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THIRD COMMITTEE
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New York

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SUMMARY RECORD OF THE 56th MEETING

Chairman: Mr. CALERO RODRIGUES (BRAZIL)

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

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- (a) UNILATERAL DECLARATIONS BY MEMBER STATES AGAINST TORTURE AND OTHER CRUEL,
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- (b) DRAFT CODE OF MEDICAL ETHICS: REPORT OF THE SECRETARY-GENERAL (A/37/264 and
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General debate (continued)

1. Mrs. DAHAL (Nepal) said that the American anthropologist Margaret Mead had written just before her death in November 1978 that in a darkened world, beset by the fear of nuclear holocaust the International Year of the Child stood like a beacon of hope giving direction for the building of a livable, sustainable and beautiful world for the children of the present and the future. By heeding the pressing needs of children, it could be determined what needed to be done immediately and what could be accomplished later. Babies could not wait; if even briefly denied oxygen, food or shelter or subjected to emotional deprivation, they were adversely affected for life. The International Year of the Child could be

(Mrs. Dahal, Nepal)

the climax of efforts to ensure a safer and better world, environmental protection, population balance, food for the hungry, adequately designed human settlements, and education and health care; in seeking to provide for children's needs, adults would find compelling reasons for living and protecting the world.

2. Those comments applied to everything that the Committee had been considering under the broad item of human rights.

3. Miss FRANCO (Portugal) said that the record of the United Nations in creating a viable code of conduct for nations in the field of human rights was impressive. The Organization was the framework in which universal law was both defined and affirmed. Hence, all States were called upon not only to participate in the shaping of such law but also to give it concrete meaning by becoming parties to international conventions and by making every effort to ensure their effective implementation. It was gratifying to see the increase in the number of States parties to the International Covenants on Human Rights, even if adherence to those international instruments was not as broad as one might have wished. The Covenants represented an international commitment, and violators could be held accountable.

4. Respect for human rights and fundamental freedoms entailed a delicate balance between the rights of the individual and the power of the State. The Covenants should be seen as a global framework whose provisions were to be abided by and implemented comprehensively. Indeed, if international law was not to be regarded as a dead letter, then duly monitored implementation of the Covenants was essential. Her delegation was pleased to note that it had been possible to improve the mechanisms of control for the implementation of the International Covenant on Economic, Social and Cultural Rights. In that connection, she regarded Economic and Social Council resolution 1982/33 on the review of the composition, organization and administrative arrangements of the Sessional Working Group as a significant step forward, leading to the hope that in the not too distant future, that body would attain a level comparable to that of the Human Rights Committee.

5. Her delegation was pleased to note that the Human Rights Committee continued to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights. It also welcomed the flexible approach the Human Rights Committee had taken towards the periodicity of reports, especially by making it possible for a State party to benefit from the timely submission of follow-up reports. Her delegation fully supported the suggestion that the work of the Committee should be given adequate publicity. However, it was inclined to agree with the representative of Italy that it might be difficult for the General Assembly to settle the issue at the current session. Her delegation also believed that cases of serious violations of the Covenant should be discussed in a meeting of States parties.

6. Her delegation commended the Federal Republic of Germany for sponsoring agenda item 87 (d). Basic respect for the right to life should be of paramount importance because it was only when that right was secure that there could be full observance of other rights. Obviously, different cultural, religious, social and political conditions existed throughout the world, and historical experiences might make it

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(Miss Franco, Portugal)

difficult for some countries to attain the goal of the abolition of the death penalty. Thus, the elaboration of a second optional protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty would not, as some had argued, result in amendments to the Covenant or be applied uniformly throughout the world. On the contrary, it would develop article 6 of the Covenant and, given its optional character, a Government not yet in a position to consider abolishing the death penalty would not have to be a party to it. Accordingly, her delegation fully supported the views expressed by the representative of the Federal Republic of Germany that the Commission on Human Rights should be requested to consider the idea of drafting a second optional protocol at its thirty-ninth session. Her Government believed that in a democracy, humanitarian and progressive causes always won public support. It might take some time, but public opinion would favour abolition of the death penalty just as it had favoured the abolition of slavery and had condemned racial discrimination.

7. Mrs. MASMOUDI (Tunisia) said that Tunisia had joined in the consensus leading to the adoption of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. Tunisia, which was 98 per cent Moslem, had always respected the Christian and Jewish religious minorities living in its territory and ensured that tolerance prevailed among Moslems and between Moslems and non-Moslems. Tunisia would support other human rights instruments currently in preparation, notably the draft convention on the rights of the child, which developed the principles set forth in the Universal Declaration of Human Rights, principles which had been a constant source of inspiration for Tunisia in its social, economic and cultural development and its efforts to ensure to all citizens without distinction the enjoyment of their fundamental rights. It could not be said that all the provisions of those instruments were strictly respected in Tunisia; indeed, no country could claim to be entirely free from violations of human rights. Yet Tunisia's accession to human rights instruments meant that it recognized the validity and universality of their provisions and that it would make persistent efforts to overcome the historical, geopolitical, sociological, economic and cultural difficulties impeding the promotion of human rights and depriving nationals of the effective enjoyment of those rights.

