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REPORT OF THE THIRD COMMITTEE (A/10401)

1. Mrs. SEKELA KANINDA (Zaire), Rapporteur of the Third Committee (*interpretation from French*): As Rapporteur of the Third Committee, I have the honour to submit to the General Assembly the report of the Committee on agenda items 12, 73, 74 and 80.

2. With respect to agenda item 12, part II of the report is contained in document A/10284/Add.1. In connexion with this report, we would recall that the General Assembly has referred for consideration by the Third Committee chapter III (sections F, G, I, L and M), chapter IV (sections A and C) and chapter V (sections A, B and C) of the report of the Economic and Social Council [A/10003]. For its part, the Third Committee gave particular consideration to section B of chapter V on human rights questions and section C of the same chapter on narcotics. The debate on this agenda item is described at length in the summary records which appear in documents A/C.3/SR.2142 to 2159 and 2162, 2164 and 2166.

3. As regards narcotics, the Third Committee in paragraph 34 of its report, recommends to the General Assembly that it adopt draft resolutions I to IV. The first draft resolution refers to the 1971 Convention on Psychotropic Substances; the second refers to the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961; the third deals with the giving of adequate priority for narcotics control; and the fourth relates to the United Nations Fund for Drug Abuse Control. As regards questions pertaining to human rights, the Committee, bearing in mind the necessity of preventing mental and physical disabilities and of assisting disabled persons to develop their abilities in the most varied fields of activities and of promoting their integration as far as possible in normal life, decided to recommend to the Assembly a draft declaration on the rights of disabled persons, which is to be found in draft resolution V.

4. The Committee also considered the question of the protection of human rights in Chile. The text of the proposal on that subject will be found in draft resolution VI recommended to the General Assembly, which, *inter alia*, invites the Commission on Human Rights to extend the mandate of the *Ad Hoc* Working Group established under resolution 8 (XXXI), as presently constituted, to enable it to report to the General Assembly at its thirty-first session and to the Commission on Human Rights at its thirty-third session on the situation of human rights in Chile and, in particular, any developments which occur to re-establish respect for human rights and fundamental freedoms. Moreover, the draft resolution requests the President of the thirtieth session of the General Assembly and the Secretary-General to assist in any way they may deem

**President: Mr. Gaston THORN**  
(Luxembourg).

AGENDA ITEM 12

Report of the Economic and Social Council  
(*continued*)\*

REPORT OF THE THIRD COMMITTEE  
(PART II) (A/10284/Add.1)

AGENDA ITEM 73

Alternative approaches and ways and means within the  
United Nations system for improving the effective  
enjoyment of human rights and fundamental free-  
doms: report of the Secretary-General

REPORT OF THE THIRD COMMITTEE (A/10404)

AGENDA ITEM 74

Torture and other cruel, inhuman or degrading treat-  
ment or punishment in relation to detention and  
imprisonment

REPORT OF THE THIRD COMMITTEE (A/10408)

AGENDA ITEM 80

Office of the United Nations High Commissioner for  
Refugees:

- (a) Report of the High Commissioner;
- (b) Report of the Secretary-General

\* Resumed from the 2383rd meeting.

appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile.

5. Draft resolution VII refers to measures to ensure human rights and dignity of all migrant workers.

6. Draft resolution VIII which the Third Committee recommends to the General Assembly under agenda item 12 refers to missing persons in Cyprus.

7. My report on agenda item 73 is in document A/10404. It contains a single draft resolution which it recommends to the General Assembly. In that draft resolution, after expressing its appreciation to the Secretary-General for his report on alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms, the General Assembly decides to consider with high priority at its thirty-first session the question of alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms.

8. The report on agenda item 74 is in document A/10408. The Third Committee recommends the adoption of draft resolutions I and II. Draft resolution I refers to a declaration on the protection of all persons from being subjected to torture and other cruel, inhuman or degrading treatment or punishment. The adoption of that draft declaration has been drawn to the attention of the Assembly for consideration by the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. The text of that declaration states that any act of torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights. It is further stated that each State shall, in accordance with the provisions of this Declaration, take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment from being practised within its jurisdiction.

9. Draft resolution II is entitled "Torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment".

10. Finally, I have the honour to submit also the report of the Third Committee on agenda item 80, contained in document A/10401. Of draft resolutions I to III recommended by the Committee the first two were adopted by consensus and the third without a vote.

11. Draft resolution I refers to the report of the United Nations High Commissioner for Refugees. In this draft the General Assembly notes with appreciation the efforts of the High Commissioner in carrying out his duties, and urges Governments to strengthen further their support of the humanitarian activities of the High Commissioner.

12. Draft resolution II relates to humanitarian assistance to the Indo-Chinese displaced persons, and draft resolution III refers to the elaboration of a draft Convention on Territorial Asylum.

13. The PRESIDENT (*interpretation from French*): If I hear no objection I shall take it that, in conformity with rule 66 of the rules of procedure, the Assembly

has decided not to discuss the report of the Third Committee. Any statements will be limited to explanations of vote.

14. Mr. SPEEKENBRINK (Netherlands): Mr. President, I am not sure I understand correctly the procedure to be followed. Am I right in assuming that we can only make an explanation of vote on the draft resolutions that are before us, and that no amendments to the decisions recommended by the Third Committee can be presented?

15. The PRESIDENT (*interpretation from French*): It was my intention, if we did not discuss the reports, to call on those representatives wishing to explain their votes on any or all the draft resolutions and then to proceed to the voting on all the draft resolutions, after which any representative wishing to explain his vote at that stage could do so.

16. At this time no amendment has been introduced. If anyone wishes to introduce an amendment, he can do so now.

17. Miss DUBRA (Uruguay) (*interpretation from Spanish*): Mr. President, is my understanding correct that now is the proper time to submit amendments to the various draft resolutions?

18. The PRESIDENT (*interpretation from French*): This is indeed the time.

19. Mr. CATO (Ghana): Mr. President, do I then understand correctly that if an amendment is submitted at this stage, the General Assembly will have no opportunity to discuss it?

20. The PRESIDENT (*interpretation from French*): The general rule is that amendments should be submitted 24 hours in advance. But, according to the tone and content of the amendment and the wishes of the Assembly, the President can propose that the Assembly discuss an amendment immediately without waiting for 24 hours to elapse or for the text to be distributed. However, I shall not pronounce myself on this before first knowing what the tone and contents of the amendment are and, secondly—and this is the essential part—what are the wishes of the General Assembly.

21. Mr. CATO (Ghana): I thought I should seek some clarification. My understanding was that, when you invoked rule 66, you ruled that the General Assembly had decided not to discuss the reports of the Third Committee and that, therefore, the next step would be for the Assembly to take a decision, that is, begin voting. Hence delegations could explain their votes either before or after the voting.

22. I want to be clear as to whether or not, with a new development such as we have, if an amendment is submitted any delegation will have the opportunity to comment on such an amendment.

23. The PRESIDENT (*interpretation from French*): It was understood that, if an amendment is submitted, then the General Assembly will have complete freedom to discuss it and to decide on it. There is no question of railroading the General Assembly.

24. Mr. BAROODY (Saudi Arabia): I do not want to go over already finished business, but I walked in to this chamber when the Rapporteur of the Third Com-

mittee had just summed up her introduction of that Committee's reports.

25. I want to refresh the memory of members of the Third Committee as to the understanding that was reached. After our friends the Americans withdrew their draft resolution on amnesty for political prisoners [see A/10284/Add.1, para. 30], I submitted a draft resolution on intelligence agencies [*ibid.*, para. 33], which, I thought, was very important because war was being waged by proxy and surreptitiously and there were coups d'état, subversion and so on—I do not have to go into the details. In the Committee I said that I would not request to have it put to the vote if the Rapporteur would incorporate it in the report of the Third Committee. I have checked with the charming lady, and she did not read it out.

26. The PRESIDENT (*interpretation from French*): The Ambassador of Saudi Arabia has far more experience than myself in United Nations affairs, and he knows that the Rapporteur does not read out the entire report of the Committee. However, so far as I am informed, what you are talking about has been included in the report and the Rapporteur confirms this.

27. Mr. BAROCDY (Saudi Arabia): It was my understanding that my text would be incorporated and read out, as was the case on other occasions, for example with regard to the question of Korea. That is nothing new; before you came here, Sir, there was a consensus. I would not accept the consensus, and then there was a sort of compromise. It was exactly the same. The Chairman of the First Committee at the twenty-eighth session, Mr. Borch, said: "Do you insist?" And I said: "Yes, I insist." He said: "There is no precedent." I replied: "I will create the precedent." So I asked the Rapporteur of the Third Committee, because that was the compromise, to read my text out so that the Assembly, the world, might know what information agencies are doing to the world. It is a fair warning and an appeal.

28. I said that I was afraid I was going over already finished business, but I could not help it as I am being snatched to be everywhere and, consequently, I arrived at this meeting late. Otherwise, I would have raised a point of order.

