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SUMMARY RECORD OF THE 50th MEETING

Chairman: Mr. KABORE (Burkina Faso)

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/44/3, A/44/99, A/44/119, A/44/153, A/44/171, A/44/238 and Corr.1, A/44/320, A/44/325, A/44/355-S/20704, A/44/367, A/44/377, A/44/378, A/44/381, A/44/402, A/44/403, A/44/404, A/44/426, A/44/440, A/44/462, A/44/466, A/44/482, A/44/504, A/44/573, A/44/580, A/44/600, A/44/620, A/44/622, A/44/635, A/44/657, A/44/669, A/44/671, A/44/706; A/C.3/44/1 and 4, A/C.3/44/8)

AGENDA ITEM 109: EFFECTIVE IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS ON HUMAN RIGHTS, INCLUDING REPORTING OBLIGATIONS UNDER INTERNATIONAL INSTRUMENTS ON HUMAN RIGHTS (continued) (A/44/98, A/44/171, A/44/409-S/20713 and Corr.1 and 2, A/44/539, A/44/668, A/44/689-S/20921)

1. Mr. BOULANDI (Chad), speaking on the question of human rights, emphasized that only enjoyment of the whole range of human rights permitted the self-fulfilment to which every human being profoundly aspired. That observation applied especially to refugees, who, being unable to live in their own countries, did not enjoy all of their rights.
2. The causes of the refugee phenomenon were well known: for the most part it resulted from armed conflict, and sometimes from natural disasters. Unfortunately, that phenomenon occurred especially in the underdeveloped countries, where there were also focal points of tension, particularly in Central America, in Western and South-East Asia and in Africa. While the efforts made by the international community to provide for the basic needs of refugees were to be commended, his country was nevertheless convinced that lasting solutions, such as voluntary repatriation and the settlement of refugees in countries of reception or in third countries, remained the best way of resolving those problems. Still better, at a time of dialogue and détente, the ideal approach would be to attack the root causes of the problem, in other words to eliminate all focal points of tension.
3. With that in mind, the Government of the Third Republic of Chad had, as early as 18 June 1982, appealed for national reconciliation and unity among all the people of Chad. Following that appeal, a number of agreements had been signed with the various components of the opposition in exile, leading to the large-scale return of Chadians who had sought asylum in neighbouring countries.
4. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimated that some 1,800 persons had been repatriated in 1989. To that figure should be added the thousands of Chadian nomads who had returned from the Sudan. His Government had thus been confronted with real difficulties of reintegration, especially with regard to the establishment of educational and health structures. Refugees from Chad still remained in neighbouring countries and other regions. His Government's aim was to encourage all nationals to return to the country, which meant that Chad would continue to need assistance from UNHCR.

(Mr. Boulandi, Chad)

5. Another problem was that of the persons who had been displaced within the country itself because of the foreign occupation of Borkou-Ennedi-Tibesti from 1983 to 1987. Since anti-tank and anti-personnel mines had been planted by the occupying forces in that region, many oases were still inaccessible and his Government had to continue to provide assistance to those displaced persons. Because of its meagre resources, Chad would again have to call on the international community to pursue its efforts on behalf of the displaced and voluntarily repatriated persons.

6. For those reasons, his delegation intended to submit, under agenda item 12, a draft resolution on assistance to repatriated and displaced persons in Chad. It hoped that delegations would support that initiative, as they had already done in previous years, and that the United Nations organizations would help Chad to achieve its objectives. To that end, financial resources should be made available to UNHCR and the Office of the United Nations Disaster Relief Co-ordinator.

7. His country wished to thank all the States and United Nations bodies which had helped in the repatriation of refugees and had provided assistance to displaced persons.

8. Mr. VAN WULFFTEN PALTHE (Netherlands) observed that many Governments seemed to feel they were entitled to disregard their obligations under the human rights instruments, and he wondered whether that was because of the absence of relevant sanctions in international law.

9. His Government was profoundly concerned by the vast number of human rights violations in the world. There was no need even to read the publications of Amnesty International to be aware of that situation: the press and television reported such violations every day, and no one could be unaware of what had happened in China or of the violent actions of Chinese soldiers against Tibetans, the election fraud in Panama, the maltreatment of Palestinians by Israeli soldiers in the occupied territories, and so on.

10. What was shown in the newspapers and on television was probably only the tip of the iceberg. Too many countries muzzled the press and, despite the sometimes heroic efforts of journalists and human rights defenders, managed to prevent information on human rights violations from becoming known to the international community. Furthermore, when the international community, through the United Nations, decided to appoint a special rapporteur to monitor the human rights situation, some Governments refused to co-operate with him.

11. Iran, for example, had always refused to co-operate with the Special Representative, and Chile, after several years of exemplary co-operation, had recently decided no longer to co-operate with the Special Rapporteur. The latter case was of particular concern given that the Chilean authorities claimed to be committed to restoring democracy in their country.