8. With regard to the second optional protocol to the International Covenant on Civil and Political Rights, the death penalty was applied in Tunisia only in the most serious cases, essentially involving State security or voluntary homicide, and subject to all the guarantees stipulated by article 6 of the International Covenant. Tunisia was following with interest the efforts being made to ensure the right to life in general through such means as the achievement of nuclear disarmament and the strict limitation of the death penalty.

9. Mr. KOMISSAROV (Byelorussian Soviet Socialist Republic) said that international co-operation in the field of human rights must be based upon the principles of equal rights and non-interference in the internal affairs of States and also on the universally recognized legal principles embodied in international human rights instruments, in particular the International Covenants on Human Rights. The legally binding force of the Covenants gave them special significance as compared with other instruments, in particular the Universal Declaration of Human Rights.

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(Mr. Komissarov, Byelorussian
Soviet Socialist Republic)

The steady increase in the number of States which had ratified or acceded to the International demonstrated a recognition of their importance for promoting international co-operation in the field of human rights.

10. The Byelorussian SSR's strict implementation of its obligations under the International Covenants was a reflection of the constant concern of socialist society to create favourable conditions for the all-round development of the personality and to meet the various material and spiritual needs of the individual. The victory of the socialist system in the Byelorussian SSR had ensured the whole range of political, socio-economic and personal rights and freedoms and the broad access of all members of society to work, education, science and culture and the management of State and public affairs. In a socialist democracy, human rights were regarded as a single whole defining the legal status of the individual in society, and social and economic rights and freedoms were recognized as the real basis for the enjoyment of political and personal rights and freedoms. In most cases Soviet legislation actually went much further than or substantially broadened the provisions of the International Covenants.

11. The Byelorussian SSR co-operated fully with the Human Rights Committee and the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights, and regularly submitted reports for consideration which had all been favourably received. His delegation felt that in carrying out their functions the two bodies should take more fully into account the characteristics of different legal and social systems and should resist the temptation to pay too much attention to administrative or organizational considerations at the expense of substantive work. For example, the proposal regarding publicity for the work of the Human Rights Committee (A/37/490) was not altogether justified; sufficient publicity was already ensured by the broad circulation of summary records and other documents, and further steps in that direction could be taken by States themselves.

12. Some parties to the International Covenants had not yet taken effective legal measures to ensure the implementation of all their provisions and had not fulfilled their specific obligations in relation to the right to work, the prohibition of war propaganda and other matters. That situation showed the unwillingness and even inability of some countries whose representatives made much ado about human rights to ensure conscientiously and fully the implementation of the provisions of the Covenants. The continuing refusal of such countries as the United States to become party to the Covenants clearly demonstrated their negative attitude to international co-operation in the field of human rights. The United States, after signing the Covenants with great fanfare, had so far done nothing to ratify them and instead was making all kinds of attacks on those documents, in particular the Covenant on Economic, Social and Cultural Rights. The General Assembly should call upon all States to become parties to the Covenants, thus making them truly universal.

13. The Byelorussian SSR fully supported the drafting of a convention on the rights of the child. In socialist society concern for children and mothers was a matter of State policy and involved almost all State establishments, enterprises,

(Mr. Komissarov, Byelorussian
Soviet Socialist Republic)

collective farms and public organizations. It was also believed that the development and education of the younger generation were possible only in conditions of peace and must be accompanied by constant efforts on the part of States to strengthen peace and the security of peoples and avert the threat of a nuclear catastrophe. The draft convention on the rights of the child was a good basis for a final text, and his delegation could not but express regret at the continuing attempts of certain countries in the Commission on Human Rights to delay the work. It was important that the convention should be adopted as soon as possible so as to ensure the protection and improvement of the situation of children, who were still the most vulnerable section of the population in many parts of the world.

14. Mr. TARASYUK (Ukrainian Soviet Socialist Republic) said that one of the most important conditions for effective international co-operation in promoting respect for human rights was the broadest possible participation of States in basic international agreements. The Ukrainian SSR had ratified the International Covenants on Human Rights in 1973; that had necessitated practically no changes in its legislation, which went considerably further than the Covenants. Although the number of States parties to the Covenants was constantly increasing, over half the States Members of the United Nations had not yet become party to them. Yet representatives of some States which were not parties to the Covenants were trying to instruct other States on how to develop their domestic human rights policies. The United States, while declining to participate in international co-operation in the field of human rights, was using human rights questions to incite psychological warfare, whip up tension and exploit the situation for propaganda purposes. Participation in the International Covenants was a basic indicator of the willingness of States to promote the implementation of human rights in practice. The General Assembly should call again upon States which had not yet done so to become parties to the Covenants to make them truly universal in nature.

15. In connection with the report of the Human Rights Committee (A/37/40), he noted with satisfaction that the Committee was carrying out its task of considering reports in a constructive and co-operative manner. His delegation took note of the work of the Human Rights Committee in preparing general comments in accordance with article 40, paragraph 4, of the International Covenant on Civil and Political Rights, especially general comments 6/16 and 7/16: it should continue to pay attention to those questions when considering the reports of States parties and should spend less time on consideration of secondary organizational questions to the detriment of its essential function. On the question of publicity for the work of the Human Rights Committee, his delegation felt that the relevant services of the Secretariat had taken the necessary steps to disseminate information, notably through the annual reports which were readily available to interested parties. It therefore had doubts about the advisability of the recommendations contained in document A/37/490, which also had considerable financial implications.