29. Mr. President, if you will kindly ask the Rapporteur to read out my text, it will save us a lot of debate on that point. Otherwise, I shall have to reintroduce my text and I do not want to take up the time of the Assembly because we know that we must dispose of our work as efficiently and as promptly as possible.

30. The PRESIDENT (*interpretation from French*): In order not to tax the Rapporteur of the Third Committee, I shall read out paragraph 33 of the report of the Third Committee:

"At the same meeting, the representative of Saudi Arabia requested that the following text be reproduced in the report of the Third Committee to the General Assembly:

"*Heartened* by the general awareness of youth all over the world that war, unless waged for strictly legitimate self-defence, negates all human rights,

"*Taking into account* that while many States are substituting open warfare against other States

by resorting to subversive acts which quite often cause loss of many innocent lives,

"*Noting* that a good part of budgets allocated to intelligence agencies has been clandestinely used by many States for coups d'état in foreign countries, thereby causing untold suffering whenever such coups d'état brought about civil war,

"*Appeals* to all States and especially to the big Powers to refrain from using funds allocated to their intelligence agencies for interfering in the domestic affairs of other States by surreptitious means to destroy those countries with whose Governments they do not agree.' "

31. Subject to the remarks I made earlier, may I now ask the representative of Uruguay to clarify her position or to introduce her amendment.

32. Miss DUBRA (Uruguay) (*interpretation from Spanish*): I shall refer to the draft resolution recommended by the Third Committee in paragraph 15 of its report on agenda item 73 [A/10404].

33. Uruguay has always attached high priority to all items aimed at improving the effective enjoyment of human rights and fundamental freedoms. Events in recent years have demonstrated the need for more effective, impartial machinery for the protection and defence of human rights, the violation of which unfortunately continues. We believe that it is a moral imperative to decide as soon as possible what are the most suitable means of filling this gap. Therefore we do not think it prudent to postpone consideration of this item until two years hence. My delegation, like many others, considers that arrangements should be made for a substantive discussion in the very near future of ways and means within the United Nations system by which the enjoyment of human rights can be improved. This should be examined in a forthright and thorough manner, removed from any political context and in a constructive spirit.

34. For these reasons, my delegation wishes to submit a verbal amendment to the draft resolution recommended by the Third Committee. The amendment consists in replacing, in the first line of operative paragraph 5 of the draft resolution, the words "thirty-second session" by the words "thirty-first session".

35. We appeal to all delegations to support this proposal, which is aimed only at the consideration of an item at the next session and in no way implies judgement on the substance of the matter.

36. The PRESIDENT (*interpretation from French*): I think that the nature of the amendment is not so complicated as to require postponement for several days now that we are within a week of the end of the session. Therefore I think the Assembly can decide here and now, since the scope of the amendment is limited and it is quite clear, whether or not it accepts the amendment.

37. Mr. BAROODY (Saudi Arabia): Mr. President, you have been so preoccupied with seemingly more important questions in the General Assembly as not to fathom the importance of this amendment, otherwise you would not have dealt with it in such a cavalier manner—what is the difference between the thirty-first session and the thirty-second session? If you only

knew the background, Sir, of this question of human rights, I think that with your perspicacity and your patience you would understand its implications.

38. The sponsor of the amendment wants to give this high priority for next year instead of the year after. There are implications that are very dangerous indeed, and we would have liked to say that we should not broach the subject again. Anyone who reads the report on this question, and the background, can see that there are many in the United Nations who want to resuscitate the idea of the creation of what at one time was called an office of high commissioner for human rights. Year in and year out, for the last seven, eight or ten years, we have thought it not appropriate to create a post of high commissioner because of the multiplicity of cultures and the diversity of codes of law.

39. But there are some people, and especially our Western European brothers and sisters, who are very tenacious, inasmuch as they have, as you know, Sir, the Commission at Strasbourg, a regional commission. We have it also in the Arab League. But they want a high commissioner. And this is the stepping-stone to a high commissioner who will be the arbiter. How can a high commissioner become the arbiter of human rights all over the world when there are so many different systems of law, of culture, of habits, of customs and of traditions? It is impossible.

40. Therefore we plead with the representative of Uruguay not to press a change from what we have already decided upon, to give the Members of the United Nations more time to make up their minds, especially those who abstained. Indeed, I will let you in on a secret: I have been approached by several people who want that post of high commissioner. There are still some who are angling for it. Imagine for a moment what would happen if we were to create a post of high commissioner—and this is paving the way for it. The 40 floors of this building would not be enough to receive the mail about alleged violations from this host country. Those who think their human rights are being violated number maybe 20 or 30 million. How could you deal with them? Of course, the high commissioner would have to delegate powers and there would be a hierarchy. There would be another United Nations. It is impractical. I for one, with our Jamaican brothers, submitted a plan years ago whereby we would have regional human rights commissions, and then national committees, which would be registered. They did not want anything except the high commissioner, a new Pope. The Pope has to follow doctrines sometimes. There would be a new Pope for the whole world, a Pope for human rights. What are human rights in one country may not be human rights in another. For example, art here is synonymous with pornography.

41. For a moment I shall give you another parallel: freedom of information. In Paris, in 1951, when we met there the second time at the Palais de Chaillot, we decided to have a convention on freedom of information. And, unfortunately for me, because I did not want it, I was a member of the Committee of Fifteen that met at Lake Success to formulate it. At that time, there were the Western countries, with the exception of France, and the Soviet Union who were the butt of propaganda because they were Communists. That

was the McCarthy era, as you remember. Although I am a monarchist, they were with us. We wanted a convention on freedom of information. We worked out five articles, and we had with us none other than—may God rest his soul in peace—Reverend Beaufort from the Netherlands, who understood our point of view.

42. What happened? They gave it priority for 25 years. Why did Uruguay not ask for priority for the draft convention on freedom of information? Year in, year out it has been postponed. And now they want the human rights item to be discussed next year.

43. That was a compromise: that it would be the thirty-second session. I could have carried the Third Committee with me to defeat it altogether, but out of courtesy we said let us have some more time. Now, fair warning: if this amendment is to be insisted upon, I am prepared to open a general debate on the question, and God help us, because then we will want to go into the ramifications. So please have a little consideration for the President, who is trying to dispatch the work of the Assembly. Have consideration for those who compromised with you and thought we would remit it till the thirty-second session, and please withdraw it because it is a dangerous concept.

44. I reserve my right to speak again on this very point.

45. The PRESIDENT (*interpretation from French*): The Assembly, I am sure, is fully aware that it is not for the President to argue with any delegation about the merits of the substance of an amendment. The President's concern is simply to guide the debate, to try to make it as successful and as expeditious as possible, and this concern becomes all the greater as we approach the end of the session.

46. The delegation of Uruguay has proposed an amendment. It is for the President to make a suggestion and for the General Assembly to decide as to when it will discuss the amendment and the decision it will take on it. Now, in view of the wording of the amendment, I thought it was so concise and clear that at this stage of the work of the Assembly we should not really ask for consideration of this amendment to be postponed for a day or two, when it is simply a matter of saying "thirty-first session" or "thirty-second session". You cannot really say that this requires deep thought. I therefore propose to the General Assembly that it act upon this amendment now.

47. The representative of Saudi Arabia has eloquently explained why he is requesting the sponsor of the amendment to withdraw it and has made his views quite clear with regard to the substance. This is not the concern of the President.

48. I should first like to ask the Assembly whether, having heard the amendment, it agrees to consider and act on it right away? It is not for the President to tell a sponsor to withdraw or maintain an amendment. The President must stay out of the debate. It is for the representatives to take decisions. If no one asks for postponement, may I propose to the Assembly that we act forthwith on this amendment? I shall first ask whether Uruguay insists on its amendment.

49. Mr. GIAMBRUNO (Uruguay) (*interpretation from Spanish*): I wish briefly to clarify the purport of

our amendment; otherwise the Assembly might feel that our aims are different.

50. The representative of Saudi Arabia has centred his negative stand on our amendment on a matter which does not appear in the amendment: namely, a high commissioner for human rights. We are not asking the Assembly to reconsider the possibility of setting up that office. As he rightly said, this has been discussed in previous years. He has no doubt unwillingly misrepresented our thinking. He did that when he said he would like to see my delegation support the possibility of discussing freedom of information. On that point he is wrong. We are ready at any time to have a full and frank discussion on freedom of information.

51. Secondly, representatives may not be clear as to the draft resolution on which we are proposing the amendment. That draft was submitted by the United Kingdom and simply requests that consideration be given to alternative approaches and procedures within the United Nations system for improving enjoyment of human rights and fundamental freedoms. Thus this is not a specific item.