(Mr. Van Wulfften Palthe, Netherlands)

12. In his view, countries which refused to co-operate with United Nations rapporteurs and working groups or any other body assigned the task of monitoring compliance with human rights standards were making a mockery of the United Nations system, denying the universal character of human rights and undermining the very foundations of the Charter. That could not be allowed to happen. In the absence of sanctions, the United Nations should assess human rights violations and publicly expose the Governments responsible. Scrutiny by the international community of such violations was itself a form of sanction which, although not perfect, could prove successful. Efforts must therefore be continued in that direction.

13. Wishing to conclude on a more positive note, he referred to recent developments in Eastern Europe and particularly in the Soviet Union, Hungary, Poland and the German Democratic Republic. It was encouraging to see that the population of a country could force its Government to carry out reforms and to restore democracy. The new leaders of those countries would need every possible support to implement the changes demanded by the people.

14. Those positive developments were fortunately not limited to Eastern Europe, but were also taking place in various Latin American countries and in Africa. In Namibia, elections described as free and fair by the Special Representative had given real meaning to the right to self-determination.

15. His delegation hoped that the events just mentioned would serve as an example for those Governments which still denied their citizens the enjoyment of human rights. They should serve not only as an example but as a warning: sooner or later, the people would triumph over the abuses of its leaders.

16. Mr. ROMARE (Sweden) said that while the world situation had improved in a number of areas such as disarmament, the peaceful settlement of disputes, stability and peace, the general picture with regard to human rights remained unchanged.

17. However, in some instances the situation had improved. The most notable example was that of the Soviet Union and Eastern Europe, which were witnessing the end of totalitarianism and the emergence of pluralism and popular participation in political life.

18. In Uganda, the Government had since 1986 been making considerable efforts to tackle a difficult situation and was showing an open and positive attitude regarding human rights.

19. In Paraguay the new régime, after decades of repression, seemed to be moving towards democracy.

20. In Bangladesh, the Government had introduced new legislation concerning the treatment of some tribal populations. His country hoped that those new measures would enhance respect for the fundamental rights of those tribes.

21. Nevertheless those positive examples, which represented substantial progress, must not cause other realities to be forgotten.

(Mr. Romare, Sweden)

22. His Government was particularly apprehensive about developments in Cambodia, whose population had for several years suffered the cruelties of the Khmer Rouge régime. It was shameful, moreover, that the United Nations had remained silent about those events at the time. The international community could not accept the recurrence of such a situation.
23. In Myanmar, numerous observers reported violations such as the detention of political activists, summary trials by military courts, and even cases of torture and summary executions. The Government of Myanmar planned to hold parliamentary elections in May 1990. According to his information, however, several representatives of the opposition were still under house arrest on obscure charges. He doubted whether such a situation would be conducive to the holding of free and fair elections.
24. He recalled the events which had taken place in June in China. The Government and people of Sweden deplored the fact that martial law was still in force in that country. There were reports of the execution, disappearance or arrest of many of those workers and students who had demonstrated peacefully for democratic liberties.
25. His Government was also deeply concerned by reports of the suppression of religious and cultural rights in Tibet. His delegation appealed to the Chinese Government to lift martial law and adopt a policy of reconciliation and respect for human rights.
26. Regarding the human rights situation in South Africa, his delegation could only refer to the position it had made clear many times in the past. As to the Palestinian territories occupied by Israel, the deteriorating situation witnessed there by Swedish parliamentarians was a source of increasing concern.
27. In Chile, the Special Rapporteur had drawn attention to cases of political murders, disappearances and torture. It was to be hoped that the Chilean Government, which was refusing to co-operate with the Special Rapporteur, would reconsider its position. It was essential that the international community should keep the human rights situation in Chile under close scrutiny.
28. It was common knowledge that the situation in El Salvador had deteriorated recently. According to the Special Rapporteur, many atrocities had been committed by members of the armed forces against political opponents and trade union representatives. In addition, a large number of persons had been killed by mines laid by the FMLN forces. It was imperative that the violence be stopped and that dialogue between the parties be resumed.
29. While the report of the Special Representative in Iran gave cause for concern, his Government noted certain improvements in that country. An amnesty had been officially announced for most of the political prisoners. It was to be hoped that the amnesty would be followed by other such measures.

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(Mr. Romare, Sweden)

30. In Romania, the situation was alarming. The Government of Romania was still refusing to allow the Special Rapporteur appointed by the Commission on Human Rights to enter the country.

31. In Bulgaria, the authorities continued to treat the Turkish minority in a manner which was incompatible with human rights principles. The mass exodus of members of that minority in the summer of 1989 had shown how critical their plight had been.

32. The fate of the Kurdish people was tragic. In a number of countries the Kurds were denied the enjoyment of their rights for ethnic and linguistic reasons. It was important that the Kurds should be able to preserve their culture, traditions and language and to participate in political and economic life in the same conditions as other people.

