218. Several inquiries on the situation have already been instituted and reports circulated, and other inquiries are proceeding, which may, we hope, lead to further clarification of these issues of great concern. We recognize in this connexion the indication by the Chilean Government of its intention to co-operate in further studies of the situation. We have noted also that safe passage from Chile has been granted for a great number of people seeking asylum, and we acknowledge the importance of that development.

219. Notwithstanding that, the General Assembly has had at its disposal sufficient firm information on which to base the draft resolution just adopted.

220. My delegation believes that there is still a great deal to be done in Chile, and we hope that the resolution, reflecting as it does the weight of the General Assembly's opinion, will be responsibly heeded by the Government of Chile. We have no doubt that members of this Assembly will be profoundly pleased if the Secretary-General, in pursuance of the resolution, and international bodies as well, are able to report at the next session of the General Assembly, in clear and unequivocal terms, that substantial and humanitarian steps have been taken in Chile promptly and progressively. We should, for example, all welcome a sharp acceleration in the release of those many persons detained without charges.

221. In conclusion, I merely wish to reaffirm that my delegation's interest in this matter has derived solely from its fundamental and overriding concern for human rights, a general concern expressed from this rostrum by both the Australian Prime Minister [2249th meeting, para. 33] and the Australian Minister for Foreign Affairs [2259th meeting, para. 153] within recent weeks. My delegation has not made any remarks suggesting that motivations of a political nature have moved us to support this resolution. In our view, we are concerned here with human rights and not with a comparative analysis of international political systems.

222. Mr. FLORIN (German Democratic Republic) (*interpretation from Russian*): The delegation of the German Democratic Republic has voted in favour of the resolution entitled "Protection of human rights in Chile" because the state of emergency in Chile continues, democrats are being persecuted now as before and excesses are being committed against thousands of Chilean citizens, in gross violation of the United Nations Charter, the Universal Declaration of Human Rights and the International Covenants on Human Rights. The fascist junta has disregarded the numer-

ous documents expressing this Organization's concern at what is going on in Chile. The fascist régime has scorned the demands of the international community.

223. The spokesman of the fascist junta asserts that everything occurring in Chile is in accordance with law, that is, in the opinion of somebody like Pinochet and his henchmen, everything being done in Chile at the dictate of the junta is normal. So, it is supposed to be normal that cruel torture is being inflicted in concentration camps on members of the Senate of the Republic of Chile such as Luis Corvalán, Jorge Montes, Anselmo Sule and others.

224. It is to be considered normal that, as a result of a brutal campaign of repression, since as late as July, 25,216 supporters of the Unidad Popular and other democrats have been thrown into concentration camps and prisons.

225. It is to pass for normal that the state of emergency, which forced all democratic parties and trade union associations to dissolve and which has been in force since the fascist coup of more than a year ago, is being aggravated by Decree No. 640, passed by the junta, which makes the stipulations applied in times of war day-to-day practice.

226. However, we all know that this is not normal but is incompatible with the United Nations Charter and the Universal Declaration of Human Rights in letter and in spirit. Only a few days ago, on 28 October, the junta's chief, Pinochet, tried to justify his blood-stained rule by saying that "democracy is incompatible with the present time".

227. The representative of the junta has shown here his fascist face when he engaged in unbridled anti-communism, and tried to divert attention from the junta's blood-stained deeds, hoping to meet with understanding and even support. The words of warning of the great German poet and humanist, Thomas Mann, have remained alive in our memory; as is well known, he labelled anti-communism "the basic folly of our century".

228. In this connexion, I wish to join in the demands for the release of the distinguished democrat Arismendi in Uruguay.

229. We are convinced that, just as the fascist régimes of Hitler's Germany, Italy, Portugal and Greece did, the fascist junta in Chile will, sooner or later, also end up on the dust-heap of history.

230. We firmly believe in the great Chilean people, which in the course of its history has many times shown admirable strength, and we shall always stand at its side in solidarity.

231. Today we have been concerned with putting a definite end to the persistent violations by the Chilean junta of the principles of the United Nations Charter and of the International Covenants on Human Rights, and with the release of the well-known Chilean patriots, Clodomiro Almeyda and Luis Corvalán. My delegation therefore voted in favour of the resolution on the protection of human rights in Chile.

232. At the same time, I address myself to the President of the General Assembly and to the Secretary-General with the request to stand up, on the basis of the present resolution, for the termination of the fascist

terrorism against the democratic and peace-loving forces in Chile.