16. The organization and method of work of the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights were effective and fully accorded with part IV of that Covenant. His

(Mr. Tarasyuk, Ukrainian Soviet
Socialist Republic)

delegation therefore saw no need for any review of or change in those methods, or for any change in the status of members of the Working Group. It was surprised at a number of the provisions of Economic and Social Council resolution 1982/33 and believed that a review of organizational questions relating to the work of the Group would in no way contribute to its effectiveness. The reports submitted by the Ukrainian SSR on its implementation of articles 10 to 12 and 13 to 15 of the International Covenant had been very favourably received by the Working Group; they contained detailed information about the guarantee to Ukrainian citizens of a broad range of rights and freedoms, which were expanded and enriched by the implementation of socio-economic and cultural development programmes, the growth of the material and spiritual potential of society and the consolidation of socialist gains.

17. His delegation was concerned about the lack of progress in drawing up a convention on the rights of the child; much more progress could have been made at the thirty-eighth session of the Commission on Human Rights if all the participants in the working group had shown a real desire to complete work on the text. It was essential to complete it as soon as possible. His delegation fully supported draft resolution A/C.3/37/L.46.

18. He noted in connection with the item that United States law was silent about the illegality committed by the United States authorities in relation to the minor, Vladimir Polovchak, who for three years had been forcibly detained in the United States and prevented from returning to his native land and his parents. The absurd decision to grant a 12-year-old child "political asylum" revealed the utter baselessness of the assertions of United States officials that they were not pursuing any political goals in the Polovchak case but were merely concerned about the well-being of children. What had occurred was in fact an illegal division of a family of Soviet citizens wishing to return to the Soviet Union; that arbitrary act contradicted all humanitarian principles and was a blatant violation of international norms, including the principle of the reunification of families envisaged in the Final Act of the Conference on Security and Co-operation in Europe which the United States had signed. It also contradicted article 6 of the Declaration of the Rights of the Child. The United States court had separated the Polovchak children from their family, denied the parents their parental rights and prevented them from fulfilling their responsibilities in educating their children.

19. The problem of ensuring freedom of conscience and eliminating religious intolerance had been solved in the Ukrainian SSR almost from the first days of Soviet power. In February 1918 a decree on the separation of the church from the State and of the school from the church had been adopted and the substance of that decree was reflected in the legislation of the Ukrainian SSR ensuring the equal rights of citizens without distinction. Article 50 of the Ukrainian Constitution explicitly guaranteed freedom of conscience to citizens of the Ukrainian SSR. The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief was concerned with the right to profess any religion and hold religious services or not to profess any religion and maintain atheistic views. The State must ensure the right to profess any religion, but must also respect and ensure the freedom of those with atheist views. Hundreds of millions

(Mr. Tarasyuk, Ukrainian Soviet Socialist Republic)

of people held atheist views and their numbers were steadily increasing as a result of the objective process of the development of science, culture and technology. Yet in a number of countries there was both de jure and de facto inequality for those with atheist convictions. The United States representative, in a recent statement, had tried to use the question of religion to incite hatred and enmity for his reactionary and narrow political purposes. He wished to remind that representative that mosques were being blown up and desecrated in the areas of Jerusalem occupied by the United States' "strategic ally" and Buddhist temples had been destroyed by American bombs in Viet Nam and Laos. He asked what religion allowed presidents of the United States to give orders for the physical annihilation of the leaders of other countries, send "crusaders" thousands of miles away to protect their "vital interests", or produce ever more monstrous kinds of weapons of mass destruction. Perhaps the United States representative could explain why a Fascist bishop had served for many years in the United States, some 1,000 members of a "people's church" had died and a priest had been imprisoned for participation in anti-military actions. It was not likely that the United States representative would be able to provide an answer to those and many other questions in the doubtful sources he had used in his statement. The answer must be sought in a study of the foundations of the society in which he lived, where the main yardstick of value was money.

20. Mr. TOLENTINO (Philippines) said that the Philippines was the oldest democracy in South-East Asia, the first Philippine Republic having been established in 1898 when the nation had declared its independence from Spain. Because of its long colonial history, the protection of human rights had been at the heart of the national existence of the Philippines. Philippine society was highly individualistic and State affairs revolved around the individual as the pivotal point of the Philippine community. A decade earlier, faced with imminent danger to the very existence of the democratic Government existing under the Philippine Constitution, President Ferdinand E. Marcos had declared martial law by virtue of a constitutional provision which had its origin in a law enacted by the Congress of the United States when the Philippines was still an American territory. The Philippine Republic was based on the principle that sovereignty resided in the people and all government authority emanated from them. That principle was best expressed in the institution of suffrage which was exercised on the occasion of elections and referendums. Political participation of the people in national affairs had increased in the past 10 years, a period characterized by evidence of their political maturity.

