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Thirty-eighth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE ONE HUNDREDTH MEETING

Held at Headquarters, New York,  
on Friday, 16 December 1983, at 3 p.m.

President: Mr. ILLUECA (Panama)

Report of the Economic and Social Council [12]: (continued)

- (a) Report of the Third Committee
- (b) Report of the Fifth Committee

United Nations Decade for Women: Equality, Development and Peace [91]:

- (a) Report of the Third Committee
- (b) Report of the Fifth Committee

Elimination of all forms of discrimination against women: report of the Third Committee [92]

Elimination of all forms of religious intolerance: report of the Third Committee [93]

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This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the General Assembly.

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Human rights and scientific and technological developments: report of the Third Committee [94]

Question of a Convention on the Rights of the Child: report of the Third Committee [95]

International Covenants on Human Rights: [96]

(a) Report of the Third Committee

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Torture and other cruel, inhuman or degrading treatment or punishment: report of the Third Committee [97]

Office of the United Nations High Commissioner for Refugees: report of the Third Committee [98]

International Campaign against Traffic in Drugs: report of the Third Committee [99]

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms: report of the Third Committee [100]

New International Humanitarian Order: report of the Third Committee [101]

The meeting was called to order at 3.40 p.m.

AGENDA ITE '2 (continued) and 91 to 101

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL:

- (a) REPORT OF THE THIRD COMMITTEE (A/38/680)
- (b) REPORT OF THE FIFTH COMMITTEE (A/38/726)

UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE:

- (a) REPORT OF THE THIRD COMMITTEE (A/38/681)
- (b) REPORT OF THE FIFTH COMMITTEE (A/38/736)

ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: REPORT OF THE THIRD COMMITTEE (A/38/682)

ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE: REPORT OF THE THE THIRD COMMITTEE (A/38/683)

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS: REPORT OF THE THIRD COMMITTEE (A/38/684)

QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD: REPORT OF THE THIRD COMMITTEE (A/38/685)

INTERNATIONAL COVENANTS ON HUMAN RIGHTS

- (a) REPORT OF THE THIRD COMMITTEE (A/38/686 and Corr.1)
- (b) REPORT OF THE FIFTH COMMITTEE (A/38/697)

TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REPORT OF THE THIRD COMMITTEE (A/38/687)

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: REPORT OF THE THIRD COMMITTEE (A/38/688)

INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORT OF THE THIRD COMMITTEE (A/38/689)

ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS: REPORT OF THE THIRD COMMITTEE (A/38/690)

NEW INTERNATIONAL HUMANITARIAN ORDER: REPORT OF THE THIRD COMMITTEE (A/38/691)

Mrs. Sangare-Kaba (Guinea), Rapporteur of the Third Committee, presented the reports of that Committee (A/38/680, A/38/681, A/38/682, A/38/683, A/38/684, A/38/685, A/38/686 and Corr.1, A/38/687, A/38/688, A/38/689, A/38/690 and A/38/691) and then spoke as follows:

Mrs. SANGARE-KABA (Guinea), Rapporteur of the Third Committee, (interpretation from French): I have the honour to present to the General Assembly the reports of the Third Committee on agenda items 12, and 91 to 101, which appear, respectively, in documents A/38/680, A/38/681, A/38/682, A/38/683, A/38/684, A/38/685, A/38/686 and Corr.1, A/38/687, A/38/688, A/38/689, A/38/690 and A/38/691.

In paragraph 66 of its report on agenda item 12, entitled "Report of the Economic and Social Council" (A/38/680), the Third Committee recommends to the General Assembly the adoption of 18 draft resolutions. Draft resolutions I, II, III to XIV and XVIII were adopted without a vote. The Committee adopted without a vote, following a point of order by the representative of Zaire, the four draft resolutions relating to special cases of assistance to refugees.

The Committee adopted the following draft resolutions by recorded votes: draft resolution XV, entitled "Situation of human rights and fundamental freedoms in Guatemala", which was adopted by 80 votes to 14, with 36 abstentions; draft resolution XVI entitled "Situation of human rights and fundamental freedoms in El Salvador", which was adopted by 78 votes to 13, with 41 abstentions and draft resolution XVII entitled "Situation of human rights and fundamental freedoms in Chile", which was adopted by 86 votes to 15, with 32 abstentions.

I should like to point out two errors in draft resolution XVIII in document A/38/680. The fourth preambular paragraph will be replaced by wording which the President will read out before a decision is taken on that draft resolution. Secondly, in operative paragraph 5 the word "existing" should be replaced by the word "relevant".

In paragraph 21 of its report on agenda item 91, "United Nations Decade for Women: Equality, Development and Peace" (A/38/681), the Committee recommends to the General Assembly the adoption of five draft resolutions. Draft resolutions I, II and III were adopted without a vote. Draft resolution IV, entitled "Prevention of prostitution", was adopted by a recorded vote of 106 to none, with 28 abstentions.

(Mrs. Sangare-Kaba, Rapporteur,  
Third Committee)

With regard to draft resolution V, entitled "Preparations for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women", the Committee adopted operative paragraph 4 by a roll-call vote of 107 votes to 8, with 14 abstentions. It adopted the draft resolution as a whole by 122 votes to 2, with 7 abstentions.

In paragraph 7 of its report on agenda item 92, entitled "The elimination of all forms of discrimination against women" (A/38/682), the Committee recommends to the General Assembly the adoption of a draft resolution which it adopted without a vote.

In paragraph 7 of its report on agenda item 93, entitled "Elimination of all forms of religious intolerance" (A/38/683), the Committee recommends to the General Assembly the adoption of a draft resolution which it adopted without a vote.

In paragraph 13 of its report on agenda item 94, entitled "Human rights and scientific and technological developments" (A/38/684), the Committee recommends to the General Assembly the adoption of three draft resolutions. Draft resolution I was adopted without a vote; draft resolution II was adopted by a recorded vote of 114 votes to none, with 22 abstentions; and draft resolution III was adopted by a recorded vote of 110 votes to none, with 23 abstentions.

In document A/38/684 in the operative paragraph of draft resolution I in this report (A/38/684), the word "could" should be changed to "can".

In paragraph 7 of its report on agenda item 95, "Question of a Convention on the Rights of the Child" (A/38/685), the Committee recommends to the General Assembly the adoption of a draft resolution which was adopted by the Committee without a vote.

In paragraph 13 of its report on agenda item 96, "International Covenants on Human Rights", (A/38/686 and Corr.1) the Committee recommends to the General Assembly the adoption of three draft resolutions which it adopted without a vote. With regard to draft resolution I, I should like to draw the Assembly's attention to document A/38/686/Corr.1.