33. His Government was profoundly concerned by the situation in Iraq, where numerous cases of torture and grave violations of human rights were reported.

34. The situation in Syria also gave cause for concern. The country had virtually been under emergency powers since 1963 and torture, ill-treatment and unlawful detentions were reported to be frequent.

35. In Somalia, while his Government had learnt with satisfaction that many political prisoners had been released in early 1989 under a general amnesty, there had been subsequent reports of extrajudicial executions, unexplained disappearances, torture and other cruel treatment. According to reports, 46 civilians had been killed in July after a peaceful demonstration and the situation was again seriously deteriorating.

36. As it had already indicated in 1988, his delegation believed that the Commission on Human Rights should continue to keep the situation in Guatemala under scrutiny. The Government of that country had shown its good will with regard to human rights and those efforts must be followed up and supported.

37. Sweden was concerned at the deteriorating situation in Panama and in particular by the undemocratic cancellation of the results of the election in May 1989.

38. In several countries, human rights violations were attributable not to intentional policies but to instability or to a lack of determination on the part of the Government. The situations in Colombia, Peru, Lebanon, Sri Lanka and the Philippines were cases in point. There was no single or easy solution in such cases, but the international community should stand ready to assist any Government which was determined to live up to its responsibilities in the matter of human rights.

39. As the Secretary-General had said in his latest annual report, "the stability of national and international society can only rest upon a foundation of assured

(Mr. Romare, Sweden)

human rights". If the positive trend in international relations was to continue, the human rights situation could not be left where it stood. A major effort was called for in that area, both nationally and internationally.

40. Mr. ESZTERGALYOS (Hungary) recalled that the United Nations was bound by the Charter to promote the realization of human rights without distinction as to race, sex, language or religion. The present-day international environment was particularly favourable for strengthening co-operation and confidence among States and Hungary was deeply committed - not only in words but, as its record showed, in deeds as well - to the protection and implementation of human rights both inside and outside the country. It considered human rights to be universal values forming an integral part of international security. Guaranteeing the enjoyment of human rights was a task for all to perform, in accordance with the obligations voluntarily accepted by States under the Charter, the international covenants and other human rights conventions and instruments. Evasion of those obligations was not only a violation of international law but an act against common sense.

41. Hungary attached great importance to the operation of the existing international control mechanisms and therefore welcomed the increasing recognition by nations of the instrumental role played by the special representatives and special rapporteurs.

42. At its 1989 session, the Commission on Human Rights had appointed a special rapporteur to examine the human rights situation in Romania. His delegation deplored Romania's refusal to co-operate in that matter and drew the Committee's attention to the case of a priest of the Reformed Church in Romania, László Tóké, who together with his followers was being threatened by the Romanian authorities for having spoken out publicly against the violations of human rights and fundamental freedoms in his country, the Romanian Government's policy of rural systematization and the difficulties faced by Romania's national minorities in protecting their cultural identity. By its actions, Romania was violating all the rights set forth in the Charter of the United Nations, the international covenants and the Concluding Document of the Conference on Security and Co-operation in Europe (CSCE). His delegation urged the international community to ensure the protection of that priest.

43. Desiring to strengthen international co-operation in the field of human rights, his delegation had made suggestions for extending the monitoring role of the United Nations through special fact-finding missions and on-site inquiries to supplement the mechanisms already established. It reaffirmed its willingness to take part in setting up international task-force groups which could play a useful role in preventing potential violations of human rights and fundamental freedoms. Since international verification and monitoring were widely accepted in arms control, it was hard to understand the reluctance of some to accept the same form of control in the case of human rights. Despite the difficulties, Hungary would continue to strive for the adoption of innovative and more effective mechanisms in that field.

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44. Mr. TÖRNUDD (Finland) said that, as a result of the activities of various non-governmental organizations, there had been increased awareness world wide of the importance of the promotion and protection of human rights. His country, for example, had set up an Advisory Committee to study the international situation in that respect, with members appointed by the political parties as well as by the relevant NGOs, and that Committee played a useful role to assist international organizations dealing with human rights. Finland participated actively in the CSCE process, which had made constant and tangible progress for human rights, where regional co-operation could be seen as a useful amplification of global efforts. At its Vienna meeting, CSCE had adopted provisions on human rights which highlighted the role of the individual in friendly relations between States and which served the same purpose as confidence-building measures in the military security field. CSCE States were aware of the danger of ideological confrontation and recognized that respect for human rights and fundamental freedoms was an essential condition for peace, justice and well-being necessary for developing friendly relations among all States.

45. The status of national, religious and other minorities had gained new importance. Large-scale migratory movements, of political or economic origin, had contributed to the emergence of new types of minorities, whose rights should be protected, and that would inevitably require more international co-operation.

46. In the face of violations of human rights in other countries, Finland was not a strong believer in protest politics. Rather, it favoured quiet, bilateral diplomacy and resorting to the implementation mechanisms of the international human rights instruments.