21. The Philippines supported the view that the civil, political, economic and social rights of individuals were interrelated and inseparable and that those rights were indispensable to the attainment of democracy, development and peace. Accordingly, the Philippines was a signatory not only to the United Nations Charter but also to several international instruments for the promotion of human rights and the elimination of discrimination. It should be noted, however, that there could be no universal uniformity in the manner in which those instruments were applied by the different countries and peoples of the world. It was therefore unfair and unjust for one country to establish standards for the protection and promotion of

(Mr. Tolentino, Philippines)

human rights on the basis of its own practices and condemned those whose practices might differ because of their particular culture or development. The real test of adherence to the principles embodied in the human rights instruments was their enforcement by an independent judiciary. The Philippines maintained a judicial system independent of the political branches of the Government, the executive and the legislative. The Philippines also had an ombudsman whose task was to investigate allegations of abuse of authority by government officials and to protect the rights of citizens. Furthermore, the Philippines had a separate system of personal laws to ensure and monitor the enjoyment of the rights of the country's cultural minorities.

22. His delegation shared the view that at both the national and international levels there was need for a massive effort to promote information on what constituted human rights and what remedies were available in case of their violation. It also agreed that both governmental and non-governmental organizations, including the media, bore a special responsibility in generating greater public awareness in that area.

23. With regard to human rights and scientific and technological developments, the Philippines believed that the enjoyment of human rights was possible only where there was an optimum degree of development, and that science and technology were catalysts of that process. To that end, the Philippines was currently engaged in a massive campaign which was intended, inter alia to transfer technological know-how to rural areas in order to provide the basis for increased production capacity utilizing indigenous resources and skills. There could never be effective enjoyment of human rights in conditions of underdevelopment, for deprivation was a most serious violation of human rights. His delegation was prepared to support any initiative that would achieve the twin objectives of human rights and development.

24. The death penalty had been provided for in the legal system of the Philippines for centuries; however, it was limited to the most heinous offenses. When it was imposed by a trial court, the case was automatically elevated to the Supreme Court for review of both fact and law, and the death sentence could be confirmed only by a unanimous decision of all members of the Supreme Court. Even when the Supreme Court had confirmed a death sentence, executions were rarely carried out because of the provision for presidential clemency, which could convert the death sentence to life imprisonment. Furthermore, the Constitution of the Philippines expressly prohibited the infliction of cruel or unusual punishment.

25. His delegation would continue to monitor closer the work of the Human Rights Committee and, as a member of the Commission on Human Rights, the Philippines would continue to co-operate to ensure the success of its activities.

26. Mr. RODRIGUES (Jamaica) said that the principle of non-discrimination with respect to religion was a principle rooted in Jamaica's belief in the inherent dignity and equality of all human beings. His delegation believed that the adoption of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief was a major achievement of the international community and a bold reaffirmation by Member States that any act of

(Mr. Rodrigues, Jamaica)

religious intolerance or discrimination ran contrary to the basic human rights of all mankind. Currently, however, religious prejudice was a fact of life in far too many parts of the world. His delegation believed that concentrated efforts by Member States to implement the Declaration would go a long way towards ensuring that the principle of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion or belief was upheld.

27. With regard to the question of a convention on the rights of the child, his delegation was pleased to note that further work was being done by the working group of the Commission on Human Rights. The adoption of a convention on the rights of the child would serve to defend the rights of children and improve their situation, thus ridding them of many of the abuses to which children in many parts of the world had become accustomed. His delegation hoped that the working group would be given all the necessary assistance to facilitate the completion of its task at the thirty-ninth session of the Commission on Human Rights.

28. Mrs. SAELZLER (German Democratic Republic) said that the rights to freedom of conscience and freedom of belief were basic rights enshrined in the Constitution of the German Democratic Republic. The relationship of trust between State and Church in her country was based on mutual respect and tolerance and on willingness to co-operate objectively in all matters that related to the well-being of mankind. The position of the Church in a socialist State was indicated by the joint preparations currently under way for the Luther Jubilee to be held in 1983 on the occasion of the 500th anniversary of the birth of Martin Luther. Thus the German Democratic Republic would again prove that it maintained all the good traditions of its people's history which had served the cause of mankind and progress. The purpose of the Luther Jubilee was to make a comprehensive contribution to deepening the socialist historical consciousness, to enhance awareness of the place of progress and reaction, class struggle and ideological conflict in the country's history and to draw inspiration from the progressive achievements of history for the solution of current problems.

29. The peace movement in the German Democratic Republic was shaping its activities under the favourable conditions of complete agreement with State policy, which was geared to peace and prosperity for its citizens. Under the experienced guidance of the Peace Council of the German Democratic Republic, the peace movement had gained high esteem inside and outside the country. With respect to the statement made by the representative of the Netherlands at an earlier meeting, she wished to say that the State and persons of religious faith in the country, inspired by a true humanist concern, were working together to safeguard peace and would consistently oppose anyone who tried to misuse or discredit in any way the basic idea of that commitment. She would recommend that the representative of the Netherlands use the occasion of the Luther Jubilee to gain an objective picture of the peace movement and the position and recognition enjoyed by the church in any socialist State.