In paragraph 9 of its report on agenda item 97, "Torture and other cruel, inhuman or degrading treatment or punishment" (A/38/687), the Committee recommends to the General Assembly the adoption of two draft resolutions which it adopted without a vote.

(Mrs. Sangare-Kaba, Rapporteur,  
Third Committee)

In paragraph 12 of its report on agenda item 98, "Office of the United Nations High Commissioner for Refugees" (A/38/688), the Committee recommends to the General Assembly the adoption of two draft resolutions which it adopted without a vote.

In paragraph 9 of its report on agenda item 99, "International Campaign against Traffic in Drugs" (A/38/689), the Committee recommends to the General Assembly the adoption of two draft resolutions which the Committee adopted without a vote.

In paragraph 12 of its report on agenda item 100, "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms" (A/38/690), the Committee recommends to the General Assembly the adoption of two draft resolutions. Draft resolution I was adopted without a vote. With regard to draft resolution II, the Committee adopted operative paragraph 9 by a recorded vote of 110 to 1, with 22 abstentions. Draft resolution II as a whole was adopted by a recorded vote of 120 to 1, with 14 abstentions. I should like to draw the Assembly's attention to the last words of the fifth preambular paragraph of draft resolution II, where the words "and 37/199 of 18 December 1982" should be deleted, and the last line should read "15 December 1980 and 36/133 of 14 December 1981".

In paragraph 7 of its report on agenda item 101, "New International Humanitarian Order" (A/38/691), the Committee recommends to the Assembly the adoption of a draft resolution which was adopted by the Committee without a vote.

I submit all these recommendations of the Third Committee to the General Assembly for adoption.

I cannot conclude my statement without expressing my sincere thanks to our Chairman, whose experience, perceptiveness and wisdom made it possible for the Third Committee to conclude its work successfully at this session.

I also wish to thank the two Vice-Chairmen for the spirit of co-operation which they have shown.

I wish to express my appreciation to Mesdames Pilar and Jeanne Condeveau for their technical assistance and their dedication.

My thanks go also to all the members of the Third Committee for their confidence in my ability to carry out my difficult task and for their contribution to the success of our work.

(Mrs. Sangare-Kaba, Rapporteur,  
Third Committee)

Lastly, I would express my appreciation to my brothers and sisters in the African Group for the effective support they have given me throughout.

In conclusion, I should extend to all representatives and their families my best wishes for success in all their undertakings and for a very happy New Year.

The PRESIDENT (interpretation from Spanish): In this reflective atmosphere, as we consider the reports of the Third Committee in connection with human rights, I should like to say how pleased we are to see 11-year-old Treena Bron, in the Canadian delegation who is the winner of a human rights poster competition held in Manitoba and open to all students in the sixth grade in that area. The poster was one of the 900 that were submitted in the competition.

The presence of Treena Bron in the General Assembly is a source of great pleasure; it is a spiritual gift that we greatly appreciate. We congratulate her and we urge her to continue her artistic career, which has got off to a very good start in keeping with the ideal of the United Nations to ensure present generations, including young people, and future generations a worthy, healthy and happy life.

If there is no proposal under rule 66 of the rules of procedure I shall take it that the General Assembly decides not to discuss the 12 reports of the Third Committee.

It was so decided.

The PRESIDENT (interpretation from Spanish): Statements will therefore be limited to explanations of vote. The positions of delegations regarding the various recommendations of the Third Committee have been made clear in the debates in the Committee and are reflected in the relevant official records.

I remind members that in paragraph 6 of its decision 34/401 the Assembly decided that when the same draft resolution is considered in a Main Committee and in plenary meeting a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee.

I also remind members that in accordance with decision 34/401 explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

The Assembly will consider first the report of the Third Committee on agenda item 12, entitled "Report of the Economic and Social Council" (A/38/680).

(The President)

I shall now call upon those representatives who wish to speak in explanation of their vote before the voting, after which I shall put those recommendations to the Assembly one by one, without interruption.

Mr. ROSALES RIVERA (El Salvador) (interpretation from Spanish): Once again the General Assembly is considering draft resolutions in a selective and discriminatory context, which demonstrates the collapse of the United Nations system for the objective, effective and equitable promotion of human rights. This system, the keystone of which is universality, has been betrayed through selective criticism of three countries in Latin America. The three countries have not been chosen at random: the choice is the result of a whole conspiracy designed to point a finger at these Spanish-speaking countries, which are singled out for this new hypocritical inquisition. This whole exercise relating to human rights throughout the world is reduced to three single situations and attention is focused on them. This is a total farce. These selective draft resolutions are nothing more or less than sterile, so far as practical results are concerned. ~~From the point of view of~~ global considerations, the mechanism for the consideration of human rights should be responsible and not discriminatory.

As for the particular draft resolution referring to El Salvador, its contents are quite frankly deplorable. Only those who are not familiar with the situation in the country could find any balance in the draft resolution. For any impartial observer and for the Salvadorians themselves - and after all, they are the ones directly concerned - the draft resolution is badly drafted, tendentious and negative. It is the product of preconceived political ideas and certain alignments, and is designed to satisfy the minority public. It tries to garner support from certain foreign extraneous groups which have the audacity to act as though they know El Salvador better than the Salvadorians themselves.

The draft resolution claims - in vain - to be balanced. The mere fact, however, of including two paragraphs that criticize the extreme right and the extreme left in regard to certain manifestations of violence does not mean that the whole draft resolution is objective and balanced. Indeed, the whole concept and structure of the draft resolution are in no way a constructive element for the promotion of human rights in El Salvador. The result of this exercise is a fragmented text drafted with atavistic interventionist motives and reflecting the political myopia of its sponsors.



(Mr. Rosales Rivera, El Salvador)

Without going into a detailed analysis of the draft resolution, I should like to make the following points:

First, the draft resolution, instead of referring to the free and open elections in which all the political trends participated - which means that no faction was excluded - indirectly criticizes the elections, although elections are the basis of the strengthening of any democratic process.

Secondly, the draft resolution places on a footing of equality a legitimate Government and opposition minority groups. That is a point of view that no country that respects its own interests could accept.

Thirdly, instead of referring to reforms that have been made in the economic situation, the text maliciously disregards what has been happening in El Salvador and uses language that relegates these events to oblivion.

Fourthly, under this draft resolution the State would be left without the necessary means of defence against its opponents who resort to violence in order to take power. What country represented in this hall would give up its national security - a sovereign obligation of every Government?

