



SUMMARY RECORD OF THE 35th MEETING

Chairman: Mrs. MAIR (Jamaica)

CONTENTS

AGENDA ITEM 80: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (continued)

* This record is subject to correction. Corrections should be incorporated in a copy of the record and should be sent within one week of the date of publication to the Chief, Official Records Editing Section, room A-399.

Corrections will be issued shortly after the end of the session, in a separate fascicle for each Committee.

The meeting was called to order at 10.55 a.m.

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

1. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) said that the practice of torture and other cruel, inhuman or degrading treatment or punishment was categorically forbidden under Soviet law. Article 57 of the new Soviet Constitution specifically made respect for the individual and protection of the rights and freedoms of citizens the duty of all State bodies, public and social organizations, and officials.
2. Unfortunately, torture and inhuman treatment were still applied in Chile, South Africa and the Israeli-occupied Arab territories. The persistence of such behaviour in Chile was well documented in the reports of the Ad Hoc Working Group on the Situation of Human Rights in Chile, including paragraphs 138 to 141 of the most recent one (A/32/227), which described the various kinds of torture used.
3. Mr. ERRAZURIZ (Chile), speaking on a point of order, said that the Byelorussian representative was not addressing himself to the item under discussion and he reserved the right to reply to his accusations at the appropriate time. He also noted that document A/32/227 had not yet been officially presented to the General Assembly and that the Committee should therefore refrain from discussing it until Chile had had an opportunity to comment on it.
4. The CHAIRMAN said it was her understanding that the official documents of the General Assembly were available to all Members and it was therefore appropriate to make reference to them in the Committee.
5. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) continuing his statement said that indignation regarding the situation in Chile had also been expressed in resolution 9 (XXXIII) of the Commission on Human Rights. International public opinion supported the Chilean people and was waiting for the junta to replace its words and propaganda by genuine measures to put an end to torture and repression in that country. The torture and inhuman treatment widely applied in southern Africa had been frequently condemned in the Special Committee against Apartheid and the Special Committee of 24. A similar situation in the Israeli-occupied Arab territories had been condemned in resolution 1 (XXXIII) of the Commission on Human Rights and similar practices were widespread in South Korea.
6. There was clearly a direct link between the practice of torture and the system of large-scale violations of human rights and fundamental freedoms which still existed in many parts of the world and the General Assembly must decisively condemn those practices and demand an immediate end to them. The draft resolutions before the Committee expressed the understandable concern of Member States in that regard and his delegation would express its views regarding them in the near future.

(Mr. Maksimov, Byelorussian SSR)

7. The Committee also had before it a draft code of conduct for law enforcement officials (A/32/138). In view of the importance and complexity, in both practical and legal terms, of such a code his delegation felt that it must be prepared with the greatest care and understanding. The Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders had in 1975 recommended that the General Assembly should be requested to establish a committee of experts to study the question. The General Assembly in turn, having considered that recommendation, had requested the Committee on Crime Prevention and Control, in paragraph 3 of its resolution 3453 (XXX), to elaborate a draft code and submit it to the Assembly at the thirty-second session through the Commission for Social Development and the Economic and Social Council. It had done so on the assumption that the draft code would be comprehensively examined by those bodies, which would be able to take into account the various views of Member States. However, it had not been examined by those bodies, and the Economic and Social Council, in its resolution 2075 (LXII) had simply submitted the draft code to the General Assembly for its consideration. Consequently, the Third Committee was faced with the need to give the draft the thorough discussion it deserved. Before it could do so, it should seek the expert opinion of the appropriate national law enforcement agencies. The document could and should be improved from the legal standpoint so as to reflect adequately both the national legislation of Member States and United Nations practice in the preparation of such international instruments. The preambular paragraphs of the draft resolution preceding the actual draft code were especially in need of major revision.

8. Hence his delegation felt that the Committee should confine itself at the present stage to soliciting the views of Member States regarding the draft code so that those views could be carefully considered at the following session of the General Assembly. That approach would make it possible to prepare a balanced and legally sound document which could be adopted by the General Assembly. His delegation therefore proposed that the Committee should adopt a draft decision along the following lines: "Having considered the draft resolution submitted by the Economic and Social Council (A/32/138), the General Assembly requests the Secretary-General to transmit the draft code of conduct for law enforcement officials to all States for study and possible comments, and decides to consider the draft in the light of those comments at its thirty-third session."