30. Mr. GERSHMAN (United States of America), speaking on item 85, said that the use of psychiatry to control political dissent constituted an abuse of medicine itself, a practice which had reached unprecedented heights during the Nazi régime. Such abuse revealed the true essence of modern totalitarianism in its attempt to control all aspects of an individual's life in disregard of his rights.
31. One of the most comprehensive analyses on the subject was the book Psychiatric Terror by Sidney Bloch and Peter Reddaway, which concentrated on psychiatric abuse in the Soviet Union, since only in that country had the practice become "a deliberate government policy". Overwhelming evidence accumulated during the past 20 years indicated that thousands of individuals in the Soviet Union who had engaged in nothing more than peaceful dissent had been subjected to involuntary psychiatric treatment after they had been misdiagnosed as suffering from mental illness. Moreover, the number of special psychiatric hospitals had increased from possibly three prior to 1965 to 12 at present, while the number of sane persons currently subjected to confinement in those hospitals was conservatively estimated to range between 500 and 1,000. In addition, many Soviet citizens were hospitalized because their activities had been merely bothersome to the Soviet authorities. On the basis of statements by six specialists, including the chief neuropsychiatrist of the Soviet Ministry of Health, and official Soviet statistics on the total number of psychiatric patients in the USSR, it was conceivable that some 3,900 people had been interned for having lodged "groundless" or "slandorous" complaints with government offices.
32. Peaceful dissenters who were forcibly confined in psychiatric hospitals suffered various forms of physical abuse, including the deliberate misuse of such drugs as sulfazine, which had no respected position in present-day Western pharmacology, and insulin. The threat of the use of mind-altering drugs was an effective means of coercion, while their actual use rendered dissidents incapable of maintaining their sanity in their unequal struggle against the authorities. The wrapping of patients in wet canvas, which was subsequently allowed to dry and contract, was another form of physical punishment. Dissidents were sometimes confined to psychiatric hospitals for the most dangerous and violent patients, where they were physically abused by patients and by "orderlies" who were frequently no more than common criminals. Soviet citizens who had experienced confinement both in labour camps and in special psychiatric hospitals invariably regarded the latter as the more degrading experience.
33. Dissidents were most frequently hospitalized following a diagnosis of "sluggish schizophrenia", a diagnosis unknown outside the Soviet Union and one that had been overwhelmingly rejected by the world psychiatric community. A basic symptom of the condition was a split personality, which was manifested by active involvement in more than one field of endeavour. That notion had given rise to the ironic term "the Da Vinci Syndrome", after the Renaissance artist and scientist; according to that view, many of the world's most talented people would have had to be certified as insane if they had contributed to more than one field of activity.
34. Soviet psychiatrists who had emigrated to the West confirmed that actions which would ordinarily be regarded as normal manifestations of a healthy personality, such as adhering strongly to one's convictions and arguing in support

(Mr. Gershman, United States)

of them, were regarded under Soviet psychiatric doctrine as symptomatic of schizophrenia and paranoia. That view was confirmed in statements made by Soviet medical officials. A noteworthy case in that respect was that of General Pyotr Grigorenko, who had become a dissident in the early 1960s. He had subsequently been arrested, declared mentally ill and committed to prison hospitals for the criminally insane. In 1978, after being stripped of his Soviet citizenship, he had voluntarily undergone psychiatric examination in the United States in the hope of clearing up all doubts about his mental health. Thorough examinations by six of the distinguished specialists showed that the attributes which Soviet psychiatrists had found objectionable in him corresponded to a healthy personality by Western standards.

35. A similar case was that of Vladimir Gershuni, who had been committed to a psychiatric hospital for possessing 20 copies of a leaflet in defence of General Grigorenko. A British psychiatrist who had examined Mr. Gershuni in Moscow had found him to be normal in his affective response and free from disordered thought or paranoid ideas, and concluded that his incarceration was an act of political vengeance which had no basis in Mr Gershuni's clinical mental state.

36. In 1977, a Working Commission to Investigate the Use of Psychiatry for Political Purposes had been formed in the Soviet Union under the auspices of the Moscow Helsinki Monitoring Group. Between February 1980 and February 1981, Soviet authorities had arrested all six members of the Commission. One member was currently in a labour camp; a psychiatrist who had acted as the Group's consultant had been forced to emigrate from the Soviet Union. His successor had subsequently been sentenced to seven years in a labour camp and five years of internal exile on charges of anti-Soviet agitation.

37. The growing body of evidence concerning Soviet misuse of psychiatry had brought the Soviet psychiatric profession into international disrepute and had aroused widespread protest among psychiatrists throughout the world. In 1977, the World Psychiatric Association had passed a resolution censuring the Soviet Union and had established a committee to investigate abuses of psychiatry. To date, the Soviet Union had refused to co-operate with that committee. In response to continued Soviet misuse of psychiatry for suppressing dissent, an International Association on the Political Use of Psychiatry had recently been established in Western Europe, composed of groups from France, Canada, the Netherlands, Switzerland, the Federal Republic of Germany and the United Kingdom. The Royal College of Psychiatrists in the United Kingdom and the American Psychiatric Association had also taken a stand on the issue.

38. The misuse of psychiatry and psychiatric facilities within the Soviet Union to suppress and punish dissent had disturbing implications not only for the science of psychiatry but for world peace as well, since a government that equated dissent with insanity was not likely to be tolerant of differences in international relations. Furthermore, the use of psychiatry to enforce control and official justification of such a practice suggested a world view inconsistent with standards of civilized behaviour.