Fifthly, the draft resolution refers to regular resort to bombarding urban areas which are not military objectives, without in any way proving that statement. Indeed, it cannot be proved; proof does not exist. On the contrary, such actions are being carried out by the armed opposition groups.

Sixthly, the draft resolution would give the Commission more powers, when in fact its terms of reference have already been established.

I shall confine myself to those points, which demonstrate the interventionist and politically loaded nature of the draft resolution. Far from being based on humanitarian conditions, it reflects interests of other types. That is why we shall vote against draft resolution XVI, "Situation of human rights and fundamental freedoms in El Salvador" (A/38/680). We believe that this draft resolution is, moreover, a violation of Article 2, paragraph 7 of the Charter.

In conclusion, I would only say that the draft resolution will have no constructive results in regard to human rights; on the contrary, it will have negative results. Those who are sponsoring the draft resolution have forgotten the historical background and also - and this is more serious - they have once again taken a biased approach, which they had no moral right to do when they had assumed

(Mr. Rosales Rivera, El Salvador)

a responsibility together with other countries. From whatever standpoint one analyses this reprehensible conduct, it cannot but have a negative impact on bilateral relations and multilateral efforts. For the cynics, this is nothing more than the confirmation of an attitude; for the optimists, it is nothing more than a failure to live up to a duty.

Mr. TRUCCO (Chile) (interpretation from Spanish): We are once again faced with three draft resolutions which concentrate in three Latin American countries the totality of violations of human rights in the world. A world inhabited by almost 5 billion persons will certainly be astonished to see the violation of human rights attributed exclusively to El Salvador, Guatemala and Chile, the sum total of whose inhabitants is 24 million. Let us be frank. This is hypocritical, it is ridiculous, it is a cowardly abuse of the world Organization in order to serve the political purposes of totalitarian countries, with which some old democracies are now cohabiting illicitly. This grotesque and unjust selectivity engaged in by the United Nations has been exposed to the whole world, as has the political objective that it serves.

I have already described in detail in the Third Committee all the inaccuracies, errors and untruths contained in the report presented to the Assembly, as well as in the contemptible draft resolution on which the Assembly will soon be voting.

The draft resolution in question refers in a perfidious and despicable way to the judiciary. I therefore must repeat that all Chileans are proud of and satisfied with the independence and the absolute devotion - which is almost apostolic - with which the judges in my country have accomplished their work since the birth of our Republic. At all stages of our history, the judgements of the Supreme Court have demonstrated its independence of other public powers and have reaffirmed the Court's complete commitment to law and truth.

The Supreme Court of Chile, our highest court, is made up of Ministers who have had great experience in the legal field. At the present time the youngest member of the Supreme Court has been a judge for 38 years, and as is the case for all members of this State authority, he was promoted through a system which guarantees independence. I wonder how many other countries have like mine such a scrupulous tradition in this area.

(Mr. Trucco, Chile)

Since 1979 the Government of Chile has categorically rejected the establishment of selective procedures dealing exclusively with the situation of human rights in my country. We have said, and I repeat here in the plenary Assembly, that we will not co-operate in any procedure whatsoever which would apply to us arbitrarily, either in the Human Rights Commission or in the General Assembly. For it is arbitrary to make Chile an exception as regards those procedures and norms which are generally applied and universally accepted and which were established in Economic and Social Council resolution 1503. This, in fact, is a violation of a commitment entered into in resolution 8 (XXXI) of the Human Rights Commission.

So we do not accept this attack on our rights and we do not accept this Special Rapporteur for Chile. This Special Rapporteur is an ad casum entity, and therefore selective. We reject this categorically because it was known that we would not accept a Special Rapporteur but nevertheless an attempt has been made to impose one on us.

Prior consent is indispensable here, because without it there is a violation of the fundamental principle of the sovereign equality of all Members of the Organization and the principle of co-operation between States and the co-operation of the Organization is undermined. These principles are particularly important and the last is directly linked to action in the field of human rights in articles 1 and 13 of the Charter.

Viscount Colville of Culross, who was appointed by the Chairman of the Human Rights Commission as Rapporteur on the situation in Guatemala, understood it in this manner. In his report he stated:

"Thus I came upon the scene, having heard the distinguished representative of Guatemala welcoming the operative paragraph of resolution 1983/37 which led to this appointment." (A/38/485, para. 12)

The resolution Lord Colville referred to was drafted only when the representative of Guatemala in Geneva wrote to the Chairman of the Commission on Human Rights saying that he accepted with pleasure the appointment of Viscount Colville of Culross. But, nothing like this occurred in the case of Chile. An ad casum has been imposed on us, and we reject and will always reject this categorically.

(Mr. Trucco, Chile)

So much for the principle of co-operation among nations and, with a Member State. There is no doubt that what has happened not only prevents co-operation but makes the situation ridiculous and irritating.

We have noted that while the Special Rapporteurs for Guatemala and El Salvador had a credit of \$39,000 and \$37,800, respectively, in the 1982-1983 budget period for the same period the Special Rapporteur for Chile had a total expenditure, including direct costs and conference services, amounting to \$789,000. This enormous discrepancy is all the more paradoxical since in the cases of Guatemala and El Salvador the Rapporteurs incurred travel costs because they visited those countries; while this did not happen in the case of the Rapporteur for Chile.

It might well be asked why while a Special Rapporteur for Chile costs 20 times as much as the Rapporteurs for El Salvador and Guatemala?

If we look at the components of direct costs we see that in the category temporary contracts alone in the case of Chile more than twice as much - \$118,200 - is spent as the total sum for each of the other Rapporteurs.

The same is true in the category of representatives' travel in the budget of the Special Rapporteur for Chile. These so-called representatives are, in fact, activists who are invited by the office of the Special Rapporteur to travel to Geneva and New York and other places, enjoying themselves, in order to give testimony, which is always against the Government of Chile.

At this stage, since I should not like my words to be considered an exaggeration, I shall confine myself to saying that I have evidence of this in a written communication sent some years ago by the Special Rapporteur to a pseudo-democratic organization headed by a well-known member of the Chilean Communist Party, which in the Western world has the unenviable reputation of being the most obedient to the orders of Moscow, I shall send a photocopy of this extremely revealing communication to the Secretary-General.

I wish to repeat once again our vigorous protest; As I said in the Third Committee, all these attempts to interfere in the internal policy of my country and to act as an instructor in international or transnational policies will be firmly rejected.

It is not possible under the pretext of defending human rights to protect countries which one after another have had their dignity trampled on and have been subjected to the inexorable tutelage of a totalitarian Power.