52. Furthermore, I believe that debates this year and in years past have established beyond argument that the problem of human rights and their protection and defence is a problem we must all seriously consider. Year after year the situation arises, and, what is more, at present we have had to discuss the imperfect application of United Nations machinery for the protection and defence of fundamental human rights and freedoms. We feel that it ought to be improved, and we do not believe we are asking too much when we request Member States to submit their views, the Secretary-General to submit an updated version of his report, and the General Assembly, on the basis of the new data available, to devise next year such procedures as are likely to improve the protection and defence of human rights.

53. That does not mean that we have proposed the establishment of an office of high commissioner for human rights, nor that we now intend to propose any specific machinery. On the basis of proposals and discussions of Member States, the General Assembly will be able next year to take a final stand.

54. Thus I simply appeal to the representative of Saudi Arabia to realize that we are not proposing any specific solution. All we want is to have the General Assembly keep on its agenda for next year the possibility of improving present procedures regarding human rights. He himself referred to certain mechanisms that had been considered and rejected. We know that for the time being there is not an effective system within the United Nations machinery. We wish States to give their views so that we can have a frank discussion. I do not think that this proposal amounts to introducing by the back door an item that has been discussed in past years.

55. Hence, I unfortunately have no alternative but to insist that my amendment be maintained. The amendment is clear. It changes by only one year the time for the discussion of the item. I therefore must ask the President to put it to the vote.

56. The PRESIDENT (*interpretation from French*): The arguments adduced by the representative of Uruguay will certainly have been of interest to mem-

bers of the Assembly. However, I should like to have a reply to my question.

57. My question to the Assembly was whether the amendment is maintained. I can reply to that question: it is maintained. Hence, I now ask the Assembly whether it wishes to consider the amendment today or to postpone that consideration. I would ask that no statements regarding substance be made. What I am asking is whether the Assembly wishes some time for reflection before taking a decision on this amendment, or whether it is ready to do that now. This procedural debate really should not be linked with a debate on the substance.

58. The delegation of Uruguay wants the amendment to be taken up today. Is there anyone who wishes to propose that the consideration of the amendment be postponed until tomorrow or the day after? If that postponement is agreed upon, we shall in due course have a discussion on the substance of the amendment. Since we have so little time left to deal with all the items remaining on our agenda, I would propose that we conclude our consideration of the items at the time when they are placed before us. That is why I personally would prefer that we decide on this amendment this afternoon.

59. Mr. BAROODY (Saudi Arabia): It is not my intention to reopen the debate. I am not in favour of postponing things. I am with you, Mr. President, in your desire to deal with the General Assembly's agenda with dispatch. I must, however, draw the attention of the representative of Uruguay to the fact that next year we shall have on our agenda the item on the world social situation. If the world social situation can be improved, the cause of human rights will be better served than through the creation of new posts or other action of that kind. The question of human rights is educational rather than dictatorial.

60. Moreover, year in and year out we have been postponing the consideration of the convention on freedom of information, an item that has been before us for 24 years. Why should we postpone our consideration of items that are supposed to have priority—and especially the convention on freedom of information—and address ourselves next year to a discussion of ways and means for improving the enjoyment of human rights, a subject which has so many aspects that there will be no beginning or end?

61. I have already stated that we lost about \$2 million by having in the Human Rights Division a committee established for the purpose of receiving complaints about alleged violations of human rights. Five, six or seven people were engaged in processing these complaints. In connexion with 14,000 complaints of alleged violations, only 400 replies from Governments were received, and usually they amounted merely to rationalizations of the stand of those Governments. Thus, the time is not ripe for dealing with the question of the high commissioner or alternatives to the high commissioner. I have already said that every time we bury the high commissioner we find that he rises from the grave.

62. I believe that if we take this item up next year, we shall spend a long time debating it, time that could be better spent in debating other items that could perhaps promote human rights more quickly—items

such as the world social situation, better standards of living, ways of dealing with poverty, and so many others.

63. At one time these proposals were made by representatives from Western Europe; now they are made by the representative of Uruguay. I am aware of these games of tennis that they play, our friends from Western Europe and from Latin America. I assure the representative of Uruguay that we are not against any alternatives. What we are against is precipitating things when there are more important items to discuss that may yield results.

64. I hope that this proposal will be nipped in the bud. If not, there will be a great waste of time at next year's session. If the representative of Uruguay succeeds in getting this amendment adopted, half of the time at the next session will be spent in debate. The representative of Uruguay deals with political questions most of the time. I deal with social and humanitarian questions. I have been a worker in the Third Committee for 28 years. I know the tenor of the debates in that Committee. Does anyone here think that I am against human rights? I was among those who drew up the Declaration of Human Rights, as well as the draft covenants.

65. But the present proposal is not practicable. That is why I appeal to the representative of Uruguay to withdraw it. I hope that this matter will not be postponed simply because Baroody wants it postponed. If I thought the Uruguayan amendment would serve the cause of human rights, I would change my mind forthwith. I am not that stubborn. But I know that the adoption of the amendment will result in wasting time at next year's session.

66. A little time for gestation is needed. We need to think about this matter. I ask the representative of Uruguay to take that into account and gracefully withdraw his amendment so that we can finish with the matter. It is not an honour to have an amendment adopted. No one is going to pin a medal on him if he wins the vote. Adopting this amendment will only involve us next year in altercations, in interminable discussion of something we have been talking about for the past 10 or 15 years.

67. That is the background of this question. I am speaking as a worker in the field of human rights, not as the representative of Saudi Arabia. I give the representative of Uruguay fair warning that if his amendment is adopted, I may have to put him in the dock next year and say, "This is the man who caused all this trouble".

68. I hope that it is not thought that we are saying these things lightly. The fact is that taking up the question of these alternatives the year after next instead of next year will give us time to reflect on other ways and means of serving human rights. I have already referred to the item on the world social situation which is on our agenda, and the item on the convention on freedom of information—we all know that propaganda is superseding information. There is also the question of youth. All those items have priority over this question which, I am sorry to say, is theoretical because nothing can be put into practice.

69. And remember that General Assembly resolutions are recommendatory, not mandatory. Suppose

we do have a model alternative—I do not know what the representative of Uruguay and others have in mind. The fact is that this will be a mere recommendation. We know the States Members of the United Nations, and we know that this will not change things one iota. All this must be done by evolution. Human rights are served through a better understanding on the part not of the people alone but of the leaders. So, for heaven's sake, please withdraw this amendment gracefully.

70. Mr. President, please, I do not want you to delay things. You are right in suggesting that the sooner we dispose of this question, the better. I give fair warning: next year is just the other side of the door. As you see, this session is about to finish. I do not want my good friend from Uruguay to be embarrassed next year. I did not distort anything he said—perhaps it happened through the interpretation. I did not criticize his delegation. You said "misrepresented"; that is a big word. I misrepresent? If I did, it was done unwittingly.

71. The PRESIDENT (*interpretation from French*): I ask members of the Assembly to think about the role of the President. I am asked to direct the work of the General Assembly and I am aware, of course, that the President is under the control of the Assembly, which makes it a rather difficult matter. The question I asked is whether we should take up the amendment today, without prejudging the substance? Mr. Baroody has just replied that he was not against taking the amendment into consideration today; but with regard to the substance, he has asked, as everyone will have noted, for the proposal to be withdrawn.

72. Now I want the debate to be confined to procedure, not right away, but when we come to the following item. I have heard no one so far asking for an adjournment. So I shall ask now if any delegation wants an adjournment of the question. Then, after that we will decide on the amendment. What I am asking now is: Is anyone asking for an adjournment of debate or shall we continue with our agenda?

73. I shall now call on representatives who wish to express their views on this. I am sorry, but I shall permit discussion only on procedure.

74. Mrs. de BARISH (Costa Rica) (*interpretation from Spanish*): My delegation believes that this amendment could be considered today. It is a very simple amendment. It just means a change in wording.

75. I should like to add that I entirely endorse everything that was said by the representative of Uruguay. He more than any other member of the Assembly has the right to come and speak here because he was Chairman of the Third Committee and the representative of Uruguay in the Third Committee. So I think he is very well qualified to come here and present an amendment.

76. The PRESIDENT (*interpretation from French*): No one has contested his right. I have heard various delegations which, while differing on substance, nevertheless feel we should decide today. So if everyone wants to decide today, let us do it quickly. I shall call only on those who are against our deciding today. Is Mali against this decision?

77. Mrs. MARICO (Mali) (*interpretation from French*): Mali is not against our considering this

question now, quite the contrary. I requested the floor before the representative of Costa Rica.

78. I want the Assembly to take a vote right now on this question because, in our Committee, we have had a debate on the question, in fact, we had two amendments before us in this connexion. The first amendment related to its high priority and was rejected. Therefore we have already taken a decision on the words "thirty-second session"; the positions of delegations are known on this. My delegation feels that we can take an immediate decision on the Uruguayan amendment.

79. The PRESIDENT (*interpretation from French*): I think the Assembly should now proceed to the vote. I beg the representatives not to ask to speak in order to agree with me. Does anyone want an adjournment?

80. Mr. SAMHAN (United Arab Emirates): My delegation supports the proposal made by Mali; to save the time of the Assembly we have to vote now on the amendment of Uruguay.