47. Various reporting systems had been established to ensure the implementation of those instruments. Despite their increasingly vital role, the effectiveness of those systems had been hampered by the backlog of periodic reports, the excessive burden placed on supervisory bodies and the lack of sufficient resources. Efforts should also be made to simplify and streamline reporting procedures without lowering their standards. For example, where initial reports were comprehensive enough, follow-up reports should be confined to specific subjects and overdue reports could be considered simultaneously.

48. His delegation regretted that certain countries had made do with reporting their new legislation rather than implementing human rights instruments, whereas others painstakingly reported all their minor shortcomings. Monitoring the observance of human rights should be focused on countries that were known to have problems on that score. It was there that the system of special rapporteurs and representatives proved its worth. That system had improved over the years and should be used whenever there was a recognized need, while avoiding selectivity. His delegation also favoured appointing rapporteurs in specific thematic fields. That practice could also help to diminish the *ad hoc* character of United Nations action. The willingness of Governments to co-operate with special rapporteurs was in all cases of paramount importance.

(Mr. Törnudd, Finland)

49. His delegation also noted other ways to enhance the role of the United Nations, in particular the idea of creating a post of United Nations High Commissioner for Human Rights, a step which it would support.

50. Direct access by individuals to international supervisory bodies was clearly the most effective way to ensure that States complied with their human rights obligations. His delegation was particularly pleased that many countries had accepted the procedure of individual complaints in the Optional Protocol to the Covenant on Civil and Political Rights, and urged all States which had not yet done so to accede thereto.

51. His delegation also expressed its satisfaction over the recent progress in the Working Group on the elaboration of a convention on the protection of the rights of migrant workers and their families, and in particular the decision of the Working Group to include an individual communications article in that draft convention.

52. Finally, his delegation emphasized the need for adequate resources for the United Nations Centre for Human Rights and underlined the increasingly significant role of the Advisory Services Programme. Since its establishment, Finland had made regular contributions to the Voluntary Fund for Advisory Services and Technical Assistance; its contribution for the current year was 310,000 Finnish markkaa. Finland would like to see a wider circle of donors providing additional support for those important activities.

53. Mr. BRUNI CELLI (Venezuela), speaking on agenda item 12, said that over the past 10 years, the protection of human rights had become an essential aspect of international relations. Experience had shown repeatedly that dictatorships consistently violated human rights. By their abuses, those anti-democratic régimes had made it necessary to establish mechanisms for protecting and defending human rights. The efforts of the international community to protect those rights was thus closely linked to the search for democracy. In countries where it was possible to denounce abuses of power, where there was political opposition, a parliament, an executive power subject to control and an autonomous judiciary, and where periodic elections were held, there was a climate conducive to the respect and exercise of fundamental human rights. Human rights should be understood to include not only civil and political rights, but also economic, social and cultural rights, as well as the right to development recognized by General Assembly resolution 41/128.

54. Some sought to give credence to the idea that democracy was slow and inefficient by nature and incapable of solving the social problems facing the developing countries. Undeniably there were certain risks. Some democracies had weakened and had lost popular support. However, such cases were the exception rather than the rule.

55. In Latin America, democracy had made obvious progress. Over half of the countries of the region had elected, or would shortly elect, their leaders by means recognized as legitimate by the international community and by the majority of

(Mr. Bruni Celli, Venezuela)

their inhabitants. However, the unprecedented economic crisis confronting those countries and the drug traffic which was sapping the very foundations of society constituted a serious threat to human rights in the Latin American region. Similarly, in Central America the situation gave rise to both hope and anguish: hope, thanks to the democratization of Nicaragua, which should be finally confirmed by the forthcoming elections in February, and anguish over the upsurge of the conflict in El Salvador, with the ensuing violence and collective tragedy. He urged the parties to that conflict to observe a cease-fire and to resume the dialogue. He reiterated the offer of the President of Venezuela, Mr. Carlos Andrés Pérez, to facilitate a rapid settlement of the conflict by arranging a third meeting between the Salvadorian Government and representatives of FMLN at Caracas.

56. Finally, he denounced both the terrorism of insurrection, which took various forms in a number of places and State terrorism to which certain countries resorted to combat the former. A genuine State based on the rule of law could be recognized by the means it employed to thwart subversion. A truly democratic régime should not and could not substitute one form of violence for another. In other words, summary executions, enforced disappearances, torture and detention without trial engendered a spiral of violence ending in the destruction of the State based on the rule of law and, ultimately, democracy itself.

57. His delegation noted with appreciation the copious information on the human rights situation in the world in the 1989 report of the Economic and Social Council. The appointment by the Human Rights Commission of special rapporteurs and representatives was an efficient way of promoting and encouraging the action of Governments in that field.