39. Mr. AL-QAYSI (Iraq) said that, since the agenda items under consideration dealt with a number of complex and important issues, his delegation would address itself at present to only two of them, namely, agenda items 85 and 87.

40. The tremendous progress made by science and technology in recent times had often been exploited for purposes incompatible with the principles of the Charter. The United Nations should therefore take initiatives to ensure that science and technology were used for human development and for the elimination of disparities among nations, and should take measures to prevent their use for threatening the security and progress of mankind. It was for that reason that the General Assembly, by its resolution 3384 (XXX), had adopted the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind. The General Assembly had stressed the importance of implementing the provisions and principles contained in the Declaration in order to promote human rights and the economic and social development of peoples. Article 13 of the Charter of Economic Rights and Duties of States stipulated that every State had the right to benefit from the advances and developments in science and technology for the acceleration of its economic and social development.

41. Nuclear energy was one of the high points of contemporary scientific and technological progress. The nuclear sciences had made great progress and had been used for a variety of purposes, including military purposes. The United Nations had therefore taken a number of initiatives to prevent the proliferation of nuclear weapons and had intensified its efforts to promote the uses of atomic energy for peaceful purposes. Such activities on the part of the United Nations had included the elaboration of international agreements, the holding of conferences and seminars and the establishment of specialized international organizations.

42. The use of atomic energy for peaceful purposes had been accorded high priority in his Government's development plans. Some aspects of the armed aggression by the Zionist entity on 7 June 1981 against the Iraqi nuclear installations had been derived from the racist Zionist ideology which had the objective of preventing other peoples from achieving progress and development. That armed aggression, which had taken place on the pretext that it was a preventive and pre-emptive action, was no more than a conspiracy to monopolize nuclear technology and to prevent the Arab peoples from exercising sovereignty over their territory and their natural resources at a time when it had been established that the Zionist entity was in possession of nuclear armaments. The right to development was a peremptory norm of international law, and aggression against that right was an international crime. The rulers of the Zionist entity should therefore be considered international criminals against development and progress, particularly since they openly boasted of their act of aggression. The international community should realize the grave implications of the inhuman approach of the Zionist entity to the future of development in the world. That act of aggression had naturally met with the condemnation of the international community as represented by the Security Council and the General Assembly.

43. With regard to the International Covenants on Human Rights, he said that all of their provisions were reflected in Iraqi legislation which had the full support of his country's political leadership and covered all aspects of life.

(Mr. Al-Qaysi, Iraq)

The revolution of 1968 had been an important turning point in the history of modern Iraq and had opened a new era in the achievement of political and economic independence in its true sense and in the establishment of a unified, democratic and socialist country. The basic laws of the revolution embodied the principles of the Arab Baath Socialist Party and the Constitution stipulated that the people was the source of power and legitimacy. The Constitution recognized the legitimate rights of all minorities within a unified Iraq, declared that social solidarity was the principal basis of society, specified certain general fundamental rights and charged the State with obligations towards society and towards individuals. The law of 1977 reforming the legal system had established the basic principles and objectives of that system in the fields of economic, commercial, civil, administrative, political and penal legislation and had brought them into full harmony with the protection of human rights and freedoms. In addition to such enactments reaffirming the concern of Iraq to ensure respect for basic human rights, that concern was also reflected in its accession to and ratification of a large number of agreements and covenants in the human-rights field.

44. Human rights in Iraq were guaranteed by numerous legal provisions. The Constitution stipulated that citizens were equal before the law without discrimination on grounds of sex, race, language, social origin or religion and laid down the principle of equality of opportunity for all citizens. The laws governing the civil service and labour guaranteed complete equality of rights and duties to both men and women. The right to life was dealt with in the penal code in the context of crimes against the person, and no one was deprived of his right to life unless he had committed an extremely grave crime. With regard to the right to social security, he said that the Constitution obliged the State to provide for all citizens in case of sickness, disability, unemployment or old age. That constitutional principle was carried into effect by means of laws and of decisions having legal force, the most recent of which was the social welfare law of 1980, which provided that every citizen unable to earn a living was entitled to receive a regular stipend from the State.

45. His Government had made great progress in ensuring the right of citizens to education and had promulgated a compulsory-education law in 1976. A comprehensive national campaign for the compulsory eradication of illiteracy had been launched in 1978 and had met with great success.

46. The Constitution guaranteed every citizen's right to work; it stated that work was an honour and that it was the sacred duty of every citizen capable of doing so to participate in the defence and development of society. Iraqi law also guaranteed the individual freedom of work and did not impose forced labour on anyone.

47. The Constitution guaranteed freedom of religious beliefs and practices, so long as they were compatible with the law and with public order.

48. The Constitution also defended human dignity and prohibited any form of physical or mental torture. The reform of Iraq's legal system had made the protection of citizen's freedom, security and dignity against transgressions one of the basic objectives of penal legislation. Iraqi law did not permit any individual

(Mr. Al-Qaysi, Iraq)

to be subjected without his full and free consent to medical or scientific experimentation.

49. Iraq, as one of the original signatories of the Charter of the United Nations, was bound by the letter and spirit of all of its provisions, including those concerning crimes against humanity, peace and human rights. It had ratified numerous international agreements on war and armaments, thereby indicating its keen desire to outlaw war and the threat of war, so that mankind might avoid its dire consequences.