The PRESIDENT (interpretation from Spanish): I would remind representatives that explanations of vote should be limited to 10 minutes.

Mrs. UMAÑA (Colombia) (interpretation from Spanish): Tartuffe is a famous Moliere character who persuades his bourgeois employer to allow him to marry his daughter and to disinherit his son. While employed as a moralist, a reformer of behaviour and actions, Tartuffe secretly seduces his employer's wife and is caught in the act. Nevertheless, his plea of innocence is so convincing that his employer begs him to be his wife's escort.

"Tartuffe" is a word derived from that French work and commonly used in Latin America to describe the public display of attitudes which do not correspond to practical interests or to any notion of moral integrity.

Tartuffe's image comes to mind when we look at these draft resolutions asking for investigations into the situation with regard to human rights in Latin America, particularly the draft resolution on Guatemala. This simply takes note of the report of the Special Rapporteur. It does not congratulate him on it or welcomes the readiness of the Government of Guatemala to agree to this dialogue, much less recognize that the report, drafted in a way that showed respect for the Government of the country investigated, not only encouraged dialogue but also enabled the United Nations to exert the necessary pressure to change the situations that urgently need changing.

An additional paragraph requests the Commission on Human Rights to study the report of the Special Rapporteur "as well as other information pertaining to the situation in Guatemala"; that is to say, recommends, on an equal footing, a study of the report of the Special Rapporteur and the innumerable reports, very often tendentious, most of which have been drafted by groups which oppose the Government. Those same reports have been submitted by those interested in disseminating them; and, as everyone knows, they are the originators of each and every one of these draft resolutions.

What is the interest of the sponsors - all of them Europeans - in this resolution and what do they stand to gain from this non-dialogue? It is clear from the texts of the draft resolutions that there is an inclination to blame only Governments for violations of rights which take place when they have to cope with guerrilla action or terrorism. But those very persons keep quiet when the same violations are committed by others who murder in the name of revolution and use guns and bombs as political tools.

(Mrs. Umaña, Colombia)

At best the answer can be found from the writings of the Peruvian author, Mario Vargas Llosa, as follows:

"The Europeans are interested in a fictitious Latin America on which they have projected certain ideological appetites that cannot find expression in their own countries - convictions which are denied them in their daily life. Compensation for their frustrations is that other world, our world - to which they look again and again in order always to see what they want to see through the magic looking glass of the wicked Queen in 'Snow White'. And what they want to see in Latin America is not the complexity and diversity of our continent, where there exist not only suffering, exploitation and oppression but also many positive elements; and, what is more, this wretchedness cannot be understood from afar nor remedied by demagoguery."

They indulge in sensationalism that compensates for their tedious view of life.

However, the explanation is not that simple.

It is curious that this list of sponsors should coincide with that of countries that do not mind continuing and increasing their trade with South Africa and do not much concern themselves with the violations of human rights in that country. On their own territories they discriminate against persons from their former colonies in the third world and against millions of workers from poor regions who toil at providing them with basic services without being allowed full integration into their societies.

Nevertheless, in the case of Latin America those same countries beat their breasts, for, in singling it out, they divert attention from themselves, fear no reprisals and do not undermine their oil supplies.

On the other hand, in this very forum just a few weeks ago those same European countries unreservedly supported the activities of the Contadora Group.

The draft resolutions to which we are referring include entire paragraphs coinciding with the declaration of principles of that regional undertaking for peace, in which the Government of Colombia is actively participating, searching, through increased dialogue, solutions advocated by the parties in conflict, since they are those who have full knowledge of the complexity of their problems.

Are the search for peace in Central America and the attempt to put an end to violations of human rights not perhaps being confused? Why, then, support the

(Mrs. Umaña, Colombia)

dialogue and the regional initiatives, on the one hand, and - in open contradiction - have recourse to resolutions condemning and discriminating against Latin America, on the other?

What are the interests at variance with a just preoccupation with horrible violations of human rights that these draft resolutions seek to cover up?

Why have the sponsors of this draft resolution never even mentioned, in any debate, that there are Latin American countries working very hard to rid the region of social injustice and violence and to establish peace in all countries, regardless of the political or economic power each may have?

My delegation can speak on behalf of a Government which is doing everything in its power to bring about justice and peace, to put an end to violations of human rights and this not only at the international level, as I have just mentioned, but also within the country, where complex problems of development are a constant threat.

Why are these undertakings by Colombia and other Latin American countries, whose only concern is the search for peace, not mentioned and, instead, condemnations and denunciations are offered?

"Our fine souls are racist", the French philosopher, Jean-Paul Sartre once said.

Let me continue with literature and the Peruvian, Vargas Llosa:

"When an American, a European, a journalistic organization or any liberal organization defends for our countries certain political choices and methods which would never be accepted in society, this demonstrates a fundamental scepticism with regard to the ability of Latin America countries to put in place the systems of coexistence and freedom that have made the Western countries what they are.

"In most cases, there is unconscious prejudice, an instinctive feeling, a visceral sense of racism ..."

With the exception of five countries - Barbados, Jamaica, Mexico, Nicaragua and Cuba - the Latin America countries in the Third Committee rejected the draft resolutions on El Salvador and Guatemala, abstained or simply did not participate in the voting. Colombia, a mediator in peace initiatives in Central America, abstained in the vote in that Committee and will do likewise here on the three draft resolutions on Latin America - draft resolutions XV, XVI and XVII, contained in document A/38/680.

(Mrs. Umaña, Colombia)

Inexplicably, one third of the votes in favour of these draft resolutions in the Third Committee come from African countries, which like us are victims of discrimination. We had expected from our African brothers the solidarity flowing from our sharing so many common problems.

Why not work together? Why not work for real solutions to human rights violations in all regions of the world, wherever they occur? Is this in fear of possible political or economic retaliation?

Only in preventing the use of politically motivated selective and discriminatory criteria will we be able to establish credibility in this field for our Organization and to restore its moral authority with regard to the protection of human rights.

Mr. ZUMBADO JIMENEZ (Costa Rica) (interpretation from Spanish): Costa Rica wishes to explain its vote on the draft resolutions that we considered in the Third Committee under agenda item 12: draft resolution XV, "Situation of human rights and fundamental freedoms in Guatemala"; draft resolution XVI, "Situation of human rights and fundamental freedoms in El Salvador"; and draft resolution XVII, "Situation of human rights and fundamental freedoms in Chile", contained in document A/38/680.

