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SUMMARY RECORD OF THE 51st MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 84: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE (continued) (A/37/3 (Part I), A/37/392, A/37/542)

AGENDA ITEM 85: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/330 and Add.1)

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AGENDA ITEM 87: INTERNATIONAL COVENANTS ON HUMAN RIGHTS (continued) (A/37/3 (Part I), A/37/551, A/37/609):

- (a) REPORT OF THE HUMAN RIGHTS COMMITTEE (continued) (A/37/40)
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AGENDA ITEM 88: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (continued) (A/37/3 (Part I), A/37/551)

- (a) UNILATERAL DECLARATIONS BY MEMBER STATES AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/263)
- (b) DRAFT CODE OF MEDICAL ETHICS: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/264 and Add.1 and 2)

1. Mr. LIGAIRI (Fiji), speaking on agenda item 84, said that Fiji was a multiracial country in which all the major world religions were represented. The followers of those different religions had been able to live together happily and harmoniously, with no intolerance or discrimination, and he was confident that Fiji would approach its problems in the future as a united country, determined to act in the best interest of all its people and in the spirit of justice, harmony and tolerance which had long been its hallmark. The Fijian constitution protected religious liberty and acknowledged the existence of God. Everyone had the opportunity to propagate, maintain or change his faith, or to have none at all.

(Mr. Ligairi, Fiji)

2. The first step towards true religious dialogue between different faiths was that members of those faiths should meet together, listen to each other's views and ask or answer any questions that might arise. The other way of searching for common ground in the approach to God and in ethical standards was through interfaith acts of worship on public occasions, a practice commonly followed in Fiji. Such events helped adherents of widely differing religions to trust and come to know each other. While recognizing that there were vastly differing understandings of both God and man, he said that all religions - apart from the doctrines of a small number of fanatics - had a unifying rather than a divisive force. They all stressed the love of God, the need for tolerance and discipline and the belief that harmony was the true purpose of men on earth. Fiji had consistently tried to follow those tenets.

3. Unfortunately, in spite of international protests and appeals, Governments in certain parts of the world were determined to pursue their remorseless campaigns to eradicate minority groups solely because of their religious beliefs. Indeed, campaigns of religious persecution had gained in momentum and greatly increased in scale during the past year. Furthermore, minority religious groups had repeatedly been used as scapegoats, to divert popular attention from other issues and to provide a focus for public grievances during times of constitutional unrest. The atrocious acts systematically employed to suppress and eradicate minority groups because of their religion or belief represented an enormous challenge to human rights. It was to end such abuses and to provide moral authority in that area that the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief had been drawn up. His delegation had strongly supported the adoption of the Declaration at the thirty-sixth session of the General Assembly because of its vital importance and Fiji's commitment to the securing and safeguarding of the fundamental right to religious freedom. He hoped that attention would continue to be focused on the noble aims and principles enunciated in that document.

4. Mr. DYRLUND (Denmark), speaking on agenda item 84 on behalf of the members of the European Economic Community, said that those countries, having taken an active part in the 19-year-long drafting process, had fully supported the adoption of the Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief as a landmark in the promotion and protection of human rights. It brought together and enlarged upon the principles of religious freedom previously recognized by United Nations human-rights instruments and asserted the individual right to freedom of thought, conscience and religion and the right to worship and to teach religion, without discrimination. He hoped that its adoption would contribute to the elimination of discrimination based on religion or belief and would encourage understanding, tolerance and respect in matters relating to freedom of religion or belief.

5. Regrettably, a number of conflicts throughout the world involved religion and religious persecution was taking place to a tragic extent in many countries, even though the principle of religious freedom was expressed in the constitution of almost every sovereign State. The suppression of religious activities, inherent in

(Mr. Dyrland, Denmark)

the policies of a number of States, varied from mere intimidation to harassment, imprisonment and even executions. One disturbing example was the religious intolerance in the Islamic Republic of Iran, which, in particular, affected the Baha'is. At the thirty-sixth session of the General Assembly, the members of the European Communities had expressed their concern at the executions of members of that religious group, and on various occasions they had urged the Government of Iran to grant the Baha'is the protection to which they were entitled under the International Covenant on Civil and Political Rights, to which Iran was a party. Since such persecution was continuing, he appealed again to the Government of the Islamic Republic of Iran to live up to its obligation under that Covenant.