9. Mr. CABELLO (Paraguay) said that the draft code of conduct contained in document A/32/138 represented a welcome and important first step towards the codification of norms in the field of law enforcement. There was a clearly recognized need for such norms because, despite general condemnation, torture and inhuman treatment persisted in increasingly sophisticated forms - often on the ground that they were essential for the preservation of law and order or in the attempt to suppress the views of those seeking self-determination.

10. His delegation understood the difficulties involved in the work of many honest law enforcement officials in the face of widespread terrorism, smuggling, armed bands supported by foreign Powers, and so forth. The resulting backlash meant

(Mr. Cabello, Paraguay)

terror on the left and on the right. His own country had had long experience of such matters and was making every effort to improve its security services while ensuring respect on the part of law enforcement agencies for the dignity of the individual. It was, in fact, applying the fundamental postulates set forth in the code and hoped that the Committee on Crime Prevention and Control would continue its good work.

11. Mr. MERKEL (Federal Republic of Germany) said that the Declaration on torture contained in General Assembly resolution 3452 (XXX) and the entry into force of the International Covenant on Civil and Political Rights marked important steps towards preventing torture throughout the world. Torture persisted in spite of those instruments, but the growing awareness of its barbaric character might eventually be conducive to its disappearance.

12. There were a number of reasons why torture was practised. Law enforcement officials often resorted to it in their search for evidence to justify arbitrary arrest and detention. Torture was also used for repression, intimidation and the suppression of individual opinions which were at variance with government policies. Sometimes it was a form of punishment, sometimes an expression of sadism. Emphasis therefore had to be placed on educating young people and on training law enforcement officials to respect the human rights of every individual. The draft code of conduct in document A/32/138 was an important step in the right direction. His delegation welcomed the fact that the Economic and Social Council, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on Crime Prevention and Control devoted special attention to all questions relating to the item. In view of the heavy agendas of those bodies, it felt that the Economic and Social Council and the Commission on Human Rights should discuss more thoroughly how they could deal with the item. They might do so either by allocating time for that purpose during their sessions or by establishing ad hoc working groups.

13. His delegation also welcomed the efforts of the Council for International Organizations of Medical Sciences (CIOMS) and WHO to prepare a code of medical ethics and hoped that they would bear in mind the primary aim of preserving life and physical and mental health.

14. Mr. PEDERSEN (Denmark) said that the efforts of the United Nations to end the practice of torture had so far met with little success. United Nations documents as well as reports from non-governmental organizations had borne witness to increasingly widespread and systematic use of torture but did not cover the use of methods designed to infringe the integrity of the human mind. In the past, his delegation had expressed its views on human rights in general, without concentrating on specific issues, such as torture. A turning-point had, however, been reached in United Nations handling of the torture issue, which had now become a matter of moral urgency and should therefore be given top priority. If priority was not given to the issue, the general effort to promote and secure human rights might be jeopardized. The exposure by the news media of the circumstances surrounding the tragic death of the South African youth leader, Stephen Biko, in a prison in Pretoria - apparently as the result of violence - had illustrated the reality

(Mr. Pedersen, Denmark)