233. Mr. ETUK (Nigeria): I should like to state that my delegation voted for draft resolution II, entitled "Protection of human rights in Chile", for humanitarian reasons only, arising from reported events in Chile. If those reports prove to be unfounded, we shall be very relieved. Our vote should not be interpreted as infringing in any way the principle of non-interference in the internal affairs of another country, a principle to which we adhere very strongly.

234. Mr. FØNS BUHL (Denmark): Denmark was a sponsor in the Third Committee of draft resolution II, which represented the merged text of the two draft resolutions that had previously been introduced in the Committee concerning the protection of human rights in Chile.

235. We consider the resolution that has just been adopted by the General Assembly by a large majority to be an appropriate expression of the concern of the international community over the reported violations of basic human rights and freedoms in Chile.

236. The resolution, especially in its paragraphs 3, 4, 5 and 6, could set an important precedent for endeavours to protect human rights as they are spelled out in the Universal Declaration of Human Rights, if the provisions of this resolution are applied in any situation where basic human rights are disregarded.

237. My delegation will follow with interest the result of the study the Commission on Human Rights is being asked by paragraph 4 of the resolution to undertake at its thirty-first session. It is our hope that the Government of Chile will heed the concern expressed by this resolution and respect the basic rights enshrined in the Universal Declaration of Human Rights.

238. Mr. TCHERNOUCHTENKO (Byelorussian Soviet Socialist Republic) (*interpretation from Russian*): The delegation of the Byelorussian SSR welcomes most warmly the adoption by the twenty-ninth session of the General Assembly of the United Nations of the resolution calling for the termination of repression in Chile. This decision is important and very urgent. It is inseparably linked to the whole of the United Nations work in defence of human rights.

239. In this respect, one cannot fail to note another decision by the Assembly, this time on the recommendation of the Second Committee, also relating to the lawlessness prevailing in Chile.

240. The Byelorussian SSR also supported the resolution condemning torture and other cruel, inhuman or degrading treatment or punishment. We see in this resolution another document condemning the activities of the junta in Chile. The impressive display of support for the resolution on human rights in Chile and the remarks of delegations in their statements have shown quite emphatically that the overwhelming majority of the States of the world oppose those forces which through violence and terror wish to stop social progress, suppress democratic freedoms and violate human rights and fundamental freedoms with impunity.

241. The whole world is witness to the suppression of the most elementary human rights in Chile, with unprecedented violence and cruelty, by the fascist

military junta which overthrew the legitimate Government of Salvador Allende in Chile. Chile has become a huge detention centre. Massive arrests for political reasons have not ceased. Detainees are subjected to cruel and inhuman treatment. Summary executions occur commonly. The fascist clique has trodden underfoot the provisions of the Charter and of the International Covenants on Human Rights. In statements in the General Assembly—and again in the plenary meeting on 7 October [2258th meeting]—and in the Second and Third Committees a great number of facts have been adduced which unmask the criminality of the acts of the Chilean junta. The facts quoted before and quoted today have shown the sheer lawlessness of the state of affairs in Chile and show how the Chilean representatives here have lied and used slander and other devious methods to try to divert the attention of the Assembly from their misdeeds.

242. This harsh condemnation by the Member States of the United Nations of the Chilean military junta's acts is expressed in the resolution, which is a highly humanitarian one, and also in the resolution on the protection of human rights in Chile, of which my delegation was a sponsor. The aim of that resolution is clear: the cessation by the Chilean junta of massive repression, action against patriots and democrats, torture and summary executions, and the liberation of distinguished leaders of the Movement of Popular Unity, Luis Corvalán, Clodomiro Almeyda and other political detainees.

243. It is important also to note that this resolution not only contains an appeal to the Chilean authorities to take all necessary steps to restore and safeguard human rights and fundamental freedoms in that country but also empowers the President of the twenty-ninth session of the General Assembly and the Secretary-General to take certain action. My delegation is convinced that this kind of concrete action will be taken promptly.

244. The Byelorussian SSR agrees with the large number of delegations that have said that the measures provided for in this resolution are the bare minimum of possible action. The resolution on the protection of human rights in Chile reflects the deep concern of this Organization at the violation of human rights in Chile and in essence amounts to direct support for the struggle of the Chilean people for the restoration of freedom and democracy, which have been so grossly trodden underfoot by the military machine in Chile.