6. Strict compliance by States Parties with their obligations under the Covenant on Civil and Political Rights was fundamental for the promotion of human rights. Noting that the Human Rights Committee had drawn attention to violations of the right to religious freedom, he said that indifference by States Parties to the views of the Human Rights Committee severely weakened the implementation machinery set up under the Covenant.

7. Further steps must be taken to encourage understanding, tolerance and respect in matters relating to religion and belief. Education and information at the national and international levels was essential. At the international level, the members of the European Communities attached great importance to decision 1982/138 of the Economic and Social Council, which had requested the Secretary-General to disseminate widely as a matter of priority and in as many languages as possible the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. Not only should the Declaration be published in all official languages, but in addition, individual Governments should give publicity to it and bring it to the attention of the relevant educational bodies. The members of the European Communities would also welcome an updating of Mr. Krishnaswami's study on discrimination in the matter of religious rights and practices. Such a new study, which should be based on the Declaration, would give a clearer picture of policies and practices in religious matters and of the occurrence and extent of religious persecution. It should also be aimed at action and include recommendations for further measures to eliminate religious intolerance. Measures for giving effect to the Declaration were essential and should be considered by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and by the Commission on Human Rights. He hoped that the General Assembly would not content itself with the adoption of the Declaration but would continue to explore ways in which it could be implemented. Accordingly, the members of the European Communities supported the inclusion in the agenda of the thirty-eighth session of an item entitled "Implementation of the Declaration on the Elimination of All Forms of Racial Intolerance and of Discrimination Based on Religion or Belief".

8. Ms. ABU LUGHOD (Palestine Liberation Organization) expressed surprise at the fact that the representative of the Zionist entity had seen fit to advance the already discredited myth that zionism was the national liberation movement of the Jewish people. No liberation movement could establish itself in place of the

(Ms. Abu Lughod, PLO)

native population, yet Herzl, the founder of zionism, had spoken in his diaries of the need to "spirit the native population across the frontiers". The statement of the representative of Israel was an affront to those countries which had fought to free themselves from colonial rule. National liberation was a popular movement arising as a result of the oppression of a majority of indigenous people by a minority of foreign invaders. On that basis, zionism as a political expression of national liberation should perhaps manifest itself in New York, where the number of Jewish people far exceeded the number in Israel.

9. Turning to agenda item 85, she said that Palestinians were being used as guinea pigs for the testing of scientific and technological developments in the interests of war and destruction. Israel had one of the highest concentrations of scientists in the world, but they had nothing to offer a world which sought peace. They had conceived the most sophisticated and varied methods of inflicting human suffering.

10. Limiting her statement to weaponry developed solely to kill, maim and burn civilians, she said that five types of United States cluster bombs had been used against Palestinian civilians. Israel and the United States had agreed that those bombs should be used only for defence, and never in or near cities. However, hundreds of thousands of cluster bombs had been dropped on Beirut alone, killing and maiming women and small children. A delayed explosion had killed an American marine, and with the estimated thousands of remaining unexploded bomblets in Beirut, it was difficult to know who the next victims would be. In the Lao People's Democratic Republic, ten years after the United States bombing raids, farmers were still being killed by such bomblets. The Israelis had now developed their own cluster bombs and so would no longer need agreements with the United States, although they had never honoured their agreements in any case.

11. Phosphorous bombs made in the United States had also been used. Such bombs ignited on contact with air and continued to burn as long as there was an air supply. Because doctors had not at first understood that principle, the water which they had used to clean the burns had aggravated the condition of the victims because of its oxygen content. Many basements had been turned into infernos. Fourteen members of one family, hit by a single phosphorous shell, had suffered burns. One three-year-old child had simply been turned into a piece of charcoal, and five-day-old twin sisters had still been smoldering when brought, lifeless, to the hospital.