81. The PRESIDENT (*interpretation from French*): Unfortunately, the situation is not as simple as that. We shall vote on that and discuss it in due course. The amendment has just been submitted. I am informed that another amendment will be submitted, which should be discussed first.

82. Mr. BENUZZI (Italy) (*interpretation from French*): What we want is to propose an amendment to draft resolution VII recommended by the Third Committee in its report on agenda item 12—which is not yet under discussion.

83. The PRESIDENT (*interpretation from French*): I apologize to the Assembly, if there has been any misunderstanding, this can only be blamed on me. But since we are discussing the second item on our agenda now, there is all the more reason to introduce an amendment relating to the first item, that is, to item 12. Therefore, let Italy present its amendment and we shall proceed chronologically so as to avoid further confusion.

84. Mr. BENUZZI (Italy): My delegation fully supports the amendment proposed by the delegation of Uruguay. But I have asked to speak now in order to consider an amendment we should like to propose to draft resolution VII. You will see from the report of the Third Committee that the sponsors of the draft resolution on the human rights of migrant workers [A/C.3/L.2174/Rev.1] withdrew the fifth preambular paragraph. The preambular paragraph was withdrawn because it seemed too specific.

85. The Italian delegation thinks that draft resolution VII would not be complete without mentioning the remarkable work undertaken by the specialized agencies of the United Nations in this field. I should like, therefore, to ask the General Assembly, through your kind offices, Mr. President, to add another preambular paragraph at the end of the preamble of the draft resolution, that would read:

*"Noting with satisfaction the work being undertaken by the specialized agencies in the field of migrant workers,".*

86. The PRESIDENT (*interpretation from French*): Once again I shall consult the Assembly on the pro-

cedural question of considering the amendment this afternoon.

87. The amendment of Italy relates to the first item of this afternoon's agenda. The delegation of Uruguay has submitted an amendment to the second item. Let us proceed chronologically and take first the amendment of Italy on draft resolution VII.

88. Since the amendment proposed by Italy has no broader implications and contains no element of surprise, I would ask that the Assembly consider it this afternoon.

89. In that case we should now consider the draft resolutions relating to the first item on the agenda and when we come to draft resolution VII we should consider the Italian amendment.

*It was so decided.*

90. The PRESIDENT (*interpretation from French*): Bearing in mind the amendment which is now before us, I shall now call on the representative of Turkey who wishes to explain his vote before the vote.

91. Mr. TURKMEN (Turkey): I should like to explain our vote on draft resolution VIII.

92. During the deliberations in the Third Committee the Turkish delegation already explained in detail its point of view on this draft resolution. Therefore I do not wish to take up the time of the General Assembly unduly on this matter.

93. The Turkish delegation believes that no practical or constructive purpose would be served by this draft resolution. Indeed, the statement made in the Third Committee by Mr. Schreiber, Director of the Division of Human Rights, indicated [A/C.3/SR.2159, para. 2] that the Secretary-General had reported that this issue was taken up during the intercommunal negotiations between Mr. Denktaş and Mr. Clerides, leaders of the Turkish and Greek communities in Cyprus, respectively. During the recent negotiations in Vienna between these two leaders, both parties again affirmed that there were no detainees on either side. Mr. Schreiber has also underlined the fact that intensified searches have taken place with the involvement of the Civilian Police of UNFICYP and the International Committee of the Red Cross, without any results.

94. On the other hand, this draft resolution has been put forward upon the initiative of the Greek-Cypriot community, that is to say, by one of the two communities on the island. The other community, the Turkish community, had no opportunity during the Third Committee debates to expound its views on the subject or to bring to the Committee the information it might have in this respect.

95. My delegation takes the view that on any matter pertaining to Cyprus the two communities should have an equal opportunity to express their views. Therefore, irrespective of the substance of the draft resolution, we shall not participate in the voting.

96. The PRESIDENT (*interpretation from French*): The Assembly will now take a decision on the eight draft resolutions recommended for adoption by the Third Committee in paragraph 34 of its report [A/10284/Add.1].

*Draft resolution I was adopted by 124 votes to none, with 3 abstentions (resolution 3443 (XXX)).*

*Draft resolution II was adopted by 115 votes to none, with 10 abstentions (resolution 3444 (XXX)).*

*Draft resolution III was adopted by 118 votes to none, with 11 abstentions (resolution 3445 (XXX)).*

*Draft resolution IV was adopted by 121 votes to none, with 11 abstentions (resolution 3446 (XXX)).*

97. The PRESIDENT (*interpretation from French*): The Third Committee adopted draft resolution V without a vote. May I take it that the General Assembly wishes to do the same?

*Draft resolution V was adopted (resolution 3447 (XXX)).*

98. The PRESIDENT (*interpretation from French*): The Assembly will now proceed to vote on draft resolution VI. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Afghanistan, Algeria, Australia, Austria, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Equatorial Guinea, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Laos, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Senegal, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, 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, United States of America, Upper Volta, Yemen, Yugoslavia, Zambia.

*Against:* Argentina, Bolivia, Brazil, Chile, Dominican Republic, El Salvador, Honduras, Panama, Paraguay, Spain, Uruguay.

*Abstaining:* Bahamas, Barbados, Chad, Costa Rica, Egypt, Ethiopia, Fiji, Grenada, Indonesia, Israel, Jordan, Lebanon, Liberia, Malawi, Malaysia, Nepal, Papua New Guinea, Peru, Saudi Arabia, Sierra Leone, Singapore, Uganda, Zaire.

*Draft resolution VI was adopted by 95 votes to 11, with 23 abstentions (resolution 3448 (XXX)).<sup>1</sup>*

99. The PRESIDENT (*interpretation from French*): The Assembly will now take up draft resolution VII to which the delegation of Italy has submitted an amendment [A/L.787]. The amendment provides for an additional paragraph which should appear as the last preambular paragraph.

100. Mrs. SELLAMI MESLEM (Algeria) (*interpretation from French*): May I point out that it might be preferable to make this the penultimate preambular paragraph.

101. The PRESIDENT (*interpretation from French*): Does the delegation of Italy accede to Algeria's request? The representative of Italy has indicated

agreement. Therefore, at the request of the delegation of Algeria and with the assent of the delegation of Italy, the proposed amendment, if accepted by the Assembly, would become the penultimate paragraph.

102. Since we have cleared away any possible misunderstanding and since no delegation wishes to speak in favour or against the amendment, the Assembly will now proceed to vote on the Italian amendment as amended, so that, if adopted by the General Assembly, it will become the penultimate preambular paragraph.

*The amendment was adopted by 126 votes to none, with 3 abstentions.*

103. The PRESIDENT (*interpretation from French*): The Assembly will now vote on draft resolution VII, as amended.

*Draft resolution VII was adopted by 130 votes to none, with 2 abstentions (resolution 3449 (XXX)).*

104. The PRESIDENT (*interpretation from French*): Finally, the Assembly will proceed to vote on draft resolution VIII. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Algeria, Argentina, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Ireland, Italy, Ivory Coast, Jamaica, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, 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, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

*Against:* None.

*Abstaining:* Afghanistan, Australia, Bangladesh, Chad, China, Comoros, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kenya, Malawi, Mauritania, Morocco, Oman, Pakistan, Papua New Guinea, Qatar, Rwanda, Saudi Arabia, Somalia, Tunisia, Uganda, Zaire.

*Draft resolution VIII was adopted by 106 votes to none, with 26 abstentions (resolution 3450 (XXX)).*

105. The PRESIDENT (*interpretation from French*): I shall now call on those delegations which wish to explain their votes after the vote.

106. Mr. KANAZAWA (Japan): My delegation voted in favour of draft resolution VI but we want to express our reservations on the seventh preambular paragraph



and operative paragraph 1. When draft resolution VI was put to the vote in the Third Committee my delegation abstained because the vote was taken immediately after it had been introduced and there was not sufficient time to consult my Government.

107. My delegation felt also that the draft resolution required careful examination in the Third Committee and should not be hastily put to the vote. My delegation gave serious consideration to the issue afterwards and now my delegation considers that the draft resolution has many worthwhile elements which will have constructive results for the solution of the problem.

108. The Government of Japan continues to attach the utmost importance to the protection of human rights and believes that the United Nations should play a positive role in this field. Therefore my delegation voted today in favour of the draft resolution.

109. However, my delegation does not consider as conclusive the progress report which was submitted to the Third Committee by the *Ad Hoc* Working Group of the Commission on Human Rights [A/10285, annex]. That is why we have reservations on the seventh preambular paragraph and operative paragraph 1 of the resolution. Since we consider that the progress report is incomplete, we wish to emphasize the necessity to complete it and we ask the Chilean authorities to allow the *Ad Hoc* Working Group to visit the country. My delegation sincerely hopes that with the co-operation of the *Ad Hoc* Working Group and the Chilean Government this problem can be examined in future to the satisfaction of all the parties concerned.