behind the various reports on the practice of torture. His Government considered that the use of torture was unquestionably the most cruel encroachment on the dignity of man and on fundamental human rights and could never be justified by reference to political needs or to any form of religious or social ideology. His Government firmly believed that the protection of human rights required, above all, legally binding conventions and appropriate instruments for international control. It therefore whole-heartedly supported efforts to draft a convention on the protection of all persons from being subjected to torture and other cruel treatment; the need for action to that end was reflected in draft resolution A/C.3/32/L.13, of which Denmark was a sponsor. It was extremely important to be able to detect the traces of cruel treatment; in that connexion he wished to bring to the attention of the Committee the research work done by a Danish medical group to help Amnesty International in its efforts to combat torture. The Danish group had dealt with the medical aspects of torture in a global perspective, with a view to alerting world public opinion and supporting action against torture, not least against doctors who collaborated in such practices. One main reason why the group had been formed was the fact that there was recurrent evidence that in many countries doctors had collaborated in torture. It was hoped that the Danish group, together with the international medical community, could dissuade their colleagues from such collaboration. An equally pressing reason why members of the medical profession should work for an end to torture was the fact that torturers were now using new sophisticated techniques that often left few, if any, visible traces. Proving that people had been tortured was vital if the practice was to be stopped. A medical group of that kind had never been formed previously, so that its organization and working methods had had to be developed without any existing model. With three years' experience behind it, the group would serve as a future model for similar medical groups set up in other countries under the auspices of Amnesty International.

15. His Government hoped to be able to contribute substantially to strengthening and promoting respect for human rights through its membership in the newly established Human Rights Committee. His delegation supported the draft resolution of the Economic and Social Council containing a code of conduct for law enforcement officials (resolution 2075 (LXII)) as well as the proposals of the Netherlands (A/C.3/32/L.14) and India (A/C.3/32/L.15).

16. Mr. JANKOWITSCH (Austria) said that his Government had consistently sought to improve control mechanisms which would prevent single acts of unlawful treatment of offenders, as well as to imbue government officials with a spirit of law, so that those who were entrusted with the execution of the law would actively strive to safeguard the rights of the individual, as set forth in Austria's laws and in international instruments. His Government was very much concerned that torture was still a world-wide phenomenon and that the United Nations, despite its earnest endeavours, had not succeeded in making a decisive breakthrough. He appealed to all States Members of the Organization to work together to eliminate that barbaric violation of human rights. The main feature of torture was the ruthless recourse

Mr. Jankowitsch, Austria)

to force by States against individuals under their jurisdiction. States must bear the responsibility for such acts, since acts of officials entrusted with law enforcement must be attributed to the State of which they were nationals; States must therefore strive to set up effective supervisory and control systems which would prevent officials from going beyond the bounds of law and decency when dealing with offenders. The unanimity with which the international community had rejected the use of torture was highlighted by the fact that the right to freedom from torture and other forms of cruel treatment was one of the most prominent human rights in all catalogues of human rights. For example, article 4, paragraph 2, of the International Covenant on Civil and Political Rights prohibited any derogation from that provision, even in time of public emergency threatening the life of the nation. His Government believed that the elaboration and adoption of a legally binding instrument creating clear obligations for all States could be an important step towards the prevention and abolition of torture. His delegation had therefore co-sponsored draft resolution A/C.3/32/L.13, in which the Commission on Human Rights was requested to draw up a draft convention against torture. In the same spirit and in the desire to help promote all efforts to combat torture, his delegation had co-sponsored draft resolution A/C.3/32/L.14 and also supported draft resolution A/C.3/32/L.15.

17. His Government attached great importance both to the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX)) and to resolution 3453 (XXX); those two instruments represented very important steps in the campaign of the United Nations against torture. A comprehensive report setting forth a body of principles for the protection of all persons under any form of detention or imprisonment should be available for consideration by the General Assembly at its thirty-third session. His Government welcomed the draft code of conduct for law enforcement officials (A/32/138) and hoped that the World Health Organization would be able to prepare a draft code on medical ethics in time for consideration at that same session. Education and information played a vital role in the struggle to achieve the goals of the United Nations in the field of human rights. In that connexion a well-deserved tribute should be paid to non-governmental organizations, such as Amnesty International, which had drawn world-wide attention to the problem of torture.