245. This resolution is a very strong warning to the military junta in Chile, which, as is well known, has completely ignored the appeals addressed to it earlier by organs within the United Nations system. The voice of world opinion, the voice of the United Nations, must compel the fascist clique in Chile to put an end to lawlessness and terror.

246. This resolution also is a warning to those who, as in Uruguay, are also embarking on a course of political persecution. We hope that this resolution will prompt the Uruguayan Government also to take measures to release political detainees and release the distinguished politician, Rodney Arismendi, General Secretary of the Communist Party of Uruguay, and other prominent Uruguayan political figures

247. The demagogic statements of the agents of the fascist junta are a disgrace to this rostrum. They are an affront to the United Nations. The birth of the United Nations is due precisely to the fact that almost 30 years ago, in 1945, the anti-Hitler coalition, with the Soviet Union playing a leading role, demolished fascism, and the policies of that fascist régime were condemned as a crime against humanity. In reflecting this fact, the United Nations Charter speaks of the determination of the United Nations to "save succeeding generations from the scourge of war". It also speaks of the determination to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person". Fascism, no matter where it may emerge, ought to be denounced promptly. A stern warning is needed: fascism, beware. We feel that in this respect it is essential to note once again that the resolution adopted on the protection of human rights in Chile is very much in defence of the cause of human rights everywhere and is a stern condemnation of the acts of lawlessness directed against human rights. It is a support for those fighting for human rights against fascism and for the noble ideals of democracy and freedom of their peoples.

248. The PRESIDENT (*interpretation from French*): We shall now proceed to the consideration of part I of the report of the Third Committee on agenda item 53, entitled "Elimination of all forms of racial discrimination" [A/9808]. I now call on those representatives who wish to explain their votes on one or more of the draft resolutions recommended to us by the Third Committee. Those representatives who wish to explain their votes after the vote will have an opportunity to do so when all the draft resolutions have been voted upon.

249. Mrs. SHAHANI (Philippines): The Philippine delegation will vote in favour of draft resolution II contained in document A/9808, concerning measures to improve the situation of migrant workers, because it is in full sympathy with the humanitarian objectives of the draft resolution. However, we should like to place on record the following reservations on the draft resolution, especially because the summary record of the Third Committee on this item did not correctly reflect the Philippine position.

250. In the view of the Philippine delegation, operative paragraph 4 (a) of draft resolution II should be interpreted to mean the extension by Member States of the United Nations of fundamental human rights to migrant workers equal to those provided to their own nationals. However, this should not extend to property rights, for example, where national legislation limits the ownership of land to nationals, or to political rights in so far as domestic legislation limits the right of suffrage to citizens or nationals.

251. Concerning operative paragraph 4 (c), it is the view of the Philippine delegation that the paragraph should not mean condoning the violation of the domestic law of the receiving country. But where migrant workers are prosecuted for a violation of criminal law, they should naturally enjoy the guarantee of due process and of fair and speedy trials.

252. The PRESIDENT (*interpretation from French*): The General Assembly will now take a decision on the three draft resolutions recommended to it by the Third Committee in paragraph 17 of document A/9808.

Draft resolution I is entitled "Decade for Action to Combat Racism and Racial Discrimination". Since the draft resolution was unanimously adopted by the Third Committee, may I take it that the General Assembly also wishes to do likewise?

*Draft resolution I was adopted (resolution 3223 (XXIX)).*

253. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution II, entitled "Measures to improve the situation of migrant workers".

*Draft resolution II was adopted by 110 votes to none, with 1 abstention (resolution 3224 (XXIX)).*

254. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution III, entitled "Status of the International Convention on the Elimination of All Forms of Racial Discrimination". Draft resolution III was adopted in the Third Committee without a vote. May I take it that the General Assembly wishes to do likewise?

*Draft resolution III was adopted (resolution 3225 (XXIX)).*

255. The PRESIDENT (*interpretation from French*): I shall now call on those representatives who wish to explain their vote after the vote.

256. Mr. TRAVERT (France) (*interpretation from French*): My delegation would like to recall that it was only for procedural reasons that, at the 2062nd meeting of the Third Committee, we abstained in the vote on the revised text of the draft resolution on measures to improve the situation of migrant workers. We had felt indeed that a vote had been taken without the Third Committee being given the minimum amount of time provided for consideration of an amendment. Because of this, and for no other reason, my delegation abstained in the Third Committee.