12. Concussion bombs damaged tissue so severely that a person hit on the heel by fragments would have to have his leg amputated above the kneecap. A bomb exploding in three stages would penetrate a building, destroying first the top three floors, then the next three floors, and finally the basement, where many families had gone to seek safety, so that it caused the maximum level of material destruction and human suffering.

(Ms. Abu Lughod, PLO)

13. It was also significant that, on the thirty-seventh anniversary of the atomic bombing of Hiroshima, the Israelis had used a vacuum bomb for the first time. The United States had perfected the technology of an implosion bomb and had found the Israeli army eager to test its effectiveness. They had caused an eight-storey building in West Beirut to cave in on the 300 refugees who had sought safety there. In order to terrorize the population, a variety of bombs detonated by sound or light had also been used for the first time.

14. It was clear that Israeli scientists dedicated so much effort to destruction in order to implement the Zionist dream of populating all of Palestine by annihilating the Palestinian people. The ultimate aim of Israeli scientific and technological development had been stated explicitly and unambiguously in an article written by Oded Yinon, a member of one of the parties in Begin's coalition, which had appeared in the February 1982 edition of Kivunim (Directions), the journal of the Department of Information of the World Zionist Organization. According to that article, all Arab States should be broken down into many States based on sectarian and ethnic lines in order to increase Israel's ability to divide and rule and, more important, to secure moral legitimacy for their exclusivist State. They would then punish revolt by mass humiliation, as in the West Bank and Gaza, or by the obliteration of cities, as in Lebanon. Such a thesis was based on the geopolitical ideas current in Germany from 1890-1933 and adopted by Hitler and the Nazi movement. Secondly, according to the article, Israel should pay lip service to the defence of the West from perceived Soviet expansion and later should reveal its real intention - to sever the umbilical cord connecting it with the United States and make an imperial Israel into a world power. That was the ultimate aim of Israeli scientific and technological progress, which threatened everyone's human rights, especially the right to life.

15. Mr. THWAITES (Australia) said that if the International Covenants were universally adhered to and effectively implemented by Governments, the task of promoting and protecting human rights would be greatly facilitated. It was therefore a matter of concern to his delegation that they had been ratified by less than half the Member States of the United Nations. The Covenants jointly encompassed the two broad categories of human rights. In recent years, the General Assembly had found necessary a strong reaffirmation of the interdependence of all human rights in the face of efforts to assert a priority for particular rights or groups of rights. The question of interdependence could be fully appreciated only in the light of the obligations set out in the Covenants. In attempting to comprehend and reconcile emerging trends and pressures in the international human-rights situation, the international community should seek constantly to confirm and enhance the authority of the Covenants, and to promote the widest adherence to them.

16. He welcomed the report of the Human Rights Committee, which had further established itself as a body of admirable integrity and independence and a formidable advocate for the protection of human rights. His delegation had been encouraged by the Human Rights Committee's consideration of Australia's initial report and looked forward to continuing an active dialogue with that Committee on

(Mr. Thwaites, Australia)

all appropriate occasions. It strongly supported the Human Rights Committee's presentation of general comments on implementation, such as those in annex V of the report. The Human Rights Committee had acquired a high degree of expertise in analysing the means of implementing the rights contained in the Covenant, and it was entirely compatible with article 40 of the Covenant that that exercise should be given scope to develop further. The Human Rights Committee was not, and should not be, a quasi-judicial body, but its comments on the best means of protecting the rights contained in the Covenant, including in response to specific issues which might arise in considering reports, could only assist States parties in so far as they sought to secure full and effective implementation of civil and political rights within their own jurisdiction. He also welcomed the decision taken by the Human Rights Committee on the periodicity of reports. It reflected a flexible common-sense approach to the reporting burden imposed on States Parties, and impinged directly upon the concerns that had motivated his delegation, together with a number of others, to present draft resolution A/C.3/37/L.13/Rev.1, which had been adopted by consensus.