58. Mr. TANASE (Romania) said that his country attached great importance to international co-operation in the field of human rights in accordance with the principles of the Charter of the United Nations and regretted that some delegations had made allegations which poisoned the atmosphere of the debate in the Committee. Those allegations were pure slander devoid of legal validity and were made for the sole purpose of provocation and disinformation. The report submitted by Romania contained all the requisite information. Romania was hostile to all political polemics and favoured constructive dialogue which respected the principles of international law.

59. Contrary to allegations, the measures taken in Romania were aimed at modernizing the country. They were essential in order to eliminate underdevelopment in the countryside and to raise rural standards of living. They were part of a long-term, progressive process.

60. Romania wished to remain faithful to its tradition of preserving the cultural heritage, and intended to ensure that its population enjoyed the right to work, health and education. In that respect, it was in no way different from other countries, whether developed or developing. Its rural policy was logical and necessary.

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(Mr. Tanase, Romania)

61. He pointed out that his country had never exerted pressure or dictatorship vis-à-vis other countries, nor had it ever tried to give them advice. No one had a monopoly of the truth with regard to the way in which human rights were to be respected, and his country would not accept that its conduct was to be dictated to it, taking as its basis in that regard Article 2, paragraph 7, of the Charter of the United Nations, which he read out.

62. Like a large part of world public opinion and the mass media, many speakers had given a distorted image of reality in Romania, indicating a total lack of objectivity. That was particularly the case with Hungary, which was faithful to the policy of hatred it had long pursued with regard to Romania. In that connection, his delegation referred to the measures taken by Hungary against his country during the period 1940-1944 and the anti-Romanian activities pursued in that country.

63. Romania was endeavouring to guarantee work, health, housing and education for its population, and his delegation invited all members of the Committee to go to Romania to verify that for themselves. His country was striving to establish good international relations, and also respect for the sovereignty of countries, equality of rights and, first and foremost, the principle of non-interference in internal affairs.

64. Ms. AIZPURUA PEREZ (Panama), speaking in exercise of the right of reply, challenged the criticisms levelled against Panama by the French delegation in its statement at an earlier meeting on behalf of the member countries of the European Economic Community. The French delegation had condemned the fact that Panama had declared invalid the results of the elections held in May 1989 in Panama. She noted that the decision taken in that regard by her country's electoral court reflected the Government's concern to eliminate any interference in Panama's domestic affairs. That interference was indeed blatant, in that a third country had financed, to the tune of \$10 million, the electoral campaign of the opposition party. She also wished to stress that the Government of Panama would not tolerate any external interference, whether in the form of armed intervention, violations of airspace, or a blockade. Her country was firmly resolved to defend its territorial integrity and the lives of its inhabitants.

65. Mr. DAZA (Chile), speaking in exercise of the right of reply, said that the representative of Sweden had mentioned political assassinations in connection with the human rights situation in Chile, and had referred, in support of his allegations, to the report of the Special Rapporteur appointed to examine the human rights situation in Chile. While the Special Rapporteur had mentioned certain allegations regarding such assassinations, he had emphasized that there were no grounds for concluding that those allegations had been substantiated. Each of the seven cases in which detailed information was available had been brought before the courts. When an issue as serious as that of human rights was concerned, it was important to quote the sources correctly.

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66. Ms. SYAHRUDDIN (Indonesia), speaking in exercise of the right of reply, described as groundless the allegations by the French delegation that human rights violations were being committed by Indonesia in East Timor. Such allegations were incompatible with the reports drawn up by, *inter alia*, the European Parliament and the British Parliament, which had noted a gradual and welcome change in the living conditions of the population of East Timor. Currently, the province of East Timor enjoyed the same status as the other provinces and freedom of movement was fully respected there, as the many journalists, parliamentarians and tourists who had visited the province could attest. Non-governmental organizations which wished to visit East Timor were invited to do so, provided that their representatives were acting in an objective and impartial spirit.

67. Mr. ALFARO (El Salvador), replying to the criticisms of his country made, in particular, by the French delegation in connection with the assassinations which had recently occurred there, recalled that the President of El Salvador, Mr. Alfredo Cristiani, had promised to carry out an exhaustive inquiry regarding those assassinations. The fact that they had been committed by men in uniform did not necessarily imply that they should be attributed to the army. With regard to bombing raids, he said that they were directed against the members of guerrilla forces, and sometimes civilians were hit, as often happened in time of war. Finally, he drew attention to the numerous assassinations carried out by the left in El Salvador, particularly the cases of Mr. Rodriguez Porth, Minister of the Presidency, Mr. Peccorini, a Jesuit opposed to liberation theology, and the daughter of Colonel Casanova, who had been assassinated simply for being the daughter of a colonel. Finally, there had recently been an attack on the private residence of the President of the Republic, which he had fortunately escaped because he had not been at home at the time.