The promotion and enjoyment of human rights are one of the cardinal principles of Costa Rica's foreign policy. This is in keeping with a tradition of profound respect for the rights of the individual in our society and the solidarity of our democratic institutions. This has led us to promote within the Assembly the appointment of a High Commissioner for Human Rights. Democracy in Costa Rica is based on the maintenance of a balance between the need to protect the security of the State and respect for the fundamental rights of the individual. We recognize the difficulties that totalitarian States have, regardless of their ideology or location, in maintaining this balance properly.

My delegation would like this Assembly to avoid a partial or extreme view of the situation with regard to respect for human rights throughout the world. Costa Rica once again regrets the selective attitude shown by this Assembly when it concerns itself with the fate of the citizens of three Latin American countries, disregarding so many other individuals in the Americas and in other parts of the world, whose rights are daily flouted.



(Mr. Zumbado Jimenez, Costa Rica)

It is time for us to work harder to find ways and means which will make it possible for our Organization to take a universal approach to these problems, ensuring that human rights will be enjoyed in all Member States, without exception. In our opinion, the General Assembly should deal with the cases that it has before it and expand its analysis to include other violations of human rights, some of which are even more tragic than those which are being dealt with in the Assembly now.

Costa Rica wishes to demonstrate its total commitment to this kind of action. My Government will vote in favour of draft resolution XVII, concerning Chile. Chile is a country with which we have very close ties and a common democratic tradition, which has been interrupted, in the case of Chile, for all too long.

On the two draft resolutions which deal with the situations in two Central American countries, my Government, because of the urgent need for peace in our area, has decided not to take any decision which might prejudice the atmosphere conducive to negotiations by the Contadora Group, and has decided to abstain in the voting on draft resolutions XV and XVI. We should like to say, however, the promotion and enjoyment of human rights in Central America will continue to be a pillar of Costa Rica's policy regarding the negotiations within the Contadora Group.

Mrs. ASHTON (Bolivia) (interpretation from Spanish): We reiterate our support for human rights everywhere in the world. As already explained, we will not take part in the voting on draft resolutions XV, XVI and XVII in the report of the Third Committee (A/38/680).

Mr. FAJARDO MALDONADO (Guatemala) (interpretation from Spanish): First of all, on behalf of my delegation, I shall take only a few minutes of the time allotted to my delegation for explanation of vote. Since the representatives of Chile, Colombia and El Salvador exactly described the situation concerning human rights, my delegation feels that it is not necessary to spend any more time on this.

The delegation of Guatemala in its statements on 2 and 8 December in connection with agenda item 12 clearly defined its policy of consistent respect for human rights and reaffirmed its commitment to continue to co-operate with international humanitarian organizations, as it has done to date. Nevertheless, I should like to state once again before this Assembly our rejection of the content and form which draft resolution XV, which refers to the situation of human rights and fundamental freedoms in Guatemala, was approved in the Third Committee.

(Mr. Fajardo Maldonado, Guatemala)

My country rejects that draft resolution because, as has already been said, it is a selective one and condemns a country of Latin America only, and takes a very biased and politicized approach to the situation of human rights and fundamental freedoms in Guatemala.

Why are there only three draft resolutions dealing with three Latin American countries? Why are there not other draft resolutions which refer to other countries that have also been condemned? The answer is quite clear: it is because the purpose is not really to defend the principles of human rights. The purpose is political and concerns interests that are alien to these principles. Or perhaps it is because of fear, as some media reports have indicated, and the sponsors of such draft resolutions recognize that the political groupings acting within the United Nations might prevent it from the adoption of such draft resolutions.

A vote in favour of such draft resolutions by countries whose record of human rights violations is universally known would indeed call attention to those countries, in which respect for the human person and individual freedom do not exist. Other countries whose record in human rights is not very respectable either systematically refuse to co-operate or to allow their situations to be analysed by the United Nations.

My country therefore supports and will co-operate in the appointment of a high commissioner for human rights so that year by year the Centre for Human Rights can prepare a report on the situation concerning human rights in each of the Member States of the United Nations. My country is to co-operate in and support this initiative because otherwise selectivity and politicized approaches will continue to determine the content of these discussions and the draft resolutions will not have the proper moral value.

My delegation also rejects draft resolution XV because of the biased and deliberate way it appears to be unaware of the report of the Special Rapporteur, Lord Colville of Culross, and because it does not in any way reflect what is indicated in that report concerning the conclusions arrived at by Lord Colville after he visited without restriction the Republic of Guatemala, with the co-operation of the Government of Guatemala.

For all these reasons, my delegation rejects draft resolution XV and appeals to the Members of the United Nations gathered here in this Assembly to respect the objectivity, the impartiality and the principles that inspire the Charter of the United Nations and to vote against, or at least abstain on, this draft resolution, because it is selective, political and biased throughout.

The PRESIDENT (interpretation from Spanish): The Assembly will now take a decision on the 18 draft resolutions recommended by the Third Committee in paragraph 66 of its report (A/38/680 and Corr.1).

Draft resolution I deals with measures to improve the situation and ensure the human rights and dignity of all migrant workers. The administrative and financial implications of this draft resolution are contained in the report of the Fifth Committee (A/38/726).

Draft resolution I was adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 38/86).

The PRESIDENT (interpretation from Spanish): Draft resolution II is entitled "Question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live". The administrative and financial implications of this draft resolution are also contained in the report of the Fifth Committee (A/38/726).

The Third Committee adopted this draft resolution without a vote. May I take it that the General Assembly also wishes to do so?

Draft resolution II was adopted (resolution 38/87).

The PRESIDENT (interpretation from Spanish): Draft resolutions III, IV, V and VI, dealing respectively with assistance to refugees in Somalia, humanitarian assistance to refugees in Djibouti, the situation of refugees in the Sudan, and assistance to displaced persons in Ethiopia, were adopted together by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolutions III, IV, V and VI were adopted (resolutions 38/88, 38/89, 38/90 and 38/91).

The PRESIDENT (interpretation from Spanish): We turn now to draft resolution VII, entitled "United Nations Voluntary Fund for Victims of Torture". The Third Committee adopted it without a vote. May I take it that the General Assembly also wishes to do so?

Draft resolution VII was adopted (resolution 38/92).

The PRESIDENT (interpretation from Spanish): The Assembly will now turn to draft resolution VIII, which concerns measures to improve co-ordination and co-operation in the international struggle against illegal production of drugs, illicit drug traffic and drug abuse. The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution VIII was adopted (resolution 38/93).

The PRESIDENT (interpretation from Spanish): Draft resolution IX concerns the question of enforced or involuntary disappearances. The Third Committee adopted it without a vote. May I take it that the General Assembly also wishes to do so?