17. The proposal in document A/37/490 and A/C.3/37/6 for the publication of annual bound volumes of the documents and records of the Human Rights Committee should be supported. The proceedings of that Committee constituted a unique source of in-depth analysis of the implementation of civil and political rights on a world-wide basis. Such volumes would become a standard reference for national authorities, academic institutions and non-governmental organizations, and he believed not only that the costs envisaged in the Secretary-General's report would be largely recouped through sales but that, properly managed, such publications might well become a source of net income for the United Nations.

18. An examination of the Human Rights Committee's consideration of the reports of States Parties gave no reason for complacency concerning the realization of the rights in the Covenant: in at least one case, the findings were deeply disturbing. There was, however, a general sense of a vigorous and health dialogue between States and the Human Rights Committee. It was regrettable that there had been no similar impression to be gained from the procedures whereby the Economic and Social Council would review the implementation of the International Covenant on Economic, Social and Cultural Rights. While appreciating that the obligations under that Covenant were quite different and that the breadth of the issues involved in it inevitably encouraged diffuse discussion, his delegation felt that the attention given to the three Australian reports submitted so far had been disappointingly cursory. The reasons for that were well known, and his delegation had high hopes that the Working Group of Experts established on a firm footing by resolution 1982/33 of the Economic and Social Council would be able in the future to deal more effectively with the material before it. He trusted that the Working Group would receive full support from the members of the Third Committee, not least from those delegations whose constant advocacy of the peculiar virtues of their countries' economic and social system had, for some reason, been accompanied by a desire to maintain an inadequate and superficial monitoring procedure in relation to the implementation of the Covenant.

(Mr. Thwaites, Australia)

19. Turning to agenda item 84, he said that the adoption of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief had probably been the outstanding achievement of the thirty-sixth session of the General Assembly. It emphasized the need for active tolerance at a time when various pressures were unleashing forces and creating frustrations that could lead to irrational hatred or a search for scapegoats. He therefore welcomed decision 1982/28 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider updating an earlier study on religious intolerance by Mr. Krishnaswami and looked forward to further action at the current session of the General Assembly to promote the elimination of religious intolerance.

20. His delegation welcomed the progress made in drafting a convention on the rights of the child and would continue its efforts to contribute to the further elaboration of that instrument. With regard to the draft convention against torture, it felt that the persistent and increased resort to torture demanded that the highest priority should be given to strengthening international standards and adopting other effective measures to eliminate that deplorable violation of human rights. His country remained strongly committed to national and international action in that direction and felt that the issue should be approached with more determination at both levels. In 1981, Australia had lodged its unilateral declaration against torture, and it would continue to promote action at the international level against torture, through participation in the drafting work on the convention in the Commission on Human Rights. Due attention should also be given to the need to discourage States from taking unwarranted emergency measures in an attempt to justify, or at least explain, derogations from their international obligations in respect of preventing torture. He welcomed the continuation of the work on a draft Code of Medical Ethics and looked forward to the presentation of an appropriate text for the Third Committee's consideration.

21. In conclusion, he expressed his delegation's appreciation of the continuing work of the Sub-Commission on the protection of those detained on grounds of mental ill-health. That was an area of priority concern in any examination of the impact of scientific and technological development on human rights, and it should be recognized as such through the adoption of an appropriate resolution at the current session of the General Assembly.

22. Mr. FURSLAND (United Kingdom) said that in the 15 years since the International Conference on Human Rights held at Teheran in 1968, there had been enormous achievements in science and technology, many of which had improved the human condition. However, other achievements had been abused, or at least had not been used to the best advantage. Millions of people still went hungry and lacked the basic necessities of life because the world's resources were being spent elsewhere, inter alia on weapons of war. A reduction in the level of resources spent on armaments was among the most important issues confronting the international community. However, solutions to that problem would not be found in the Third Committee. The Committee's business was with human beings and with human rights and his delegation therefore doubted the value of discussing disarmament there.