110. With regard to the other draft resolutions contained in document A/10284/Add.1, my delegation maintains the position that it took in the Third Committee.

111. Mr. BUSTAMANTE (Ecuador) (*interpretation from Spanish*): While the Government of Ecuador could not fail to vote in favour of the draft resolution on human rights in Chile, I have instructions to explain in plenary meeting that Ecuador, above all, participated as it did because, as we understand it, the nature and scope of this resolution are strictly humanitarian.

112. The principle of respect for the sovereignty of States, which is enshrined in the Charter of the United Nations, is compatible with the efforts of the Organization to promote human rights, which States have committed themselves to respect in turn. The United Nations bases the strengthening of universal peace and the promotion of relations of friendship and co-operation among States on this double respect—respect for the sovereignty of States and respect for human rights.

113. In truth, the proofs obtained by working groups and committees of various international organizations, including the *Ad Hoc* Working Group of the Commission on Human Rights, as well as other personalities whom we deem to be worthy of credit, lead us in this resolution to express our distress at what has been happening in Chile. Nevertheless, the fact that that Working Group was not able to verify numerous other accusations submitted in other bodies of the United Nations and the preliminary nature which it accordingly attributes to its own report, as well as the statements made by the Government of Chile, lead us

to consider that it cannot be regarded as an established fact that in that country there is an "institutionalized practice" of torture and other cruel, inhuman or degrading treatment. My Government therefore wishes to place on record that it dissociates itself expressly from the affirmations to that effect included in operative paragraph 1 of this resolution.

114. The statements which the Government of Chile has made during the Assembly to the effect that it is always prepared to investigate and punish with the utmost energy whatever abuse there may be in regard to respect for human rights within its territory, and the fact that it has reported that it will strive resolutely to be vigilant over human rights, have the warm support of the Government and people of Ecuador. Similarly, the recognition by the Government of Chile that international bodies have the right to investigate accusations of violations of human rights, and the sound precedent which the Government of Chile has already established by facilitating the entry to and activities in their country of the representatives of other organizations, lead my Government to hope that co-operation will be re-established between the Government of Chile and the Commission on Human Rights.

115. On the other hand, the delegation of Ecuador considers it appropriate to point out that within the United Nations it is indispensable to eradicate the sort of selective morality which is observed in relation to respect for and observance of human rights, so that violations are condemned in whatever country they may occur, regardless of the political, economic or social régime concerned. It was to that end that the Third Committee, in its report on agenda item 73, recommended another draft resolution, which my delegation hopes will be adopted by the Assembly with the amendment of Uruguay, so that the General Assembly will at least examine this question at its next session rather than relegate it to two years hence.

116. Mr. HUERTA (Chile) (*interpretation from Spanish*): First of all I should like to express my gratitude to those delegations which voted against draft resolution VI and, in so doing, showed the confidence that the Government of my country is fulfilling its obligations in relation to human rights. These obligations flow both from the concept which the people and Government of Chile have of a person and his transcendental destiny and from our concept of the international commitments we have accepted in accordance with this same way of thinking and feeling.

117. I also wish to express my gratitude to the countries which abstained, that is to say, those which refused to support this unjust and unacceptable draft resolution which goes beyond the competence of the General Assembly and is in contradiction to the principles of the Charter of the United Nations.

118. Chile rejected the draft resolution for procedural and substantive reasons. I must reiterate here *in toto* the defence of my country in the Third Committee which appears in the summary records A/C.3/SR.2152 and 2153 and in the accompanying documents, A/10303 and A/C.3/639.

119. Procedurally, the study of the situation of human rights in Chile was carried out without observing

United Nations rules, international conventions, the principles of international law or the unanimous opinion of the jurists who dealt with the matter, as was demonstrated by my delegation when the item was discussed in the Third Committee. In this connexion I wish to emphasize emphatically to the General Assembly that the *Ad Hoc* Working Group appointed to inquire into the situation of human rights in Chile had no consultation with my Government nor did it ask for any explanation in respect of any specific situation in accordance with normal United Nations procedures.

120. It is necessary to reaffirm clearly that, in the light of the Charter and the United Nations system, any report on human rights produced without the participation of the country being investigated lacks legal validity and is a flagrant violation of the principle of non-intervention and of the existing rules of international law.

121. I wish further to place on record before the General Assembly that the draft resolution which finally became the resolution that has just been adopted was agreed to and submitted before Chile had even been heard on the subject, and accordingly, without any knowledge of the relevant facts and evidence which we have presented to the Organization out of respect for ourselves and for the countries Members of the Organization. Thus, not only has there been a violation of the usual rules of procedure, but there has been a complete lack of any standards of responsibility or of the minimum guarantees to which even any individual is entitled, and all the more so a sovereign State.

122. As far as the substance of the resolution is concerned, I wish to affirm that Chile regards it as false, slanderous and illegal.

123. The resolution is false because it is based on biased assumptions which are quite untrue, and has completely ignored the statements and evidence submitted by the Government of Chile. Furthermore it is false above all because the acts that it claims took place never occurred, except in the imagination of politically biased persons, which the Working Group and later this resolution accepted without any analysis.

124. The resolution is slanderous because it supposes that there is an institutionalized practice of torture in our country. It assumes as a fact that we have transformed into a system the application of methods which are repugnant to our conscience. Any responsible allegation of such a situation should have a really serious basis. But the truth is that there is no such basis. That gratuitous slander has no other basis but the politically biased depositions obtained from Chileans who live abroad and are the declared enemies of their Government.

125. Those who declaim against Chile are people who are living comfortably abroad, who move freely from one country to another, who circulate in these very corridors of the United Nations, who visit Governments and authorities, who make statements to the publicity media and who enjoy all the benefits of property, houses and financial resources. Not one of them has ever endured any torture, or is enduring any now. Yet despite this reality, their false allegations are accepted as the only trustworthy testimony. And yet everybody knows that outside Chile, throughout

the length and breadth of the world, the ones who are really being persecuted, men wracked with despair and pain, cry out, and no one hears; they write, and no one reads what they write; they ask for protection from the United Nations, and no one responds, and there is no relief for their continuing and hopeless suffering. No real concern is shown for them, not even a charitable and discreet visit by the International Red Cross, which is denied admittance.

126. That is the reality which exists in many countries which today voted against the resolution on Chile, and principally in those controlled by the Soviet Union. That is the reality which everybody knows, but about which most remain silent through moral cowardice.

127. The resolution is illegal because it applies the International Covenant on Civil and Political Rights in a manner which is contradictory to its spirit and letter, so that we even find the absurd situation that sponsors of the draft resolution have not themselves signed the Covenant, nor will they ever sign it as long as they continue to live under a political régime of oppression and dictatorship.

128. It is illegal because it violates the principle of non-intervention and the principle of the self-determination of peoples by endorsing and supporting the preliminary report and the introduction given on behalf of the Working Group by its Chairman-Rapporteur. Therefore, Chile has the right to reject, and it does reject, the vote against it by a motley majority of the Assembly, which suffers from an aberration.

129. Had there really been a desire or a decision to contribute to the improvement of human rights, there would not have been this politically motivated singling out of one country. If there had even been a genuine concern for the real status of human rights in Chile, no international attack on us would have been allowed; certain people would not have been allowed to use the forums of the Organization or of the General Assembly to increase their attacks, to violate the principle of the self-determination of a people and to embark on a course which is contrary to the principles and the letter of the Charter of the United Nations. If there had been good faith, the path of co-operation and collaboration with my country would have been followed, and there would have been no public declaration by certain people that the purpose was to bring about the isolation of a nation and the overthrow of a Government, as announced every day by the broadcasting stations which we named in the Third Committee.

130. Nothing can justify the fact that many nations which are not accomplices in the Soviet imperialist plan to crush Chile, can so far confuse the legitimate concern for human rights with the campaign which has been orchestrated against Chile.

131. In the resolution which has been adopted, principles and rules of the Charter have been violated and a Member State has been denied the right to assistance in having its sovereignty respected and its rights and dignity upheld. The resolution is not a judgement nor does it constitute a condemnation of Chile. When political passion and lack of understanding yield to wisdom, when the world is allowed to learn the truth, when the campaign of lies, insidious slander and deceit launched against Chile is no longer heeded

because they are so absurd and groundless, the resolution that has been adopted against Chile today will constitute a shameful page in the history of the United Nations. It will be a sad page indeed, bearing witness to the fact that the course of politically defaming a small country was preferred to the course of seeking to establish the truth. It is a sorrowful page for free men, who see how a weak country is discriminated against and hounded, while the monstrous guilt of the mighty is covered up.

132. In the General Assembly it has been possible to vote against Chile by shifting one's conscience and ignoring the truth. But the people of Chile will stand firm, defending their freedom and the humanist principles which are part of their unalterable tradition, with the integrity of a people which has the courage to live and to maintain the principles which they proudly proclaim with a dignity which cannot be destroyed by any resolution or by any majority.