Draft resolution IX was adopted (resolution 38/94).

The PRESIDENT (interpretation from Spanish): Draft resolution X is entitled "Assistance to student refugees in southern Africa". This draft resolution was also adopted without a vote by the Third Committee. May I take it that the General Assembly wishes to do the same?

Draft resolution X was adopted (resolution 38/95).

The PRESIDENT (interpretation from Spanish): Draft resolution XI deals with summary or arbitrary executions. In the Third Committee it was adopted without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution XI was adopted (resolution 38/96).

The PRESIDENT (interpretation from Spanish): Next we turn to draft resolution XII, which concerns regional arrangements for the protection of human rights. This draft resolution was also adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to adopt draft resolution XII?

Draft resolution XII was adopted (resolution 38/97).

The PRESIDENT (interpretation from Spanish): Draft resolution XIII deals with the strategy and policies for drug control. The Third Committee adopted it without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution XIII was adopted (resolution 38/98).

The PRESIDENT (interpretation from Spanish): Draft resolution XIV relates to the measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror. In the Committee this draft resolution was adopted without a vote. May I take it that the General Assembly wishes to adopt draft resolution XIV?

Draft resolution XIV was adopted (resolution 38/99).

The PRESIDENT (interpretation from Spanish): Let us now turn to draft resolution XV, entitled "Situation of human rights and fundamental freedoms in Guatemala". A recorded vote has been requested on this draft resolution.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bahrain, Barbados, Belgium, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ethiopia, Finland, France, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guinea-Bissau, Guyana, Hungary, Iceland, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Papua New Guinea, Poland, Portugal, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Spain, Sweden, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Vanuatu, Viet Nam, Yugoslavia, Zambia, Zimbabwe

Against: Bangladesh, Brazil, Chile, El Salvador, Guatemala, Haiti, Honduras, Indonesia, Israel, Morocco, Pakistan, Paraguay, Philippines, United States of America, Uruguay

Abstaining: Bahamas, Belize, Bhutan, Burma, Central African Republic, Chad, China, Colombia, Costa Rica, Democratic Kampuchea, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Fiji, Gabon, Guinea, India, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Malawi, Malaysia, Maldives, Nepal, Niger, Oman, Panama, Peru, Romania, Saint Lucia, Singapore, Sri Lanka, Sudan, Suriname, Thailand, Trinidad and Tobago, Turkey, United Republic of Cameroon, Yemen, Zaire

Draft resolution XV was adopted by 85 votes to 15, with 44 abstentions (resolution 38/100).

The PRESIDENT (interpretation from Spanish): We turn now to draft resolution XVI, entitled "Situation of human rights and fundamental freedoms in El Salvador". A recorded vote has been requested on this draft resolution.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bahrain, Belgium, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ethiopia, Finland, France, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Papua New Guinea, Poland, Portugal, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Spain, Sweden, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Vanuatu, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Bangladesh, Brazil, Chile, El Salvador, Guatemala, Haiti, Honduras, Indonesia, Pakistan, Paraguay, Philippines, Saint Lucia, United States of America, Uruguay

Abstaining: Bahamas, Barbados, Belize, Bhutan, Burma, Central African Republic, Chad, China, Colombia, Costa Rica, Democratic Kampuchea, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Fiji, Gabon, Germany, Federal Republic of, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Malawi, Malaysia, Maldives, Morocco, Nepal, Niger, Oman, Panama, Peru, Romania, Singapore, Sri Lanka, Sudan, Suriname, Thailand, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Yemen, Zaire

Draft resolution XVI was adopted by 84 votes to 14, with 45 abstentions (resolution 38/101).

The PRESIDENT (interpretation from Spanish): Draft resolution XVII is entitled "Situation of human rights and fundamental freedoms in Chile". A recorded vote has been requested on this draft resolution.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bahrain, Barbados, Belgium, Benin, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic

Yemen, Denmark, Ethiopia, Finland, France, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Papua New Guinea, Poland, Portugal, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Spain, Sri Lanka, Swaziland, Sweden, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Vanuatu, Viet Nam, Yugoslavia, Zambia, Zimbabwe

Against: Bangladesh, Brazil, Chile, El Salvador, Guatemala, Haiti, Honduras, Indonesia, Israel, Lebanon, Morocco, Pakistan, Paraguay, Philippines, Thailand, United States of America, Uruguay

Abstaining: Bahamas, Belize, Bhutan, Burma, Central African Republic, Chad, China, Colombia, Democratic Kampuchea, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Fiji, Gabon, Germany, Federal Republic of, Ivory Coast, Japan, Jordan, Liberia, Malawi, Malaysia, Nepal, Niger, Oman, Panama, Peru, Saint Lucia, Singapore, Sudan, Suriname, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Yemen, Zaire

Draft resolution XVII was adopted by 89 votes to 17, with 38 abstentions\* (resolution 38/102).

The PRESIDENT (interpretation from Spanish): Finally, we come to draft resolution XVIII which relates to human rights and mass exoduses. I shall ask the Secretary of the Assembly to read out a corrected text of the fourth preambular paragraph of the English text, in which there was an error.

Mr. BUFFUM (Under-Secretary-General for Political and General Assembly Affairs): The correct version of the fourth preambular paragraph of draft resolution XVIII reads:

"Deeply preoccupied by the increasingly heavy burden being imposed particularly upon developing countries with limited resources of their own, and upon the international community as a whole, by these sudden and mass exoduses and displacements of population".

\* Subsequently the delegation of Saudi Arabia advised the Secretariat that it had intended to abstain.

The PRESIDENT (interpretation from Spanish): In the Third Committee draft resolution XVIII was adopted without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution XVIII was adopted (resolution 38/103).

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of all the chapters of the report of the Economic and Social Council allocated to the Third Committee.

We shall now consider the report (A/38/681) of the Third Committee on agenda item 91, entitled "United Nations Decade for Women: Equality, Development and Peace".

The Assembly will take a decision on the five draft resolutions recommended by the Third Committee in paragraph 21 of its report.

Draft resolution I is entitled "International Research and Training Institute for the Advancement of Women". The report of the Fifth Committee on the administrative and financial implications of the draft resolution is contained in document A/38/736.

The Third Committee adopted draft resolution I without a vote. May I take it that it is also the wish of the General Assembly to adopt it?

Draft resolution I was adopted (resolution 38/104).

The PRESIDENT (interpretation from Spanish): Draft resolution II is entitled "Participation of women in promoting international peace and co-operation". The Third Committee adopted it without a vote. May I take it that the General Assembly also wishes to do so?