18. Mr. AL-HUSSAINY (Syrian Arab Republic) said that an important new landmark had been reached two years previously when the General Assembly had proclaimed the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 3452 (XXX)). The Organization could take a further important step by proclaiming, in the near future, the proposed code of conduct for law enforcement officials (A/32/138). The struggle for human rights and the process of social development represented a continuing and limitless effort. The majority of Member States had undertaken

(Mr. Al-Husseiny, Syrian
Arab Republic)

measures and implemented legislation to preserve the dignity of citizens against repression and torture. In that context his delegation would like to mention three important points. In the first place, his Government was opposed to any form of torture or inhuman treatment. The Syrian Constitution and all pertinent legislation prohibited torture and inhuman treatment and the judicial authorities were authorized to punish those responsible for such acts, especially when connected with the detention and treatment of prisoners. Second, it was essential that the international community should attach paramount importance to the issue, particularly in so far as it concerned the practice of torture and inhuman treatment by colonialist régimes which continued to repress those struggling for their right to self-determination. In the third place, he wished to draw attention to the deterioration in the situation of the more than 7,000 Arab prisoners detained by Israel who continued to be subjected to inhuman and degrading treatment, as were civilians living under the yoke of Zionist occupation who, on a daily basis, were exposed to mass arrests and whose shops and homes were invaded without reason under Israel's state of emergency law. In that same connexion, he wished to draw attention to the treatment of prisoners in South Africa, where Stephen Biko had died recently as the result of barbaric torture. Elsewhere in southern Africa, thousands of African detainees were being held in South African and Rhodesian prisons and were subjected to similar barbarous treatment.

19. Dr. MALAFATOPOULOS (World Health Organization) said that the request of the United Nations General Assembly, contained in its resolution 31/85, as well as information on the steps taken so far by WHO to comply with that resolution, had been brought to the attention of the thirtieth World Health Assembly in May 1977. That Assembly had adopted a resolution (WHA/30.32) in which it had requested the Director-General of WHO to transmit the study being undertaken by the Council for International Organizations of Medical Sciences (CIOMS) to the General Assembly after it had been considered by the Executive Board of WHO. The Director-General had informed the Secretary-General of the United Nations of that resolution in a letter included in document A/32/180 and had requested him to bring it to the attention of the General Assembly at its thirty-second session.

20. In accordance with that request, CIOMS, in December 1976, had sent a questionnaire to 205 non-governmental organizations soliciting their views on the protection of all persons from torture and other cruel, inhuman or degrading treatment or punishment, with special reference to the ethical obligations of the medical and related professions. A reminder had been sent by CIOMS in May 1977. To date, CIOMS had received 104 replies, of which 18 had provided information which could be used for the study. About 34 additional replies had been promised by organizations which had expressed their willingness to participate in the survey but could not give a definite answer without the formal approval of their governing bodies. Those governing bodies usually met once a year and sometimes less frequently, so that further delay was to be expected. Fifty-two organizations did not envisage participating in the survey, because their field of interest and activity was too remote from health or technical concerns. The great majority of those organizations had, however, expressed interest and support for the initiative.

(Dr. Malafatopoulos, WHO)

21. The analysis of the replies received by CIOMS was expected to be submitted to WHO by mid-November 1977, so that a document could be prepared for consideration by the sixty-first session of the Executive Board.

22. Mr. NORDENFELT (Sweden) reiterated his delegation's view that the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment should not be the ultimate goal of United Nations efforts to protect all persons from torture, and that the work should lead up to a legally binding international instrument.

23. In his delegation's opinion, the work performed in accordance with General Assembly resolutions 3453 (XXX) and 31/85 had so far proceeded satisfactorily. He welcomed the progress made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the elaboration of a body of principles for the protection of all persons under any form of detention or imprisonment. He also welcomed the initiatives of those who were sponsoring draft resolutions A/C.3/32/L.14 and A/C.3/32/L.15.

24. Introducing draft resolution A/C.3/32/L.13 on behalf of the sponsors, he announced that the delegations of Colombia, Mali, Nigeria and the United Republic of Tanzania had now joined the list of sponsors. The draft resolution would have the Assembly request the Commission on Human Rights to draw up a draft convention in the light of the principles embodied in the Declaration adopted in Assembly resolution 3452 (XXX). The sponsors believed that the Commission, having at its command the necessary legal and political expertise, was the right forum for that task. Since the task could not be completed in one session, the Commission was further requested to submit a progress report on its work to the General Assembly at its thirty-third session. In view of the importance of the task to be entrusted to the Commission, he believed that the draft resolution could be adopted by consensus.