257. Draft resolution II in document A/9808 is of such a nature that my delegation has no reservation as to its substance. On the contrary, we had no difficulties in voting in favour in plenary Assembly. We need not remind the Assembly here that the improvement of the situation of migrant workers is one of the prime concerns of my Government. I shall not go into detail as to the plan of action aimed at ensuring equal treatment for this category of workers with their metropolitan co-workers, particularly concerning the participation in company committees, and to favour their adaptation to new living conditions in an unfamiliar environment.

258. However, as I stated at the 2065th meeting of the Third Committee, I should like to recall the statement made on 10 October 1974 by the President of the Republic of France: "French brotherhood extends to the migrant workers who contribute to our production and to our progress", said Mr. Giscard d'Estaing, adding:

"I shall personally follow the implementation of the programme on the improvement of the living conditions and the cultural and social conditions of the migrant workers that has just been adopted by my Government."

259. My delegation has no doubts that the scope of this declaration, once implemented, will be fully



understood and that any possible misunderstanding will thereby be dispelled.

260. Mr. MACRAE (United Kingdom): I should like to say a few words about the draft resolution on the subject of measures to improve the situation of migrant workers, which has just been adopted, contained in the report of the Third Committee [A/9808].

261. My delegation voted in favour of that resolution to indicate the importance we attach to this complex subject, an importance which is attached to it by many other delegations and which is generally recognized by the United Nations system in the consideration being given to the subject in numerous bodies, particularly the ILO, which we believe to be the right body for its detailed consideration.

262. It follows that we approve generally of the resolution itself and what it purports to say. But we believe that it was adopted with undue haste and without the Third Committee being able to give it the attention it deserved. This has led to some imprecision in the language of the resolution, particularly in paragraph 4 (a), which invites States to extend to all migrant workers who enter their countries legally treatment equal to that provided for their own nationals with regard to human rights and to the provisions of their labour legislation applicable to such migrant workers. The term "human rights" has a wide range of meanings and is not wholly suitable in this context without some qualification. My delegation interprets the reference to human rights as covering equal treatment in regard to social and cultural rights, equal conditions of work and equality before the law.

263. Mrs. RAKOTOFIRINGA (Madagascar) (*interpretation from French*): My delegation had to abstain in the vote on draft resolution II, entitled "Measures to improve the situation of migrant workers", because the labour legislation now in force in the Malagasy Republic did not make it possible for my Government to enter into a commitment in accordance with the measures provided for in paragraph 4 (c), in particular, of the resolution.

264. Our vote should not in any way be construed as a lack of interest in the fate of migrant workers, which is a problem to which the Malagasy delegation has attached all due importance, and we hope that a prompt solution to it will be found.

265. Mr. SCHAUFLE (United States of America): When the draft resolution concerning measures to improve the situation of migrant workers was considered in the Third Committee, the delegation of the United States abstained and expressed some concern about various aspects of the draft resolution.<sup>20</sup> We regret that in the consideration in the Third Committee there was insufficient time for delegations to give thorough consideration to the substance of the draft resolution.

266. The revised draft resolution that was finally adopted by the Third Committee contains major improvements over the original text. We should like to express our sincere appreciation to the delegation of Mexico, which introduced the resolution, for its efforts to present a resolution that would enjoy wide support. Accordingly, we voted in favour of the resolution today.

267. The exploitation of human beings through the illicit and clandestine traffic in migrant labour unfortunately exists in many parts of the world. It is a problem presenting serious questions of human rights, which deserve a study such as the one now being undertaken by the Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities.

268. It is the policy of the United States Government to give equitable and humane treatment to all migrant workers legally or illegally within the borders of the United States. We shall fully respect the basic human rights of all human beings within the United States, regardless of their status within this country.

269. The problems of legal or illegal migrant labour vary in different parts of the world. Solutions to those problems will depend upon the requirements of each situation. For example, in cases where bilateral agreements are considered appropriate, it is the parties to such agreements which must decide what is necessary to meet the specific situation.

270. We believe that this resolution is in keeping with our concern for the status of migrant workers, both legal and illegal. It is also in keeping with our desire to assure that they enjoy their full measure of basic human rights.

271. The PRESIDENT (*interpretation from French*): The representatives of Uruguay and Chile have asked to be allowed to exercise the right of reply. I now call on the representative of Uruguay.