(Mr. Fursland, United Kingdom)

23. International tension might threaten human rights, including the right to life, liberty and security of person. Equally, the denial of human rights could contribute to international tension. While it was Governments which, for the most part, accumulated weapons, it was people who suffered the results and thus had a right to be heard on disarmament and other issues. Accordingly, Governments must accord their peoples the right to freedom of opinion, expression and information to which they were entitled under the Universal Declaration of Human Rights and other instruments.

24. Military technology, however, was not the only field in which scientific and technological developments had led to abuse. The General Assembly and other United Nations bodies had correctly focused on another area, namely, the abuse of psychiatry, and that had resulted in the adoption of General Assembly resolution 36/56 B. In that connection, the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities had demonstrated the need for increasingly close and urgent consideration of that issue in the United Nations. If a State abused its powers with respect to persons suffering from mental disorder or mental weakness, such persons often were not in a position to protect their own rights, and the international community therefore bore a particular obligation towards them. All Governments had something to learn from a study of that subject and from the establishment of international standards in that regard. His delegation therefore welcomed the fact that the Sub-Commission had begun its work on the draft body of guidelines, principles, procedures and guarantees, and it looked forward to introducing a draft resolution in the Committee on the matter.

25. The International Covenants on Human Rights had entered into force only six years earlier. Yet today they were taken for granted, and that was in large part a tribute to the professionalism and dedication of the Human Rights Committee. However, taking them for granted was a mistake. While many States had entered into a constructive dialogue with the Human Rights Committee, only about half of the States Members of the United Nations had ratified the Covenants, and some of those States had failed to fulfil their reporting obligations. For example, a State might ban torture in its Constitution, but that was of little comfort to the victim of torture if that provision was not observed in practice. His delegation hoped that all States and the Secretariat would give full co-operation to the Human Rights Committee in its effort to fulfil its mandate and to improve and accelerate its consideration of reports.

26. Unfortunately, the Human Rights Committee did not receive the publicity that the importance and quality of its work merited. One way to attract more publicity was to hold sessions away from Headquarters, and in that connection, his delegation appreciated the hospitality of the Government of the Federal Republic of Germany, which had enabled the Human Rights Committee to hold a session at Bonn in 1982. He hoped that it would soon be possible to hold a session in a developing country, subject to satisfactory financial arrangements. His delegation also saw merit in the Human Rights Committee's proposal to have its records published in annual bound volumes, with the cost to be met from savings elsewhere in the budget.

(Mr. Fursland, United Kingdom)

27. The Sessional Working Group (of Governmental Experts) on the Implementation of the International Covenant on Economic, Social and Cultural Rights had, unfortunately, not been working as well as the Human Rights Committee. That was primarily because the Group held sessional meetings and was composed of governmental representatives from United Nations missions rather than independent experts. In that connection, his delegation welcomed the changes introduced by Economic and Social Council resolution 1982/33 and hoped that the Council would be able to agree that members of the Sessional Working Group should be independent experts.

28. Lastly, his delegation believed that it might have been more appropriate if the Third Committee had been able to consider the report of the Committee on the Elimination of Racial Discrimination which was also a treaty body. He hoped that the Third Committee would give serious consideration to that matter at the thirty-eighth session of the General Assembly.

29. Mrs. CAO PINNA (Italy) said that two years before, the first Italian report on civil and political rights had been examined by the Human Rights Committee. Her delegation therefore had had the opportunity to appreciate directly the high level of competence of its members and the dedicated way in which the Committee performed its important duties. It was, however, concerned about the divergent views still existing among members of that Committee on the interpretation of article 40, paragraph 4, of the International Covenant on Civil and Political Rights. Italy continued to believe that the Human Rights Committee was entitled, under that provision, to address general comments to individual States parties and not only to all States parties in connection with issues of a general nature. Another concern of her delegation arose from the divergent views expressed within the Committee, at its most recent session, on the question of derogations from obligations and notifications of public emergencies under article 4 of the Covenant. Her delegation was inclined to agree that the Committee should be informed whenever a notification of public emergency was made and that it had the power to request from the States parties concerned a special report on how the emergency situation affected human rights.