133. Mr. GIAMBRUNO (Uruguay) (*interpretation from Spanish*): I should like to explain the vote of my delegation against draft resolution VI.

134. During the debate in the Third Committee we had an opportunity to speak at length on the procedures that were followed in arriving finally at this draft resolution. We pointed out then how illegal the procedure selected was. Everyone was able to witness the manner in which the accusations against Chile were launched and the manner in which the *Ad Hoc* Working Group submitted a series of conclusions which were of a preliminary nature and yet which affirmed as a verdict the existence of situations which were in complete violation of human rights. When we asked the Rapporteur of the *Ad Hoc* Working Group whether they had thought it appropriate to compare the statements of witnesses, obtained outside Chile, with statements by the Government of Chile so as to determine beyond a doubt, after hearing Chile's defence, the actual state of affairs and why this procedure had not been followed—which is absolutely mandatory in any kind of trial—we did not receive any reply.

135. Unfortunately, the legal shortcomings from which this resolution suffers—this resolution which condemns the accused without giving him a hearing—were the basic reason for our being unable to support the draft. Furthermore, the discussion brought to light the extent to which a political approach was the determining factor in assessing the facts in Chile. We pointed out then, as indeed we are convinced, that this example, whereby the United Nations was setting up a completely original instrument, clearly demonstrated that the State involved had, from the outset, co-operated fully, not only with the United Nations authorities but also with the regional authorities and with non-governmental committees, and that it had opened its doors wide to an inquiry into all of the facts, endeavouring at all times to co-operate in clarifying them in order to improve conditions and safeguard human rights.

136. However, this resolution, in our view, will not make it possible to improve the present situation. Indeed, as we have said on an earlier occasion, we believe that it is necessary to create absolutely impartial machinery to investigate situations such as this. We find it totally bizarre that Chile alone should have to answer this kind of accusation. All representatives

present here are aware of violations of human rights, and everybody also knows how the countries involved have always shielded themselves by invoking internal jurisdiction. And yet, despite the fact that here we have a Government which, instead of invoking that defence, opened its doors and offered to discuss its problems and reply to allegations in order eventually to remedy those situations which may be contrary to human rights, the Assembly, instead of registering satisfaction at that attitude, has adopted a condemnatory resolution.

137. It is because of that attitude—which we regard as illegal and discriminatory—that we have emphatically voiced our opposition to, and have voted against, this resolution.

138. Mrs. MASSON (Canada) (*interpretation from French*): My delegation would like to correct its vote on draft resolution I: by mistake the Canadian vote was registered as an abstention, whereas we meant to vote in favour.

139. Mr. SMIRNOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Soviet delegation voted in favour of draft resolution VI. The Soviet delegation views the adoption of this draft resolution as an important and essential action dictated by the desire to put an end to the bloody reign of terror and mass repression unleashed by the Chilean military junta against patriots, democrats and freedom-loving people of that country.

140. In expressing its deep concern at the constant flagrant violations of human rights in Chile, the General Assembly confirmed its condemnation of the crimes committed by the Chilean military junta. The resolution on the protection of human rights in Chile gained widespread support among Member States of the United Nations. As we have just seen, States belonging to all regional groups, and with different social systems, voted in favour of this resolution.

141. A year ago, the General Assembly adopted resolution 3219 (XXIX), which urged the Chilean authorities to respect fully the principles of the Universal Declaration of Human Rights and to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms, particularly those involving a threat to human life and liberty, to release all persons who have been detained without charge or imprisoned solely for political reasons, including former members of the Chilean Government and Parliament. However, as we are aware, the junta has flatly disregarded the United Nations demands for an end to terror and repression in Chile.

142. The resolution just adopted by the General Assembly is based on numerous incontrovertible facts, including facts contained in the report of the *Ad Hoc* Working Group established by the Commission on Human Rights to investigate violations of human rights in Chile. As is stressed in the present resolution, the report of the Working Group contains evidence that flagrant violations of elementary human rights are still continuing in Chile. The report of the *Ad Hoc* Working Group, prepared as a result of the impartial and objective study of a tremendous volume of material and eye-witness testimony from all sectors of the Chilean people, attests to the unprecedented scale of the cruelty of the terror in Chile.

143. In United Nations organs, including the General Assembly itself, innumerable instances of atrocities and indignities inflicted by the butchers of the junta on defenceless people have been adduced. The report of the *Ad Hoc* Working Group gives us new evidence of these criminal acts which have elevated to the status of state policy torture and cruel and inhuman treatment of people. In terms of their scale and cruelty, the violations of human rights in Chile can be compared only with the atrocities committed by the Nazis in the Second World War.

144. The facts show that, to the Chilean junta, the very idea of human rights and freedoms as proclaimed by the Charter of the United Nations and the international Covenants on human rights, which have been ratified by the Government of Chile itself, is alien. Up to this very day, thousands of patriots and democrats are still languishing in Chilean gaols and concentration camps, and among them the distinguished Senator Luis Corvalán. The United Nations, its *Ad Hoc* Working Group of the Commission on Human Rights and world public opinion call for the immediate liberation of Luis Corvalán and other party and political figures belonging to the National Unity Movement.

145. We should like to express our great regret at the fact that the representative of the junta has now rejected the resolution just adopted by the General Assembly. That means that thousands of Chileans will remain deprived of their elementary human rights, will be tortured and suffer indignities, will undergo persecution and suffer the reign of terror which has been condemned by the General Assembly.

146. The adoption by the General Assembly of this resolution is further evidence of international solidarity with the Chilean people and confirms the determination of the international community to bring about an end to terror in that country and to ensure the restoration of human rights and freedoms, which have been trampled underfoot by the Fascist junta.

147. My delegation is convinced that the most energetic measures must be taken to compel the junta finally to heed the powerful voice of the peoples of the world and put an end to terror and repression, arbitrary arrest and torture and to free from its dungeons patriotic and democratic political figures in Chile. We believe that it is the duty of all Members of the United Nations, by their joint efforts, to bring about the earliest possible restoration of human rights and freedoms in that country.

148. Mrs. SAELZLER (German Democratic Republic): The delegation of the German Democratic Republic voted in favour of the resolution concerning the protection of human rights in Chile because this resolution condemns anew the systematic and massive violations of human rights by the Fascist régime and demands without delay the restoration and safeguarding of human rights and fundamental freedoms in Chile.

149. The massive repression in Chile has not diminished. It is being carried out with roughness and cruelty to such a point that there is no country in the world whose people has not been moved or shocked by the crimes of the Fascist dictatorship in Chile. The progress report submitted by the *Ad Hoc* Working Group and debated in the Third Committee brought

additional evidence of the constant and flagrant violations of human rights in Chile. In the meantime, new facts have become known to world public opinion.

150. We feel that the resolution represents the minimum that the United Nations can do, in view of the existing conditions, to restore human rights and fundamental freedoms in Chile. We emphatically support the General Assembly renewing its demand to the Chilean authorities to take without delay all measures necessary to restore and safeguard basic human rights. We demand that the United Nations take the measures necessary to implement this and other subsequent resolutions adopted by the General Assembly on the protection of human rights in Chile in order to end the régime of terror, the institutionalized practice of torture, cruel, inhuman and degrading treatment or punishment, arbitrary arrest, detention and exile, which have taken place and continue to take place in Chile.

151. For the delegation of the German Democratic Republic, the release of Luis Corvalán, Exequiel Ponce, Aníbal Palma and other political prisoners, the release of Air Force Colonel Rolando Miranda and the over 120 non-commissioned officers and men of the Navy and hundreds of other military prisoners in Chile, the release of the workers, trade unionists, scientists, students, priests and women and all others who are political prisoners in Chile will be the first step in the implementation of the relevant General Assembly resolutions, including the resolution adopted a short time ago.

152. The PRESIDENT (*interpretation from French*): We will now examine the report of the Third Committee on agenda item 73. The Assembly has before it the draft resolution recommended by the Committee in paragraph 15 of its report [A/10404]. As members are aware, an amendment has been submitted by the delegation of Uruguay to the effect that, in the first line of operative paragraph 5 of that draft resolution, the words "thirty-second" be replaced by the words "thirty-first".

153. Mr. SPEEKENBRINK (Netherlands): To my delegation, the decisions taken by the Third Committee in voting on the draft resolution now before us seem somewhat contradictory.

154. As appears from the report presented to us by the Rapporteur, the Committee first decided by a vote of 44 to 32, with 45 abstentions, to consider the item with high priority. After having decided that, however, the Committee adopted by a vote of 46 to 41, with 33 abstentions, a proposal to defer consideration of the item until the thirty-second session.

155. My delegation cannot really believe that that was the intention of the Committee. On the contrary, we believe—and we are indeed firmly convinced—that in deciding in this way the Committee made a mistake in that in the voting process more than one delegation was not entirely clear on the precise text which was being put to the vote.