272. Mr. GIAMBRUNO (Uruguay) (*interpretation from Spanish*): During the deliberations on the subject of human rights in Chile, my delegation was surprised that mention was made of my country, Uruguay, by the delegations of the Soviet Union, Poland, the German Democratic Republic and the Byelorussian SSR.

273. An attempt is made to object, in a forum that is totally inappropriate, to alleged violations of human rights regarding the detention of certain Uruguayan citizens and, in particular, Mr. Rodney Arismendi, General Secretary of the Uruguayan Communist Party. We could say here that this objection violates the principles of national jurisdiction. We shall not do so because in all these matters Uruguay and the Uruguayan delegation are always ready to respond to anything that touches upon the question of human rights.

274. I have here before me the document wherein the Uruguayan Government responded officially to the Inter-American Commission on Human Rights concerning the detention of some Uruguayan citizens. In the particular case of Mr. Rodney Arismendi, I can state that on 8 May this year he was detained by the police, since it was found that he was linked with subversive activities. When detained, he had false documents with him, and when interrogated by the authorities he admitted the use and forging of these identification papers. On 17 May 1974, he was brought before the military court, which initiated the legal proceedings, accusing him of forging official documents. At present, he has been turned over to the Third Military Court, which is claiming jurisdiction over Mr. Arismendi's involvement in subversive activities. As can be seen, there has been no denial

or violation of justice. The proceedings are under way and we have in no way exceeded the limits laid down by the Constitution of our country and its laws as regards such cases.

275. I am surprised that there is objection to the detention of some citizens of my country simply because those citizens are Communists. Unfortunately, we cannot grant Communists the right to commit any type of common crime with impunity. Because of that I should like to express my surprise, without unleashing any controversy, at those States that are so concerned with the citizens throughout the world who belong to communist parties, while forgetting that in their own countries the guarantees that we provide to all, without distinction as to parties, do not even exist. One day we shall have to have a discussion here on our differences, our discrepancies, that is to say the differences between Communists and us non-Communists. I am referring to a discussion on the major freedoms. Here we can say that those of us who believe in human rights and in their effective protection, those of us who believe that we can have our own opinions and a free press, those of us who believe that we can strike without being imprisoned, and those of us who believe that we are entitled to an education free of political demagoguery, have every right to tell others, those who uphold the single-party régime, the police state, terror and oppression—and I would even add, crime—that it is very sad that they should label as “Fascists” those of us who defend freedom.

276. We tried to point out in the Third Committee that totalitarian régimes are not only fascist ones. There are totalitarian régimes—and here I include communism—that have until now trampled human rights underfoot. Since the adoption of the Universal Declaration of Human Rights we have had serious disagreements whenever this Declaration has been discussed. When we wanted to include in it political rights, we were told that we should only concern ourselves with social rights. We agreed with that. But we did insist on including other rights which, unfortunately, were always brushed aside.

277. As I said, I do not want to arouse any controversy. I should like to point out that when an assessment is made and a warning given in this General Assembly to those countries among us which zealously safeguard our fundamental rights, everybody's credentials must be in order. We are not accustomed to torture. We do not believe in criminal lunatic asylums nor in the mental exploitation of the detainees by daily injections. These are methods we have learned of through the sad history of political detainees in those very communist countries.

278. I do not wish to add anything at this point except to reassure those who have expressed their concern over the fate of those persons whom we have had to detain because they were conspiring against our freedoms and taking advantage of the climate of freedom we have granted to all; and over the fate of those who, taking advantage of their Communist Party membership, attempted to spread strange doctrines filled with hatred that we cannot accommodate in our midst.

279. Mr. DIEZ (Chile) (*interpretation from Spanish*): The reason for my presence at this rostrum is that

I wish to make some comments after having heard, as you have, the arguments advanced by the various countries in regard to the decision taken by the Assembly on human rights in Chile.

280. I would ask representatives to read carefully the report of this meeting because today, using the naiveté of some, the goodwill of others, and perhaps a humanitarian feeling on the part of various nations, a whole propaganda machine has been initiated against my country, a machine of the type the Soviets are very good at setting up.