25. Mr. SIBLESZ (Netherlands) said that, despite the adoption of several international instruments aimed at eliminating torture and other inhuman treatment, those practices had by no means been eradicated. On the contrary, they seemed to be spreading like a disease in several parts of the world. Since torture was the expression of a basic human deficiency, no country and no civilization could claim to be immune to it. The efforts of the international community should therefore be focused in the first place on the patterns of conduct and the circumstances which gave rise to torture. Furthermore, torture was not confined to primitive forms of brutality, but might take the form of sophisticated methods of inflicting mental suffering, whether for the purpose of obtaining information, punishing or intimidating.

26. By their unanimous adoption of the Declaration embodied in General Assembly resolution 3452 (XXX), Member States had committed themselves to be guided by it. However, legislative and administrative measures were in themselves insufficient; the practice of torture could not be eradicated by a stroke of the pen. It was essential to arouse a deepened awareness of the values and norms underlying the

(Mr. Siblesz, Netherlands)

Declaration among law enforcement officials by enhancing their sense of responsibility, their belief in human dignity and their respect for the most fundamental of all human rights, the right to life and to physical and mental integrity. As a means of stimulating such awareness, General Assembly resolution 31/85 rightly called for maximum publicity to be given to the Declaration. Such publicity ought to be addressed not only to law enforcement officials but also to detainees and prisoners, their lawyers and the public at large. The Office of Public Information could play an important part in that endeavour, by distributing copies of the Declaration in the various official languages.

27. While the Declaration was often perceived as a landmark, it should be borne in mind that a landmark was simply a means of measuring progress towards the final goal. It was now propitious to assess, even if only provisionally, the progress made towards abolishing all forms of torture. Information on the action taken by Member States to put the Declaration into practice would be useful in evaluating what had been accomplished as well as in determining what action was still to be taken by the United Nations in that field.

28. Those were the considerations underlying draft resolution A/C.3/32/L.14, which he wished to introduce on behalf of the sponsors, now joined by Belgium and Nigeria. The information requested from Member States in the questionnaire which the Secretary-General was to draw up under paragraph 1 of the draft resolution would be complementary to information that would eventually reach the General Assembly in accordance with its resolution 3453 (XXX).

29. The draft code of conduct for law enforcement officials was now before the Committee in document A/32/138, and it was hoped that the World Health Organization and other international organizations involved would be able to make progress on the elaboration of a code of medical ethics. In his delegation's view, the Declaration of Tokyo, adopted by the World Medical Association in 1975, would seem to be a valuable starting-point for that work. His Government also greatly appreciated the pioneering work done by Mr. Erik Nettel, of Austria, in drafting the body of principles for the protection of all persons under any form of detention or imprisonment. He hoped that the Sub-Commission on Prevention of Discrimination and Protection of Minorities would be equipped to tackle that task more comprehensively than it had been able to thus far.

30. General Assembly resolution 3452 (XXX), which embodied the Declaration, was addressed to Member States directly. Accordingly, Governments might now be asked what action they had taken with regard to the contents of the Declaration as well as with regard to Assembly resolution 31/85, in which States had been called upon to give maximum publicity to the Declaration.

31. With regard to draft resolution A/C.3/32/L.13, which would request the Commission on Human Rights to draft a convention against torture, he observed that the Commission could not be expected to carry out that delicate task overnight. The information received as a result of the questionnaire to be drawn up in accordance with draft resolution A/C.3/32/L.14 might provide the Commission with

(Mr. Siblesz, Netherlands)

useful guidance in drafting the convention. Prior to the entry into force of the convention, States would probably wish to declare themselves bound by the Declaration, and they could do so by means of a unilateral declaration. The three draft resolutions before the Committee therefore seemed to complement each other. His delegation was accordingly confident that they would command the support of the Committee.

32. Mrs. de BARISH (Costa Rica) said that her delegation had always supported United Nations efforts not only to promote respect for human rights, as enunciated in the Universal Declaration of Human Rights and the International Covenants on Human Rights, but also to devote special attention to those violations of human dignity indicated in article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights.