Draft resolution II was adopted (resolution 38/105).

The PRESIDENT (interpretation from Spanish): Draft resolution III is entitled "Voluntary Fund for the United Nations Decade for Women". The report of the Fifth Committee on the administrative and financial implications is contained in document A/38/736.

Draft resolution III was adopted without a vote in the Third Committee. May I take it that the General Assembly also adopts it?

Draft resolution III was adopted (resolution 38/106).

The PRESIDENT (interpretation from Spanish): Draft resolution IV is entitled "Prevention of prostitution". A recorded vote has been requested on this draft resolution.



A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Italy, Liberia, Luxembourg, Netherlands, New Zealand, Nigeria, Norway, Portugal, Seychelles, Spain, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution IV was adopted by 121 votes to none, with 25 abstentions (resolution 38/107).

The PRESIDENT (interpretation from Spanish): Draft resolution V is entitled "Preparations for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women". The report of the Fifth Committee on the administrative and financial implications of that draft resolution is also contained in document A/38/736.

A recorded vote has been requested on operative paragraph 4 of draft resolution V.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Canada, Germany, Federal Republic of, Israel, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Denmark, Finland, France, Iceland, Ireland, Ivory Coast, Japan, New Zealand, Norway, Portugal, Spain, Swaziland, Sweden

Operative paragraph 4 of draft resolution V was adopted by 124 votes to 9, with 15 abstentions.

The PRESIDENT (interpretation from Spanish): The Assembly will now vote on draft resolution V as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea,

Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, 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 Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel, United States of America

Abstaining: Belgium, Canada, Germany, Federal Republic of, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland

Draft resolution V as a whole was adopted by 141 votes to 2, with 7 abstentions (resolution 38/108).

The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 91.

The Assembly will now consider the report (A/38/682) of the Third Committee on agenda item 92, entitled "Elimination of all forms of discrimination against women".

The Assembly must take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report. The draft resolution was adopted by the Committee without a vote. May I take it that the Assembly wishes to do so also?

The draft resolution was adopted (resolution 38/109).

The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 92.

The Assembly will now consider the report (A/38/683) of the Third Committee on agenda item 93, entitled "Elimination of all forms of religious intolerance".

The Assembly has to take a decision on the draft resolution contained in paragraph 7 of the report of the Third Committee. That draft resolution, entitled "Elimination of all forms of religious intolerance", was adopted by the Third

(The President)

Committee without a vote. May I take it that the General Assembly also wishes to do so?

The draft resolution was adopted (resolution 38/110).

The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 93.

The PRESIDENT (interpretation from Spanish): The Assembly will next turn to the report of the Third Committee on agenda item 94, "Human rights and scientific and technological developments" (A/38/684).

I call upon the representative of Democratic Kampuchea, who has asked to speak in explanation of vote before the voting. I remind him of the 10-minute limit and that his statement should be made from his seat.

Mr. PENN NHACH (Democratic Kampuchea) (interpretation from French): In the Third Committee my delegation did not participate in the voting on draft resolution A/C.3/38/L.38. Our reason was not that we disagreed with the content of the draft resolution but rather that we felt that some countries that had sponsored the draft resolution had done so for reasons of propaganda and, in particular, to mislead international opinion with regard to their own misdeeds.

Everybody knows that at least one country does not hesitate to use the progress of science and technology to oppress my people, which suffers almost daily the effects of that progress used by the country in question, a co-sponsor of this draft resolution, in an attempt to annihilate my people through the use of chemical weapons, including what is known as yellow rain.

Nevertheless, my delegation has decided to vote in the General Assembly in favour of the draft resolution in the hope that all countries will sincerely respect the wish expressed in it.

Having said that, my delegation would also like to take this opportunity to explain its vote on the other draft resolutions adopted by the Third Committee adopted, to avoid making several separate statements.

My delegation welcomes with the greatest satisfaction the adoption by the Third Committee, in many cases without a vote, of a series of draft resolutions of an essentially social and humanitarian nature that can only have a beneficial, positive impact on the efforts of our Organization to preserve peace and contribute to the progress and social and humanitarian development of our world. Such draft resolutions are an encouragement to us and strengthen our belief in the United Nations.

(Mr. Penn Nhach, Democratic Kampuchea)

My delegation, nevertheless, feels bound to make the following statement. While expressing our sincere thanks to the sponsors of the various draft resolutions for their outstanding work, we cannot help but express doubt as to the sincerity of a country which has sponsored several of them, given the conduct of that particular country, which is committing military aggression against my country and maintaining 200,000 men in its occupation force, in violation of the established norms of international law and of the Charter of the United Nations, and in view of its consistent disregard of the relevant resolutions adopted successively and patiently over the past five years by the overwhelming majority of States Members of the Organization calling, in vain, for the withdrawal of its troops from the territory of my country. My country is thus justified in asking how that country can sponsor draft resolutions which involve ideas of peace and social progress. The least one can say is that the intentions of that country are worse than suspect. This is all the more reason for my delegation to say that in my country, Kampuchea, the road to hell is paved with Vietnamese good intentions.

As long as the Socialist Republic of Viet Nam maintains its occupation troops in Kampuchea it cannot hide its imperialist aggressive, annexationist face. It cannot deceive public opinion by sponsoring such social and humanitarian draft resolutions, and persuade people that it is an angel, even an exterminating angel of the Kampuchean people.

The PRESIDENT (interpretation from Spanish): The recommendations of the Third Committee appear in paragraph 13 of its report (A/38/684). The Assembly will first take a decision on draft resolution I. The Third Committee adopted draft resolution I without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 38/111).

The PRESIDENT (interpretation from Spanish): The Assembly will now take a decision on draft resolution II.

A recorded vote has been requested.

A recorded vote was taken

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador,

Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Paraguay, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution II was adopted by 125 votes to none, with 22 abstentions (resolution 38/112).\*

The PRESIDENT (interpretation from Spanish): Lastly the Assembly will take a decision on draft resolution III.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic

\* Subsequently the delegation of Malawi advised the Secretariat that it had intended to vote in favour.

of), Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: None

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution III was adopted by 123 votes to none, with 23 abstentions (resolution 38/113)\*.

The PRESIDENT (interpretation from Spanish): The Assembly has thus concluded its consideration of agenda item 94.

The Assembly will now turn its attention to agenda item 95, "Question of a convention on the rights of the child". The Third Committee's report is in document A/38/685.

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report. The Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 38/114).