68. Mr. CHOWDHURY (Bangladesh) said that he was distressed at the accusations made against his country by the representative of Sweden, according to whom Bangladesh was insufficiently concerned for the welfare of its tribal populations. He was all the more surprised by the allegation in that the Sub-Commission on Prevention of Discrimination and Protection of Minorities had noted that the situation in Bangladesh had improved. No one could ignore the many problems confronting a country like Bangladesh, and it was therefore particularly sensitive to the severe judgement made of it by a country such as Sweden, from which in general it expected support rather than criticism.

69. Mr. HASHI (Somalia), speaking in exercise of the right of reply, said that the accusations made against his country by the representative of Sweden were totally devoid of substance and represented a total distortion of the facts.

70. The CHAIRMAN invited the Committee to proceed to the introduction of the draft resolutions under items 95, 98, 106, 107, 112, 114 and 115.

AGENDA ITEM 95: PREPARATION AND ORGANIZATION OF INTERNATIONAL LITERACY YEAR
(continued)

Draft resolution A/C.3/44/L.57

71. Ms. ENKHTSETSEG (Mongolia), introducing draft resolution A/C.3/44/L.57 on behalf of the sponsors, joined by Afghanistan, Bulgaria, Malaysia, Mali, Rwanda and Senegal, said that the sponsors were convinced that the success of International Literacy Year would depend on the action taken by the international community, especially Governments, which were urged to lend their financial and material support to the initiatives taken to promote literacy. She hoped that the draft resolution would be unanimously supported by the members of the Third Committee.

AGENDA ITEM 98: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (continued)

Draft resolution A/C.3/44/L.42

72. Mr. WENTZEL (Federal Republic of Germany) introduced draft resolution A/C.3/44/L.42 on behalf of the sponsors (including the Ukrainian SSR, and not the USSR, as incorrectly stated in the French version), who were joined by Brazil, El Salvador, Haiti and Ireland. The text of the draft resolution had been formulated in a neutral and objective way in order to accommodate the concerns expressed by certain Member States. It recalled the fundamental right to life and mentioned the decisions and resolutions of the General Assembly, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities with regard to a second optional protocol aimed at abolishing the death penalty. In the sixth and eighth preambular paragraphs, by also taking note of the views expressed by Governments which favoured retaining the death penalty, it showed respect for the different legal and cultural traditions of Member States on that question. The sole aim of the draft resolution was to provide States which chose to become parties to the protocol with an international legal instrument. The operative part, which was very short and of a technical nature, reiterated the wording of General Assembly resolution 2200 A (XXI), and was addressed solely to Governments which were in a position to sign the protocol. It thereby stressed that adoption of the protocol by the General Assembly would not place any country under an obligation to do so. Having tried to take account of the proposals made during the discussions on the draft resolution, the sponsors hoped that it could be adopted without a vote.

Draft resolution A/C.3/44/L.46

73. Miss MERCHANT (Norway) introduced draft resolution A/C.3/44/L.46 on behalf of the sponsors, who had been joined by Bulgaria and Venezuela. The sponsors of the draft resolution noted with regret that a number of Member States had yet to become parties to the International Covenants on Human Rights. They emphasized the importance of the strictist compliance by States parties with their obligations under the Covenants and appealed to States parties that had exercised their sovereign right to make reservations to consider whether any such reservation should be reviewed. They took note with appreciation of the report of the Human

(Miss Merchant, Norway)

Rights Committee on its thirty-fourth, thirty-fifth and thirty-sixth sessions, including the suggestions and recommendations of a general nature approved by the Committee, and the report of the Committee on Economic, Social and Cultural Rights on its third session. They requested the Secretary-General to ensure that those two committees were able to hold the necessary sessions and encouraged all Governments to publish the texts of the Covenants in as many languages as possible and make them known as widely as possible in their territories. Lastly, they requested the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the status of the International Covenants and the Optional Protocol to the International Covenant on Civil and Political Rights. The sponsors hoped that, as in previous years, the draft resolution would be adopted by consensus.

Draft resolution A/C.3/44/L.48

74. Mr. FRAMBACH (German Democratic Republic), introducing draft resolution A/C.3/44/L.48, said that the text was very similar to that of General Assembly resolution 43/113, which had been adopted by an overwhelming majority. The basic idea behind it was that all human rights were indivisible and interdependent. The sponsors took due account of the fact that the implementation, promotion and protection of economic, social and cultural rights had not received sufficient attention within the framework of the United Nations system. They appealed to all States to accord economic, social and cultural rights the same importance as civil and political rights. As could be seen in the preamble, the sponsors had taken into account critical remarks made by a number of States with regard to General Assembly resolution 43/113. They hoped that those States would take note of that flexible approach during the vote on the draft resolution.

75. He drew attention to a small change in the draft resolution. In the first line of paragraph 5, the words "in co-operation with the" should be inserted between "the organs of the United Nations" and "specialized agencies".