30. Her delegation welcomed the two important decisions taken by the Human Rights Committee concerning recommendations on and interpretations of articles 6, 7, 9 and 10 of the Covenant, namely, the decision to include in the agenda of its spring session every year an item entitled "Action by the General Assembly on the annual report submitted by the Committee under article 45 of the Covenant" and the decision on periodicity of reports subsequent to the initial ones. Her delegation believed that the question of the periodicity of reports under conventional obligations was of a general nature, in the sense that it should be considered by the General Assembly in relation to all reports to be submitted to the United Nations, taking into consideration new reporting obligations arising from future conventions. In that regard, her delegation shared the concern expressed by the delegation of the Netherlands that the two-year periodicity established by the Convention on the Elimination of All Forms of Racial Discrimination might lead to erosion of reporting obligations. It hoped that an amendment to article 9 of that Convention could be considered by the General Assembly as soon as possible without raising misunderstandings or creating insurmountable difficulties.

(Mrs. Cao Pinna, Italy)

31. Her delegation believed that the guidelines recommended for the preparation of national reports were useful for reporting States. However, they were perhaps too detailed; simplifying them might help to solve the problem of the late submission of national reports.

32. Her delegation believed that the question of publicizing of the work done by the bodies entrusted with the international supervision of the implementation of all conventions on human rights could not easily be settled at the current session of the General Assembly, for three reasons. Firstly, whatever decision was taken should also be applied in future to the official documentation on the implementation of the Covenant on Economic, Social and Cultural Rights, for the two Covenants had been adopted jointly and constituted a whole which confirmed the indivisibility and interdependence of all human rights. Furthermore, any such decision should likewise be applied to the documentation on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination. Secondly, a distinction should be made between information intended to reach the public at large and information whose main purpose was to assist lawyers, researchers, teachers and others concerned in their work. Thirdly, because the Human Rights Covenants had so far been ratified or acceded to by only half of the States Members of the United Nations, it followed that every financial estimate of both internal and external reproduction of the annual documentation of the Human Rights Committee should be regarded as the beginning of a growing allocation of funds in the regular budget of the United Nations.

33. In conclusion, she said her delegation believed that the value of the proposal concerning the elaboration of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty had been extensively and convincingly argued by the representative of the Federal Republic of Germany. Such a protocol would be of great value in the current circumstances when there was a growing outcry against mass and arbitrary executions wherever they occurred.

34. Italy had been among the first group of countries that had made a unilateral declaration against torture and other cruel, inhuman or degrading treatment or punishment, and it looked forward to the completion, at the next session of the Commission on Human Rights, of the lengthy task of elaborating a draft convention on the matter. It would therefore sponsor a draft resolution in that regard.

35. Mr. O'DONOVAN (Ireland), speaking on item 84, said that his delegation wished to associate itself with the statement made on that item by the representative of Denmark on behalf of the European Economic Community. The proclamation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief by the General Assembly during its thirty-sixth session was a major achievement of the United Nations. The Declaration's standards were clear and its provisions practical. Naturally, intolerance and discrimination on grounds of religion or belief were not going to end merely because it had been proclaimed, but it was a step forward and his delegation hoped that it would command world-wide attention and that its influence would steadily increase.

(Mr. O'Donovan, Ireland)

36. The Economic and Social Council had adopted decision 1982/138 requesting the Secretary-General to disseminate the Declaration widely, as a matter of priority and in as many languages as possible and to issue a pamphlet containing the text of the Declaration in the six official languages of the United Nations. The pamphlet had not yet been issued in all the official languages, and his delegation trusted that the Secretary-General would attend to that omission as quickly as possible. The influence of standards agreed upon at the international level obviously depended a great deal on knowledge of those standards. It was therefore of primary importance that the Declaration should receive wide publicity within the United Nations system and in Member countries, where Governments might do well to bring it to the attention of schools and other educational centres. The specialized agencies, for their part, should consider what measures might be appropriate for promoting implementation of the Declaration. He was thinking in particular of UNESCO, which was currently considering its medium-term plan for the period 1984-1989. It had already done important work on the subject of prejudice, intolerance, racism and apartheid, including studies and seminars specifically on the subject of religious prejudice and intolerance, and he felt it would be useful for it to consider further work in that field. He proposed that a report on the views expressed by the agencies and bodies concerned, particularly UNESCO, on the implementation of the Declaration should be submitted to the Commission on Human Rights at its thirty-ninth session. On the basis of that report, the Commission might consider measures for its implementation and report on them through the Economic and Social Council to the General Assembly at its thirty-eighth session.