The PRESIDENT (interpretation from Spanish): The Assembly has now concluded its consideration of agenda item 95.

The General Assembly will now take up the report of the Third Committee on agenda item 96, "International covenants on human rights" (A/38/686 and Corr.1).

The Assembly has to take decisions on the three draft resolutions recommended

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\* Subsequently the delegation of Malawi advised the Secretariat that it had intended to vote in favour.

(The President)

by the Third Committee in paragraph 13 of its report. Draft resolution I is entitled "Arabic language services for meetings of the States parties to the International Covenant on Civil and Political Rights and the Human Rights Committee".

The report of the Fifth Committee on the administrative and financial implications of that draft resolution is in document A/38/697.

The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 38/115).

The PRESIDENT (interpretation from Spanish): Draft resolution II is entitled "International Covenants on Human Rights". The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 38/116).

The PRESIDENT (interpretation from Spanish): Draft resolution III deals with reporting obligations of the States parties to the International Covenants on Human Rights. The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution III was adopted (resolution 38/117).

The PRESIDENT (interpretation from Spanish): The Assembly has concluded its consideration of agenda item 96.

We shall now take up the report of the Third Committee on agenda item 97, entitled "Torture and other cruel, inhuman or degrading treatment or punishment" (A/38/687).

The two draft resolutions recommended by the Third Committee appear in paragraph 9 of its report (A/38/687).

We turn first to draft resolution I, entitled "Principles of medical ethics".

May I take it that the General Assembly adopts draft resolution I?

Draft resolution I was adopted (resolution 38/118).

The PRESIDENT (interpretation from Spanish): Draft resolution II is entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

May I take it that it is the wish of the General Assembly to adopt draft resolution II?

Draft resolution II was adopted (resolution 38/119).



The PRESIDENT (interpretation from Spanish): We have concluded our consideration of agenda item 97.

The Assembly will now take up the report of the Third Committee on agenda item 98, entitled "Office of the United Nations High Commissioner for Refugees" (A/38/688).

The recommendations of the Third Committee appear in paragraph 12 of its report (A/38/688).

Draft resolution I is entitled "International Conference on Assistance to Refugees in Africa". The Third Committee adopted draft resolution I without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 38/120).

The PRESIDENT (interpretation from Spanish): Draft resolution II, entitled "Report of the United Nations High Commissioner for Refugees", was also adopted by the Third Committee without a vote. May I take it that it is the wish of the General Assembly to do likewise?

Draft resolution II was adopted (resolution 38/121).

The PRESIDENT (interpretation from Spanish): The Assembly has concluded its consideration of agenda item 98.

The Assembly will now take up the report of the Third Committee on agenda item 99, entitled "International campaign against traffic in drugs" (A/38/689).

The Assembly has to take a decision on the draft resolution recommended by the Third Committee in paragraph 9 of its report (A/38/689). The draft resolution was adopted by the Committee without a vote.

May I take it that the Assembly also wishes to adopt the draft resolution?

The draft resolution was adopted (resolution 38/122).

The PRESIDENT (interpretation from Spanish): We have now concluded our consideration of agenda item 99.

~~The Assembly will now turn to the report of the Third Committee on agenda item 100, "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms" (A/38/690). The draft resolutions recommended by the Third Committee appear in paragraph 12.~~

I call on the representative of Bulgaria, who wishes to explain his vote before the voting. I remind him of the 10-minute rule.

Mr. MITREV (Bulgaria): The Bulgarian delegation supports the draft resolutions contained in the report of the Third Committee on agenda item 100 (A/38/690).

Although draft resolution II, which is the result of lengthy consultations, is not, in our opinion, exempt from certain deficiencies, the main concept and the provisions of the draft resolution are in conformity with the overall approach of the United Nations to human rights, as defined in resolution 32/130. Draft resolution II reiterates the need for the international community to accord priority to the search for solutions to the problem of mass and flagrant violations of the human rights of peoples and individuals affected by apartheid, racial discrimination, aggression, colonialism and neo-colonialism and other manifestations of imperialism as defined in paragraph 1 (e) of resolution 32/130.

Furthermore the draft resolution, and its paragraph 9 in particular, recognizes one of the most important human rights in the present-day world, the inalienable right of peoples to development. It is most disturbing that a number of developed Western countries are unwilling to comply with this United Nations approach and to recognize the right to development as a human right.

The People's Republic of Bulgaria, having itself undergone a rapid process of socialist development over the past few decades, attaches great importance to the recognition that all peoples have this right and that it must be given practical application, especially in the developing countries. With this in mind, we fully support the efforts of the Working Group of Governmental Experts on the Right to Development, of the Commission on Human Rights.

This position is in conformity with Bulgaria's approach to co-operation with the developing countries, an integral element of which is the giving of all-round economic, technical and financial assistance. The total volume of assistance rendered by Bulgaria to the developing countries in various forms amounts to 0.79 per cent of the value of the gross material product of the country, an amount higher than that of many developed countries.

We fully recognize that the universal implementation of the right to development is a complex and difficult process, closely interrelated with the exercise and the guaranteeing of a number of other important human rights, including the right of peoples to live in peace, the right to self-determination and other human rights. We also recognize that the full realization of the right to development is related to the settlement of a number of international problems, to the strengthening of world peace and security, to disarmament and the

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restructuring of international economic relations on a just and democratic basis - in brief, to the overall activities of the United Nations.

The People's Republic of Bulgaria, by supporting this particular draft resolution, demonstrates once again its readiness to contribute to the settlement of these international problems and to the recognition of the right of peoples to development.

The PRESIDENT (interpretation from Spanish): The Assembly will now take a decision on the two draft resolutions recommended by the Third Committee in paragraph 12 of its report (A/38/690).

Draft resolution I is entitled "National institutions for the promotion and protection of human rights".

The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 38/123).

The PRESIDENT (interpretation from Spanish): Next we turn to draft resolution II, dealing with alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, France, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia,

Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Canada, Denmark, Finland, Germany, Federal Republic of, Iceland, Ireland, Israel, Japan, Luxembourg, Norway, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland

Draft resolution II was adopted by 132 votes to 1, with 13 abstentions (resolution 38/124).

The PRESIDENT (interpretation from Spanish): We have thus concluded our consideration of agenda item 100.

The Assembly will now turn its attention to agenda item 101, entitled "New international humanitarian order" (A/38/691).

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report (A/38/691).

The Third Committee adopted this draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 38/125).

The PRESIDENT (interpretation from Spanish): We have now concluded our consideration of agenda item 101 and all the reports of the Third Committee.

The meeting rose at 5.40 p.m.