Draft resolution A/C.3/44/L.49

76. Ms. ENKHTSETSEG (Mongolia), introducing draft resolution A/C.3/44/L.49 on behalf of the sponsors, who had been joined by Bulgaria and the Lao People's Democratic Republic, said that environmental protection had recently become a question of the greatest importance, affecting all countries, regardless of their level of development. For that reason, the sponsors, considering that a better and healthy environment could help to contribute towards the full enjoyment of human rights by all and that every individual was entitled to live in an environment adequate for the health and well-being of himself and of his family, invited the Commission on Human Rights to consider studying the effects of environmental degradation on the full enjoyment of the right to a standard of living adequate for the health and well-being of individuals. The sponsors were pursuing their extensive consultations with various delegations in the hope of producing a text that could be approved without reservations by the Third Committee.

Draft resolution A/C.3/44/L.50/Rev.1

77. Mr. VAN WULFFTEN PALTHE (Netherlands), introducing draft resolution A/C.3/44/L.50/Rev.1 on behalf of the sponsors, who had been joined by the United States, said that freedom of expression and peaceful assembly held a special place among the human rights recognized by the international community in that respect for their exercise could reinforce many other rights. In view of the continuing violations of those freedoms, the sponsors considered that it would be appropriate for the General Assembly to express itself unequivocally on the subject. His delegation had held extensive consultations with the delegations of all the regional groups and hoped that the amendments made to the text and the fact that several paragraphs had been based on Commission on Human Rights resolution 1989/31, which had been adopted without a vote, would make it possible for the draft resolution to be adopted without a vote.

AGENDA ITEM 106: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE (continued)

Draft resolution A/C.3/44/L.58

78. Mr. HENNESSY (Ireland), introducing draft resolution A/C.3/44/L.58 on behalf of the sponsors, who had been joined by the Gambia and Senegal, said that the draft resolution was an updated version of General Assembly resolution 43/108, the wording of which had been repeated, with the exception of paragraph 7, in which tribute was paid to the efforts of non-governmental organizations to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, including at the Second International Conference on that topic held at Warsaw in May 1989. The draft resolution having been the subject of extensive consultations, the sponsors hoped that it could be adopted without a vote, as had been the case with the resolutions on the subject adopted in previous years by the General Assembly.

AGENDA ITEM 107: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS (continued)

Draft resolution A/C.3/44/L.54

79. Mr. MUSTURA (France), introducing draft resolution A/C.3/44/L.54, said that in its resolution 1989/78, the Economic and Social Council had decided, upon the recommendation of the Commission on Human Rights, to transmit to the General Assembly the draft guidelines for the regulation of computerized personal data files prepared by the Special Rapporteur and adopted by the Commission. The Council had requested the Secretary-General to submit to the General Assembly the final report of the Special Rapporteur and a report containing the views expressed thereon by Governments. The document containing the report of the Special Rapporteur and the views of Governments had been distributed in document A/44/606.

80. A number of comments submitted by Governments raised questions of substance. It would not have been reasonable, on a technical subject of great importance, to expect a summary of those different views at the current session. In accordance

(Mr. Mustura, France)

with the Special Rapporteur and the Government: that had submitted comments, the sponsors invited the Special Rapporteur to submit to the Commission on Human Rights at its next session a revised version of the draft guidelines, taking into account those comments and suggestions. The Commission might then examine the revised draft and, once it had been examined and modified if necessary, transmit it to the General Assembly at its forty-fifth session for final adoption. That was the point of draft resolution A/C.3/44/L.54, whose sponsors hoped that it would be adopted by consensus.

Draft resolution A/C.3/44/L.55

81. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic), introducing draft resolution A/C.3/44/L.55, said that its sponsors attached great importance to the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind and considered it useful to review its main provisions. The sponsors recalled the fundamental importance of the right to life and were convinced that the resources of mankind and the activities of scientists should be used to promote the peaceful development of countries and to improve the living standards of all people. In particular, they considered that the transfer of scientific and technological knowledge was one of the important ways to accelerate the social and economic development of the developing countries. Drafted in a language that was easy to understand, the draft resolution was a balanced text that took into account the interests of virtually all States. The sponsors hoped that it could be supported by all delegations in its current form and adopted without a vote.

Draft resolution A/C.3/44/L.56

82. Mr. BARROW (United Kingdom), introducing draft resolution A/C.3/44/L.56, said that it was based on two principles, that human rights and fundamental freedoms applied to all persons, including the mentally ill, and that health personnel must ensure that such persons enjoyed those rights. Work on the formulation of guidelines for the protection of the mentally ill had been going on for over 10 years. The need for a set of principles was becoming increasingly urgent and therefore the sponsors appealed to the open-ended Working Group of the Commission on Human Rights to speed up its consideration of the draft principles so that they could be submitted to the General Assembly at its forty-fifth session. Basically, the draft resolution was a procedural one similar to that adopted by consensus at the previous session of the General Assembly. The sponsors hoped that it too would be adopted without a vote.