37. While it might be best to leave to the Commission the consideration of specific measures for implementing the Declaration, he suggested that provision should be made within the programme for advisory services for a seminar to be held, preferably in 1983, on the question of intolerance and discrimination based on religion or belief with specific reference to the Declaration. The Commission should consider ways of ensuring the fullest contribution to that seminar by the major religions and other interested groups. His delegation found the proposal of the Sub-Commission on Prevention of Discrimination and Protection of Minorities contained in Council resolution 1982/28 to be very useful; in that resolution, the Sub-Commission suggested that the study of religious discrimination undertaken by Mr. Krishnaswami in 1959 (E/CN.4/Sub.2/200/Rev.1) should be updated, taking the Declaration as its point of reference.

38. Although the Declaration contained specific provisions against practices of intolerance and discrimination, it was not solely concerned with what might be called "negative" rights. According to its preamble, its purpose was also to promote understanding, tolerance and respect in matters relating to freedom of religion and belief. Doing so would be in accordance with the purposes of the United Nations as set forth in the Charter and would foster an environment in which action would no longer be required to protect the rights of groups and individuals to hold and manifest religious beliefs.

39. Mr. VOICU (Romania) said that his delegation continued to attach particular importance to item 85 because it reflected the close relationship between scientific and technological progress and the promotion of fundamental human rights and freedoms. Science and technology were inseparable from peace, and should be made to serve détente, mutual understanding and international co-operation.

40. Unfortunately, achievements in science and technology were currently being used to promote the arms race rather than human rights. The implementation of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind required greater efforts on the part of researchers, scientists and world public opinion. Scientists and researchers were clearly in a better position than anyone to know the extent of the threat that modern weapons, especially nuclear ones, posed to civilization and international security. Scientists in all countries must rise above political, philosophical and religious differences and campaign tirelessly to ensure that their achievements were devoted to the building of a better, more just world. The discoveries of science should be used to help bridge the tremendous gap between rich and poor countries and eliminate the scourge of underdevelopment which afflicted two thirds of the world's population. Scientists must also work to ensure that current resource needs, rendered more pressing by the present economic situation, were met, while at the same time protecting the environment and preserving it for future generations. Scientists, transcending national, ideological and political differences, should co-operate in the use of science as an instrument for protecting the supreme and inalienable right of individuals and nations to life and peace. His delegation hoped that those ideas would be adequately reflected in the documents to be prepared by the Secretary-General for the debate by the General Assembly at its thirty-eight session on the item entitled "Human rights and scientific and technological developments".

41. Mrs. GUEIMAN (Uruguay), speaking in exercise of the right of reply, said that the statement concerning her country made by the representative of Sweden at the 50th meeting had surprised and shocked her. The representative of Sweden had called upon the Uruguayan Government not to weaken international law; in fact, Sweden itself was weakening international law by discussing communications which had been received by the Human Rights Committee under the provisions of the Optional Protocol to the International Covenant on Civil and Political Rights. Article 5, paragraph 3 of the Optional Protocol specified that "The Committee shall hold closed meetings when examining communications under the present Protocol"; in the view of her delegation, the expression "closed meetings" implied confidential treatment of those communications. The meaning of paragraph 4 of article 5, which stated that "The Committee shall forward its views to the State party concerned and to the individual", was self-evident. Her delegation did not feel that the Third Committee was the appropriate forum in which to do to discuss such communications; moreover, the Committee did not have the competence to do so.