156. In this respect I need only recall that the amendments were presented in the form of oral amendments and that, at the moment of the decision-making process, there was some confusion in the Committee. It is because we believe that a genuine error was made and that, therefore, the draft resolution which has been

recommended to us by the Third Committee does not really reflect exactly the intentions of the Committee, that we wholeheartedly support the amendment introduced by the representative of Uruguay.

157. Moreover, the item is an important one, and it is also for that reason that we feel that the plenary should reflect upon the significance of the recommendation presented to us by the Third Committee as it now stands.

158. We believe that the United Nations is not a static organization. On the contrary, it is dynamic, and as such must be able to scrutinize its procedures on a continuing basis. It must make sure that these are adequately and sufficiently flexible to respond to the demands made by constantly evolving international co-operation. This is especially true in the field of the protection of human rights and fundamental freedoms. It is essential that the General Assembly should have the opportunity continuously to review procedures, assess their adequacy, adjust them and, where necessary, find alternatives.

159. This does not mean that one particular organism or functionary is sought as the representative of Saudi Arabia seems to think. It concerns an open and a frank discussion of all possibilities with a view to improving the present structures. In view of this, my delegation also supports the amendment presented by the delegation of Uruguay. After all, on the basis of its resolution 3136 (XXVIII), the General Assembly was to have discussed the item in substance this year. Such a substantive discussion was not possible, however, mainly owing to lack of time. The delegation of the United Kingdom therefore decided to present draft resolution A/C.3/L.2188 which to our mind reflected the general sentiments within the Committee: that is, to ensure a substantive discussion at the thirty-first session. We believe that that suggestion was a correct one and we hope that the plenary Assembly shares our view.

160. Mr. SMIRNOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Soviet delegation would like to remind the Assembly that the draft resolution before us was adopted by the Third Committee, after careful consideration, by 115 votes, and no one voted against it. The Uruguayan delegation, which has now submitted an amendment, voted in favour of the draft resolution. Only five delegations abstained in the voting, among them the delegations of the United Kingdom, the Netherlands and Chile. Accordingly, the draft resolution which we are now considering won almost total approval in the Third Committee. In the circumstances, the introduction of an amendment to this draft resolution is difficult to view as anything but an attempt on the part of a certain small group of countries to get it changed.

161. When a decision was taken to consider this item of the agenda at the thirty-second session, the Third Committee took into account the whole complex of circumstances connected with this matter. The representative of Saudi Arabia has already dwelt on this in detail and there is no need for me to repeat what he said.

162. I should like to remind the Assembly of the fact that at the thirty-second session this item of the agenda would be considered as a priority item. The

sponsors of the amendment obviously are seeking some different objective, which in the view of my delegation has nothing in common with the need for thorough and comprehensive consideration of this question.

163. At the twenty-eighth session, this item was deferred to the thirtieth session [*resolution 3136 (XXVIII)*], then at the twenty-ninth session States were asked to present their comments and points of view on this subject [*resolution 3221 (XXIX)*]. As the Assembly knows, only 18 States were able to reply to the questionnaire sent out by the Secretary-General [*see A/10235, para. 3*].

164. As we know, because of lack of time at this session, the Third Committee was unable to consider a number of items on its agenda and decided to defer their consideration until the thirty-first session. This means that at its thirty-first session the General Assembly will have a great deal of work, and obviously to us in the Soviet delegation, in the circumstances, the proposal to include on the agenda one further item appears to be not only unfounded but unrealistic.

165. The Soviet delegation is taking into account one more fact: namely, that we hope next year will see the entry into force of the human rights Covenants, particularly the International Covenant on Civil and Political Rights, in accordance with which a committee will be set up to implement the Covenants. That committee, in our view, will be one of the important new organs in the field of human rights within the United Nations system. Therefore, we consider that the experience which will have been accumulated by that committee by the thirty-second session will be extremely valuable for the consideration of the question of alternative approaches at the thirty-second session.

166. For these reasons, my delegation is unable to support the amendment proposed by the delegation of Uruguay and will vote against it.

167. Mr. von KYAW (Federal Republic of Germany): My delegation fully supports the proposed amendment to operative paragraph 5 of the draft resolution recommended by the Third Committee. In our opinion, a thorough debate on item 73 is required, because, if we accept here the obligation to promote respect for human rights, we should, in our opinion, also be willing and ready to discuss and examine possibilities for improving the existing United Nations system and the procedures applied for the promotion of human rights.

168. The last time we held a serious discussion on the item was two years ago, at the twenty-eighth session of the General Assembly. After a lapse of two years, the Third Committee did not find the necessary time this year to deal with the item in a substantive manner. In spite of this undeniable fact, we are now supposed to wait again for two more years until the thirty-second session of the General Assembly. My delegation does not consider this to be the right approach to a very important item which, as its title indicates, deals with alternative approaches.

169. No one has the intention or even the possibility of imposing one particular approach or method on other delegations, be it a high commissioner or any other among the many alternatives. What we are asking for,

and why we are supporting this amendment, is nothing more than to be given the opportunity to discuss and to study in depth how we can all best move forward in strengthening the United Nations system for the promotion of respect for human rights.

170. The PRESIDENT (*interpretation from French*): I shall now put to the vote the amendment proposed by Uruguay. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Australia, Austria, Belgium, Bolivia, Botswana, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Paraguay, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

*Against:* Afghanistan, Algeria, Bahrain, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, Indonesia, Iran, Iraq, Jordan, Kuwait, Laos, Lebanon, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mongolia, Oman, Pakistan, Peru, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen, Yugoslavia.

*Abstaining:* Argentina, Bahamas, Bangladesh, Barbados, Bhutan, Brazil, Burma, Burundi, Comoros, Equatorial Guinea, Ghana, Grenada, Guyana, India, Jamaica, Liberia, Malawi, Mauritius, Morocco, Nepal, Niger, Nigeria, Papua New Guinea, Sierra Leone, Sri Lanka, Swaziland, Togo, Trinidad and Tobago, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zaire, Zambia.

*The amendment was rejected by 56 votes to 40, with 33 abstentions.*

171. Mrs. SELLAMI MESLEM (Algeria) (*interpretation from French*): I wish to make a correction to operative paragraph 3, whereby the words "thirty-first" should be replaced by the words "thirty-second". The report requested in that paragraph will have to be prepared when the item is inscribed on the agenda, so it is for the thirty-second session that it will have to be prepared.

172. The PRESIDENT (*interpretation from French*): The request of the representative of Algeria will be taken into account.

173. The Assembly will now take a decision on the draft resolution recommended by the Third Committee in document A/10404. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Repub-

lic, Canada, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, 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, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* Bahamas, Malawi, Netherlands, Rwanda.

*The draft resolution was adopted by 125 votes to none, with 4 abstentions (resolution 3451 (XXX)).<sup>2</sup>*

174. The PRESIDENT (*interpretation from French*): I shall now call upon those representatives who wish to explain their votes after the voting.

175. Mr. FARANI (Pakistan): Pakistan has consistently and unreservedly supported all initiatives aimed at safeguarding and ensuring the full enjoyment of human rights. My delegation has always viewed questions of human rights as worthy of our profoundest interest, and has given its utmost attention to all proposals to enlarge the scope of their applicability.

176. We consider that an in-depth examination of the question of alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms requires time and patience, not only for a study of the functioning of the existing apparatus but also to allow other options and alternatives to be presented.

177. Motivated by this important consideration, and inspired by the abiding interest of the people of Pakistan in all issues relating to human rights, in the Third Committee my delegation lent its support to the proposal for the consideration of this item at the thirty-second session.

178. We again did the same today. We believe that any earlier discussion would be inadequately informed and inconclusive. We are gratified to find that a majority of our colleagues has upheld that view. We are confident that the intervening period will enable us all to assess the effective functioning of the existing United Nations agencies and apparatus in the field of human rights, as also any other alternative approaches that may be suggested.

179. Mr. HUERTA (Chile) (*interpretation from Spanish*): During the debate in the Third Committee on the item, the delegation of Chile submitted a draft resolution [A/C.3/L.2/89]. It instructed the Secretary-General to appoint a group of 10 experts to prepare a study on the establishment of a system for investigating allegations of violations of human rights.

180. Quite obviously, at present there is no appropriate and effective system of providing relief for people who throughout the world are suffering because their most elementary rights are being violated or of fulfilling the primary duty of justice which is to judge all States by the same criteria.

181. We were encouraged to follow that course, so often advocated in the history of the United Nations, by the many and reiterated statements of the Ministers of Foreign Affairs of various countries during the general debate, in which they appealed to the General Assembly to seek effective means of achieving respect for human rights throughout the world.

182. Chile considers that the unjust resolution adopted against it by the Assembly is no barrier to the impetus for such an initiative. On the contrary, my Government is of the view that the injustice committed against it is the best proof of the need promptly to establish an effective system of general application in this field. If such a system had existed, we would not have been compelled to witness the deplorable spectacle of certain countries rising to make accusations against us with impunity when we have constantly expressed and reiterated proofs that the human rights of their citizens are being violated.