AGENDA ITEM 112: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (continued)

Draft resolution A/C.3/44/L.51

83. Mrs. FUNDAFUNDA (Zambia), introducing draft resolution A/C.3/44/L.51 on behalf of its sponsors, which had been joined by the Libyan Arab Jamahiriya, Mali, Mongolia, Somalia and Togo, said that the torture and inhuman treatment of children by the South African régime was a continuing cause for concern, as indicated in the third preambular paragraph in reference to the report of the Secretary-General (A/44/623). In the operative part, the sponsors therefore called for a remedying of the situation. They demanded in particular the immediate and unconditional release of children held in detention by the apartheid régime in South Africa and the immediate dismantlement of the so-called "rehabilitation camps" and "re-education centres". They appealed for an intensification of the world-wide campaign aimed at drawing attention to those inhuman practices and requested the Commission on Human Rights to continue to pay special attention to the question, especially in the case of the children of Namibia who had been victims of the apartheid régime. Apart from a few changes reflecting the altered situation in Namibia, the draft resolution did not differ from the one adopted by consensus the previous year, and its sponsors hoped that the same action would be taken at the current session.

Draft resolution A/C.3/44/L.52

84. Ms. TEEKAMP (Netherlands), introducing draft resolution A/C.3/44/L.52 on behalf of its sponsors, which had been joined by Cyprus and Senegal, said that it was very similar to General Assembly resolution 43/132. The sponsors' intention was to reaffirm the principles laid down in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted without a vote by the General Assembly at its thirty-ninth session, and they recalled the relevant provisions of other international human rights instruments. The basic aim of paragraphs 1 to 7 was to enable the Committee against Torture to perform its functions effectively. It was also important for all States to become parties to the Convention and consider the possibility of making the declaration provided for in articles 21 and 22 of the Convention. The sponsors hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/44/L.53

85. Mr. DUHS (Sweden), introducing draft resolution A/C.3/44/L.53, said that the United Nations Voluntary Fund for Victims of Torture, established in 1981 by General Assembly resolution 36/151, sought contributions in order to provide humanitarian, legal and financial assistance to the victims of torture and members of their families. It was administered by the Secretary-General and a Board of Trustees whose activities were described in the report of the Secretary-General (A/44/708). The draft resolution before the Committee was similar to resolutions adopted previously on the question by the General Assembly, except for paragraph 4, where the Secretary-General was requested to include the Fund, on an annual basis,

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(Mr. Duhs, Sweden)

among the programmes for which funds were pledged at the United Nations Pledging Conference for Development Activities. The sponsors hoped that it would be adopted without a vote.

AGENDA ITEM 114: ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS

Draft resolution A/C.3/44/L.59

86. Mr. WALDROP (United States of America), introducing draft resolution A/C.3/44/L.59 on behalf of its sponsors, which had been joined by Poland and Zaire, drew attention to a number of revisions. The last part of the seventh preambular paragraph should be deleted so that the text would read: "Recognizing that there is no single political system or electoral method which is equally suited to all nations and their people,". In the third line of paragraph 4, the word "sovereign" should be inserted before the word "right". Lastly, in the third line of paragraph 9, the phrase "in the context of full respect for the sovereignty of Member States," should be inserted after the words "periodic and genuine elections,"; the phrase had appeared in the corresponding paragraph of resolution 43/157 and had inadvertently been omitted in the current draft resolution.

87. The draft resolution was generally close to the provisions of General Assembly resolution 43/157. With regard to paragraph 7, he pointed out that the tricameral parliament established by the apartheid régime consisted of three houses which had highly unequal levels of power and authority and were an expression of explicit discrimination on racial grounds. The United States believed deeply that such a system was abhorrent and it was pleased to make that statement in the text. It hoped that the draft resolution would be adopted by consensus and that other countries would join it in sponsoring it.

Draft resolution A/C.3/44/L.60/Rev.1

88. Mr. MORA (Cuba) announced that China, the Lao People's Democratic Republic and Romania were also sponsoring draft resolution A/C.3/44/L.60/Rev.1. He pointed out that the Spanish version of paragraph 2 should be reworded since it did not convey what the sponsors intended. They wished to say that it was for the people and the people alone to determine the methods to be followed in the electoral process. That was not what the Spanish text said. Otherwise, the draft resolution was clear and reflected the main concern of the sponsors, which was to ensure respect for national sovereignty and non-interference in electoral processes. He hoped that the text would be adopted by a large majority of the delegations.

89. Miss KAMAL (Secretary of the Committee) said that the Secretariat would see to it that the Spanish version of the draft resolution was rectified.

AGENDA ITEM 115: PREPARATION OF AN INSTRUMENT ON HUMAN RIGHTS BASED ON SOLIDARITY

Draft resolution A/C.3/44/L.61

90. Mrs. CASTAÑO (Colombia) said that since draft resolution A/C.3/44/L.61 was entirely new, she looked forward to hearing the comments of the members of the Committee.

The meeting rose at 1.25 p.m.