281. Let us see how the various countries have explained their votes and what the Assembly was busy approving; I do not mean in our view but in the view of those who were approving this resolution. So far as Morocco is concerned, the Chilean situation is only one of many, and many other countries, like Chile, could be subjected to an action similar to what took place in Chile in case of doubt regarding the application of human rights. What was the view of the representative of Japan? She manifested concern, without any prejudice, over what was happening in Chile and, I might say, almost kindly praised the action of the Chilean Government, which she considered to be positive, and asked the Chilean Government shortly to continue what it was doing to bring the Chilean situation back to normal. What did the Australian representative say? He pointed out that his vote was based solely on his grave concern over the fact that human rights had not been fully restored in Chile and he acknowledged the good intentions and behaviour of the Chilean Government in collaborating in the restoration of such rights. What about Nigeria? Nigeria said that this resolution was adopted for humanitarian reasons in the light of the reports we had been given and it added that it hoped these reports were unfounded and that the fears of the people of its own country would thus be dissipated. The Netherlands spoke to this effect likewise.

282. But what did the countries who follow the Soviet Union's policy say regarding this resolution? So far as they were concerned, there was no doubt. Here in this Hall the statements made it clear. They said that the facts had been clearly proven here and in the Third Committee. For them it was not a matter of concern but rather of condemnation, and a condemnation not only of the alleged violations of human rights but also of the Chilean Government as such. In other words, not only were we condemned as a Government on proven facts but this was also a proof of the international isolation to which Chile was subjected and a proof of the solidarity of this Assembly—of Japan, of Australia, of Morocco, of the Netherlands—with the solidarity movements created by the Soviets to help the Chilean people in re-establishing “democracy”, that is to say, democracy as the Soviets understand it and not in the sense that democrats, who created democracy, have always given to that word.

283. That is why I should like with my concluding words to make the Assembly aware of how in the present-day world a mechanism is set up by means of special semantics and massive uncontrolled repetitive and strong propaganda. We have heard the same speech five, six or seven times this afternoon. Now, that takes place not in order for each country to justify

its actions *vis-à-vis* its public opinion, since they have no public opinion to justify such actions, but rather so that we, having heard the same statement five, six or seven times, become more convinced by the lies and unfounded propaganda.

284. All the various arguments of Chile were presented by the Chairman of my delegation at the beginning of this meeting [*paras 46-119 above*]. Our sole aim was to make an intellectual and moral appeal to this Assembly. We wanted to bring before the Assembly one case that we ourselves are in a position to look into.

285. We have the resolution; we have the arguments concerning the votes of some countries; and we have the contradictory and propagandistic arguments of others. Therefore, this is a question we should continue to delve into and to study.

*The meeting rose at 8.20 p.m.*

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NOTES

<sup>1</sup> *Official Records of the General Assembly, Twenty-ninth Session, Second Committee, 1612th meeting, paras. 76-77.*

<sup>2</sup> The delegation of India subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

<sup>3</sup> See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, item 12, document A/9829, para. 11.

<sup>4</sup> United Nations publication, Sales No. E.65.XIV.2, para. 823.

<sup>5</sup> *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

<sup>6</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

<sup>7</sup> *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5 (E/5464)*, chap. XIX, sect. B, decision 3, para. 1.

<sup>8</sup> *Official Records of the General Assembly, Twenty-ninth Session, Third Committee, 2069th meeting*, para. 5.

<sup>9</sup> See E/CN.4/Sub.2/SR.688-714, 688th meeting.

<sup>10</sup> *Official Records of the General Assembly, Twenty-ninth Session, Third Committee, 2067th meeting*, para. 22.

<sup>11</sup> E/CN.4/1070-E/CN.4/Sub.2/323, chap. XII.

<sup>12</sup> See E/CN.4/Sub.2/SR.688-714, 711th meeting.

<sup>13</sup> International Labour Office, *Official Bulletin*, vol. LVII, No. 1, 1974, p. 40.

<sup>14</sup> *Official Records of the General Assembly, Twenty-ninth Session, Third Committee, 2068th meeting*, para. 20.

<sup>15</sup> *Ibid.*, 2070th meeting, para. 51.

<sup>16</sup> The delegation of India subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

<sup>17</sup> *Official Records of the General Assembly, Twenty-ninth Session, Third Committee, 2071st meeting*, para. 3.

<sup>18</sup> *Ibid.*, para. 11.

<sup>19</sup> *Ibid.*, 2068th meeting, paras. 12-16.

<sup>20</sup> *Ibid.*, 2062nd meeting, paras. 28-30.