183. The system advocated by Chile has as its primary purpose to guarantee for mankind a genuine improvement in the enjoyment of human rights and fundamental freedoms and at the same time to prevent the emergence of an anomalous situation in which those who should be the defendants become the judges. Unfortunately, the Third Committee did not adopt Chile's recommendation; not only did it not adopt it, it did not even want to put it to the vote, in spite of reiterated statements that it was an idea worthy of consideration.

184. The Government of Chile reiterates its firm intention of continuing to promote within the international community the establishment of an objective and impartial system for the investigation of violations of human rights. The past lack of success will not cause us to lose heart. We shall continue to strive for something we consider to be necessary, just and equitable.

185. We have taken note of certain countries' evaluation of our proposal as positive and worth studying. We hope that in the not too distant future those same delegations will decide vigorously to promote a system similar to that proposed by my delegation.

186. Since it was impossible at this session to submit a draft resolution such as the one I have mentioned, Chile voted in favour of considering the question which is the object of the present agenda item 73 at the next session of the General Assembly or, as has resulted from the vote, at the one after that. If we are concerned that the peoples of the world should respect the decision of the Organization, we must promptly seek new methods to ensure that human rights are

respected in all nations. To fail to do so would be to run the risk of grave inconsistency, we would damage the prestige of the United Nations and no longer be in a position to affirm that this building is a temple of respect for the dignity of man.

187. It is a paradox and a shame that in the same Assembly in which Chile was singled out by the adoption of a resolution against it on the pretext of concern for human rights, it has been considered that a general study of this item should be postponed for two years. This is yet another indication of the unfortunate politicization which prevails in the Organization and which threatens to destroy the very principles and purposes which inspired the establishment of the United Nations. It is my Government's hope that the Assembly will decide promptly and once and for all to establish a just system for inquiring into the exercise of human rights. We believe that the time is ripe for the adoption of the Chilean idea. We therefore shall insist on our initiative in the future in all the appropriate bodies.

188. Mr. SPEEKENBRINK (Netherlands): As I indicated earlier when I spoke on the amendment proposed by the delegation of Uruguay, my delegation attaches very great importance to this item. We therefore could not associate ourselves with a decision to delay any further the consideration of this amendment. That does not mean, however, that we attach less importance to this question. On the contrary, I would assure the Assembly that the Netherlands delegation will participate in the most constructive spirit in the discussion at the thirty-second session.

189. Mr. AL-HUSSAMY (Syrian Arab Republic): My delegation voted in favour of the resolution which has just been adopted on the understanding that these alternative approaches and ways and means will not include in any manner the creation of a post of high commissioner for human rights.

190. So far as paragraph 3 of the resolution is concerned, we share the opinion of the representative of Algeria that the Secretary-General will not submit his report until the thirty-second session.

191. The PRESIDENT (*interpretation from French*): We now turn to the report of the Third Committee on agenda item 74. That report is contained in document A/10408.

192. The Fifth Committee has completed its consideration of the administrative and financial implications of draft resolution II, recommended by the Third Committee on this item. I shall therefore ask the Rapporteur of that Committee to give the Assembly an oral report on those implications.

193. Mr. ABOUL GHEIT (Egypt), Rapporteur of the Fifth Committee: On behalf of the Fifth Committee, I have the honour to report to the General Assembly that should draft resolution II be adopted, no additional appropriation would be required, because efforts are being made to obtain extrabudgetary resources for the purpose set out in the draft resolution. In any case, should those efforts prove to be unsuccessful, credits already allocated for this programme could be used.

194. The PRESIDENT (*interpretation from French*): We shall now take a decision on draft resolutions I

and II recommended by the Third Committee in paragraph 14 of its report [A/10408].

195. Draft resolution I was adopted in the Committee by acclamation. May I therefore take it that the General Assembly adopts draft resolution I?

*The draft resolution was adopted (resolution 3452 (XXX)).*

196. The PRESIDENT (*interpretation from French*): Regarding draft resolution II, the Rapporteur of the Fifth Committee has just given us an oral report on its administrative and financial implications.

197. The Third Committee adopted draft resolution II without a vote. May I take it that the General Assembly wishes to proceed in the same way?

*Draft resolution II was adopted (resolution 3453 (XXX)).*

198. The PRESIDENT (*interpretation from French*): I now call on the representative of India to explain his vote after the voting.

199. Mr. SRINIVASAN (India): The delegation of India went along with draft resolution II, which has just been adopted, because there was no call for a vote on it. However, the delegation of India feels that its comments on that resolution should be put on record.

200. We feel that the resolution not only goes beyond the scope of the subject matter of torture but also reopens a number of matters that were settled by the United Nations Congress on the Prevention of Crime and the Treatment of Offenders. We feel that the last paragraph of the preamble is not necessary as it does not add any content to the resolution. With regard to paragraph 1, we would have preferred the addition of a few words indicating that the Congress had defined what is meant by torture. So far as paragraph 2 is concerned, my delegation feels that it is much too wide and general. Also, there seems to be no point in making further studies of this nature, after having adopted the detailed declaration on torture. With regard to paragraph 4, the delegation of India feels that it is superfluous because the World Health Organization submitted its report to the United Nations Congress where that report was fully considered.

201. The PRESIDENT (*interpretation from French*): We shall now consider the report of the Third Committee on agenda item 80. A correction should be made to paragraph 4 of the report of the Committee. The names of Greece and Portugal should appear as co-sponsors of the draft resolution in document A/C.3/L.2180.

202. We shall now take a decision on the draft resolutions recommended by the Third Committee in paragraph 10 of its report [A/10401].

203. Draft resolutions I and II recommended by the Third Committee were adopted by consensus in the Committee. May I take it that the Assembly also wishes to adopt them?

*Draft resolution I was adopted (resolution 3454 (XXX)).*

*Draft resolution II was adopted (resolution 3455 (XXX)).*

204. The PRESIDENT (*interpretation from French*): Draft resolution III was adopted in the Third Com-

mittee without a vote. May I take it that the General Assembly wishes to follow the same procedure?

*Draft resolution III was adopted (resolution 3456 (XXX)).*

205. The PRESIDENT (*interpretation from French*): I shall now call on those representatives who wish to exercise their right of reply.

206. Mr. HUERTA (Chile) (*interpretation from Spanish*): I am speaking now in exercise of my right of reply because in explaining his vote the Soviet Union and one of his cohorts repeated the slogans which have been heard here in these halls for more than two years.

207. In the brief amount of time available I cannot reply to everything, but I should like to ask the following questions: Is the Soviet Union prepared to agree, as Chile as, to co-operate with the United Nations in examining the situation with respect to human rights in its territory? Is its representative in a position to reply to the specific charges contained in the books of two Nobel Prize winners, of Russian nationality, which are circulating today throughout the entire world? Can he deny the assertion of Solzhenitsyn and Sakharov that more than 20 million persons have died in concentration camps of the Soviet Union?

208. Finally, I would point out that the gloomy picture described by the representative of the Soviet Union does not relate to Chile but to the Soviet Union itself. I should like to draw the attention of the Assembly to the threats involved in the final words of that representative. Under the pretext of alleged concern for human rights, the Soviet Union has revealed its repeated intention of continuing to interfere in the internal affairs of Chile and to incite aggression against us. We are not alarmed by his threats, however. Chile has freed itself from Soviet neo-imperialist designs, and it is important that the representatives bear that fact in mind, since it shows that communism is not invincible when a people has the will to reject it.

209. Mr. SMIRNOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): My delegation will be extremely brief in its reply to what has just been said by the representative of the junta.

210. The Soviet delegation in the course of the deliberations in the Third Committee, and here in the General Assembly as well, on the gross violations of human rights stressed what are the facts pertaining to these violations which are confirmed in the report of the *Ad Hoc* Working Group which was established by the Commission on Human Rights. I did not hear, throughout all those deliberations, that these facts had been rejected by the representative of the junta. It is impossible to do so, for these are facts, facts which are objective. The General Assembly, having just adopted the resolution, has once again confirmed the facts of gross violations of human rights in Chile and the practice of terror, of repression, of torture. It is impossible for the representative of the Chilean junta to escape from this. The fact that the representative of the junta has resorted to attacks against the Soviet Union could not lead anyone into confusion.

211. The General Assembly carefully and comprehensively considered the questions pertaining to the



violation of human rights in Chile and adopted the appropriate resolution, and is now entitled to expect from the Chilean representatives statements regarding what will be done to implement the resolution. As we have heard, the representative of the junta has rejected the resolution.

*The meeting rose at 6.15 p.m.*

## NOTES

<sup>1</sup> The delegation of Nicaragua subsequently informed the Secretariat that it had intended to vote against the draft resolution, and the delegation of Venezuela that it had intended to abstain in the vote.

<sup>2</sup> The delegation of Greece subsequently informed the Secretariat that it had intended to vote in favour of the draft resolution.