33. In fostering international awareness with a view to eliminating torture, the General Assembly had encouraged the elaboration of instruments aimed at establishing standards of conduct that would put an end to a practice which was being increasingly refined and applied systematically by a growing number of countries. Her delegation had co-sponsored various resolutions adopted with a view to combating that abhorrent practice, including General Assembly resolution 3218 (XXIX), in which the Assembly had requested the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider the development of an international code of ethics for police and related law enforcement agencies. That work had now culminated in the code of conduct for law enforcement officials embodied in the draft resolution submitted by the Economic and Social Council (A/32/138, annex) for adoption by the General Assembly, in the elaboration of which her delegation had participated.

34. Her delegation had also supported the idea of preparing a draft code on medical ethics relevant to the protection of persons subjected to detention or imprisonment against torture and other inhuman treatment, as requested in General Assembly resolution 31/85, which Costa Rica had also co-sponsored.

35. Turning to draft resolutions A/C.3/32/L.13, L.14 and L.15, she said that her delegation was pleased to co-sponsor draft resolution A/C.3/32/L.14, which was designed to expand the scope of the Declaration embodied in General Assembly resolution 3452 (XXX). She also supported draft resolution A/C.3/32/L.13, and hoped that her delegation would be permitted to join the list of sponsors.

36. She stressed the importance of giving systematic publicity to all those efforts, since torture warranted condemnation when it was committed by the authorities of a country just as much as when it was committed by those who resorted to the hijacking of aircraft and the taking of hostages. In her delegation's view, there was no justification for resorting to such degrading practices when fighting for freedom or for any other cause, however noble or just, since torture degraded not only the victims but also those who committed such acts.

37. In conclusion she said that her delegation wished to support all United Nations

(Mrs. de Barish, Costa Rica)

efforts aimed at putting an end to a practice which had no place in the modern world, in which there existed a whole body of principles established by the United Nations and accepted by its Member States to safeguard the integrity of the human being.

38. Mr. WINTER (Chile), speaking in exercise of the right of reply, said that his delegation found itself obliged to intervene because Chile had been directly and unjustly accused by the representative of the Byelorussian SSR. In considering the report of the Economic and Social Council (A/32/3) under item 12, the Committee would have before it the report prepared by the Ad Hoc Working Group on the Situation of Human Rights in Chile, together with the official report submitted by the Chilean Government itself, which would be distributed within a few days. The examination of the documents would be carried out at that time. To discuss the matter now would be premature and would in no way contribute to the cause which all Members upheld. Furthermore, he regretted that those false accusations, which he emphatically rejected, came from a delegation which had indiscriminately attacked the Chilean Government because the latter had freed itself a few years earlier from Soviet imperialism.

39. Still fresh in the mind of the public were the press conferences given by Vladimir Bukovsky, the human rights activist released by the Soviet Union one year earlier, in which he had testified to the physical, psychological and psychiatric torture that he had suffered in that country. Quite recently, The New York Times had carried an article on Mikhail Stern, a Jewish physicist who had been released from a Soviet prison camp and who had related that he had witnessed the violation of a woman prisoner by six guards in a forced labour camp near Kharkov, as well as other abhorrent acts.

40. For several years the Byelorussian SSR had been levelling unjust and false charges against Chile which his delegation most emphatically rejected.

41. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic), speaking in exercise of the right of reply, said that the representative of the Chilean junta had failed to refute what the entire world knew: that the junta resorted to systematic torture, as could be seen from the report of the Ad Hoc Working Group. The question of the situation in Chile was directly related to the item now before the Committee.

42. Mr. SMIRNOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that his delegation wished to refute the statement by the representative of the Chilean junta, which amounted to slander against the Soviet Union.

43. He fully agreed with the Chairman's view that as the report of the Ad Hoc Working Group was available to all members of the Committee it could be considered under those items which were closely interrelated. That applied in particular to the item now before the Committee. When the Committee came to consider the report of the Economic and Social Council under item 12, concerning the protection of human rights in Chile, it would do so on the basis of the report of the Working Group and not on the basis of the comments by the Chilean junta.