50. Mr. ZARIF (Islamic Republic of Iran) said that the upholding of human rights was one of the international community's most fundamental tasks and should be considered a primary objective of the United Nations. His delegation was proud that the Islamic Republic of Iran had been able to appreciate the true meaning of human rights through an understanding of the genuinely emancipating teachings of Islam and through their implementation. The fundamental tenets of Islam were based on an understanding of human nature, continued striving toward an appreciation of the attributes of God Almighty and, ultimately, the achievement of the divine position of total submission. Islam had historically acknowledged the equality of nations and peoples; the Islamic Revolution in his own country was aimed, inter alia, at the promotion of human rights on a world-wide scale. To that end, the people of his country were engaged in a continuing struggle to expose all forms of human exploitation by the imperialist Powers.

51. Defending human rights, whose status was so exalted in the eyes of Islam, was a difficult task, particularly since corruption and absurdity had become common practice in contemporary societies through the gross neglect and compromising of liberties in the name of individual freedom; unfortunately, freedom had become synonymous with decadence. Consequently, all rules regarding human rights must be founded exclusively on principles of divine ethics, and justice must be defined in terms of eternal moral principles.

52. In modern secular ethics, the concept of justice was generally confused with compassion. However while clemency might be appropriate in some cases, justice called for due punishment in situations where the well-being of society was jeopardized. The health of the world's societies was cause for legitimate concern, since a consideration of Western societies, which had relegated morality to the realm of private personal affairs, showed a wide variety of social phenomena which were totally incompatible with the principles of Islam. Western society was so beset with social ills that even Western intellectuals and policy-makers were alarmed. Those socio-cultural problems were merely the consequences of a fundamental ethical and intellectual crisis. Western secular and self-centered thought had led to the reign of man's insatiable primal instincts. The crisis in Western thought, aggravated by the inherently exploitative capitalist system, offered no prospects for improvement in the West and could not constitute a system of values for the rest of the world.

(Mr. Zarif, Islamic Republic
of Iran)

53. Although justice should be the basis of any law, some legal systems served to perpetuate an unjust order. The Universal Declaration of Human Rights and the two International Covenants on Human Rights were not necessarily incompatible with the principles of justice and ethics; however his delegation believed that any legal system based on human conventions was relative and thus subject to improvement. A critical reassessment of the Declaration and the Covenants was in order. The most important task at present was the provision of a clear and unambiguous definition of freedom, which should strike a balance between freedom of the individual and the freedom of society. The lack of comprehensive definitions of such key concepts as freedom had resulted in ambiguities and discrepancies with regard to the Universal Declaration of Human Rights. The Declaration appeared to relegate religion to the realm of an individual's private affairs, thereby precluding the possibility of establishing a religious Government. Western secular thought had led to premature assumptions concerning the universal applicability of the separation of church and State. While the Declaration acknowledged the freedom of all human beings to choose their religion, it fell short of recognizing their right to practice their religious beliefs in their private and public lives. Specific provisions in the Declaration and the Covenants with regard to matters such as marriage were a blatant violation of the inherent right of everyone to practice his religious beliefs. In view of the fact that most religions had their own guidelines concerning issues such as marriage, the Declaration clearly promoted the abandonment of religion even in the sphere of personal and private matters, unfortunately under the guise of religious freedom. Moreover, it did not fully recognize man's moral and ethical dimensions and his inalienable moral right to a healthy and sound social system. Such an approach to human rights was incomplete and self-destructive.

54. The Declaration and Covenants were largely the products of Western liberalism; at the time of their adoption, the Western colonialist and imperialist régimes had constituted the majority of the members of the international community. At present, however, the majority was constituted by newly independent Asian and African States having rich philosophical, ideological cultural heritages. Consequently, the Declaration must be transformed from a solely Western secular document into a more universally accepted, and thus more universally applicable, instrument. To that end, the Western world must set aside its traditional cultural chauvinism and consider alternative approaches to the question of human rights.

55. The theoretical imperfections in the Declaration and the Covenants could be achieved through sincere dialogue and honest scholarly endeavour; however, the political manipulations of certain imperialist forces and their predominance on most international human rights organs had made the correct application of human rights difficult, if not impossible. The concept of human rights was often exploited by those forces in order to impose political pressure on anti-imperialist revolutions and progressive Governments and peoples. He urged all conscientious members of international organizations concerned with human rights to prevent such manipulation and exploitation, and he offered his country's pledge to co-operate in the promotion of human rights.

56. Mrs. GUELMAN (Uruguay), speaking on item 87 (d), said that the death penalty had been abolished in Uruguay in 1907 and a provision to that effect had been incorporated in article 26 of the Constitution. Her delegation therefore firmly endorsed the initiative of the Federal Republic of Germany.