42. Her surprise and indignation had also stemmed from on the fact that her delegation had, as a matter of courtesy, informed the delegation of Sweden of the Uruguayan Government's communication to the Human Rights Committee. The substance of the comments made by the representative of Sweden had no basis in fact; Uruguay,

(Mrs. Guelman, Uruguay)

which had always acted responsibly and had traditionally defended human rights, did not deserve to be the subject of comments such as those which had been made in the Swedish representative's statement. Consequently, her delegation rejected that statement outright.

43. She reminded Committee members that her country could have denounced the Optional Protocol at any time, in accordance with article 12. It had refrained from doing so, even though experts who were members of the Human Rights Committee had not always been sufficiently objective in their decisions. She wished to give assurances that her Government would continue to co-operate in all aspects of the work of the United Nations on human rights.

44. Mr. ZARIF (Islamic Republic of Iran), speaking in exercise of the right of reply, related the fable of the wolf in sheep's clothing as an appropriate commentary on the remarks made during the 50th meeting by the representative of the United States. Just as the wolf had disguised himself as a sheep in order to deceive innocent lambs, so the United States was claiming to support human rights in order to disguise its imperialist designs. The claws of Yankee imperialism were stained with the blood of American Indians, Afro-Americans and Hispanics and the Palestinians and the Lebanese civilians who had been massacred by the savage Zionist non-entity, the continued existence of which was due to lavish support provided by the Government of the United States. United States imperialism was also responsible for the daily massacre by the apartheid régime in South Africa of thousands of Azanians, Namibians and Angolans.

45. He noted that the representative of the United States had expressed concern for the Vietnamese, Laotian and Kampuchean peoples, and asked whether the speaker did not represent the same Government which had dropped millions of bombs on defenceless Vietnamese citizens, which propped up puppet régimes around the world that were responsible for the most savage and flagrant violations of human rights, and which used inhuman methods to crush popular and progressive movements in other countries. He referred the representative of the United States to the second part of the pamphlet which his delegation had distributed on human rights on the Islamic Republic of Iran. He wished to point out that, in accordance with Iran's Constitution and the teachings of Islam, no one in the Islamic Republic of Iran was persecuted for his or her religious affiliation. With regard to the so-called Baha'i faith, which was actually nothing more than a political party, those of its members who had been tried in the competent courts of law had been accused of espionage and other serious crimes punishable under Islamic law. The pamphlet gave many examples which proved that being a Baha'i did not constitute a crime in the Islamic Republic of Iran. He closed his statement with a citation from the Koran.

46. Mr. FELDMAN (United States of America), speaking in exercise of the right of reply, said that it was fitting that the representative of the Islamic Republic of Iran had chosen to tell the Committee a fairy tale by way of arguing that his Government was innocent of the persecution of 300,000 members of the Baha'i faith. Many members of the Committee had read the communications published by the Baha'i organization in the United States; he wished to add that since August 1982,

(Mr. Feldman, United States)

90 Baha'i had been arrested, including 46 - 9 of them women - who had been seized during a series of midnight arrests in Shiraz. In the Kuraz area, 11 Baha'i had lost their jobs when they had refused to renounce their faith; Baha'i prisoners in that city had been beaten and their prayer-books had been confiscated. Incidents of persecution of members of the Baha'i faith in the Islamic Republic of Iran were so numerous and had been so often discussed in the Third Committee and the Commission on Human Rights that they could not be disputed.

47. Mr. ZARIF (Islamic Republic of Iran), speaking in exercise of the right of reply, pointed out that the accusations made by the United States were based on documents published by the Baha'i organization which had headquarters in Haifa. Furthermore, the Baha'i organization had close connections with the United States Government, as had been documented in the memoirs of the former President of the United States, Jimmy Carter.

48. Mr. COHEN (Israel), speaking in exercise of the right of reply, said that his delegation regretted the fact that the representative of the Islamic Republic of Iran in exercising his right of reply during the present meeting had ignored the earlier remarks of the Chairman and the wishes of the Committee as a whole.

The meeting rose at 5 p.m.