57. As a first step, the members of the international community must agree on the need to work together on the elaboration of principles. It was widely recognized that such an approach might present difficulties to a number of States with different legal traditions and historical experience. Bearing in mind the progress which the United Nations had made in the field of human rights and the problems which had confronted a number of delegations in connection with the elaboration of the International Covenant on Civil and Political Rights, it might be concluded that a sufficient basis existed for elaborating an optional protocol on the abolition of the death penalty. The discussion must start from the right to life, which had been enunciated in article 3 of the Universal Declaration of Human Rights and which was the source of all human rights. Moreover, article 6, paragraph 1, of the International Covenant on Civil and Political Rights provided that no one should be arbitrarily deprived of his life. More recently, General Assembly resolution 32/61 had reaffirmed that the main objective to be pursued in the field of capital punishment was that of progressively restricting the number of offences for which the death penalty might be imposed with a view to the desirability of abolishing such punishment.

58. The proposed study would seek to establish the bases of a new protocol which, because of its optional character, would be open to States which were prepared to commit themselves to abolishing the death penalty or to refrain from introducing it. States not yet ready to take such a step would not, however, be under any obligation to do so.

59. The United Nations had already attained important goals in the field of human rights, and its achievements must be further broadened. A number of countries were therefore submitting a draft resolution which was procedural in character, in so far as its main objective would be to request the Commission on Human Rights to consider the elaboration of a second optional protocol aiming at the abolition of the death penalty. Because of its eminently humanitarian character, the initiative merited a major effort on the part of the international community.

60. Mr. BENA (Romania), speaking on item 87, said that the central theme of his country's policy continued to be concern for the enhancement of the human personality. That concern was reflected in the progress achieved in raising the general standard of civilization and the quality of the material and spiritual life of all citizens. Concern for fundamental human rights had become actual fact through proper safeguards for the rights to work, education, culture and science, as well as through the democratic exercise of the right of all citizens, without distinction, to participate in the management of society.

61. At the international level, Romania believed that the United Nations must support the efforts of States to guarantee the effective enjoyment of human rights and fundamental freedoms, to eliminate social inequalities and all forms of

(Mr. Bena, Romania)

discrimination and to oppose racism, so that all members of society would enjoy equal rights in all fields.

62. It was against that background that the activities of the Human Rights Committee and the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights must be considered. A study of the documentation of those bodies showed the need to ensure that their activities were inspired by those factors which were truly essential to the promotion and protection of human rights. It was also essential that the discussions within those bodies should be concentrated not on marginal aspects of the problem of human rights but on the fundamental elements, on international law and on the internal legislation of States Parties.

63. The Human Rights Committee had adopted sensible rules of procedure, but there had nevertheless been certain shortcomings in its work. Its mandate had been quite clear and had been based on the provisions of the International Covenant on Civil and Political Rights. Nevertheless, the discussions in the Human Rights Committee had shown a tendency to develop broad interpretations and even to add to the text of certain provisions of the Covenant; such tendencies were ultra pacta conventa. The States which had ratified the Covenant had understood that they were assuming obligations expressly set out in the Covenant and not others; the interpretation of the provisions of the Covenant was the function not of the Human Rights Committee but exclusively of the States Parties.

64. The Human Rights Committee was legal in character; any attempt to give it attributions beyond its competence would change that character and invalidate that Committee's findings, which could not be other than judicial decisions. The task of the Human Rights Committee was to pronounce on the extent to which the internal legislation of States was consistent with the provisions of the Covenant, but only on the basis of an investigation of the facts and by avoiding value judgements with political implications which were outside its competence. Furthermore, the information used, by members of the Human Rights Committee must be from trustworthy sources, including in particular information made available by States during discussion of their reports. Only authentic information provided by States could enhance the authority of the Committee's discussions. The members of the Human Rights Committee must always bear in mind that in the last analysis, the real guarantee of civil and political rights lay in the existence of certain social and economic conditions and that the separation of the two would represent an unrealistic approach to the dynamic of civil and political rights. That was true both in the field of civil legislation and in that of criminal legislation. His delegation hoped that both the Human Rights Committee and the Sessional Working Group would bear in mind the comments of States on their activities and pursue their work in strict conformity with their mandates.

65. In connection with agenda item 84, he said that Romania had submitted to the Human Rights Committee a report on the implementation of the International Covenant on Civil and Political Rights which had gone into the question of religious freedom in considerable detail. However, on 24 November the representative of the Netherlands had claimed to have discovered a number of violations of religious

(Mr. Bena, Romania)

freedom in Romania. For the benefit of the members of the Third Committee, he wished to make it clear that under the Constitution and laws of Romania, freedom of conscience was guaranteed to all citizens; each citizen was free to have or not to have a religious belief. Freedom to exercise a religious belief was guaranteed. Religious groups could organize themselves and functioned freely. Within that framework, 14 religious groups, including Orthodox, Roman Catholic, Baptist, Evangelical, Unitarian, Pentecostal, Islamic, Armenian and others, were active in Romania. Every group had its own house of worship and other religious and social establishments which functioned freely. Religious training for clerics was available in schools and theological establishments. Religions had their own printing shops and published works for use in religious services or for other spiritual purposes, as well as periodicals. Religious groups in Romania were in touch with religious groups in other countries and participated in a number of ecumenical events. Such information was available to all, including the representative of the Netherlands, if he was truly interested in the situation of religious groups in Romania. It was most regrettable that the subject of religion should be used for political ends.

66. Mrs. SARANGEREL (Mongolia) said that international co-operation for the promotion of universal respect for human rights and fundamental freedoms was closely connected with the question of the maintenance of international peace and security. The world situation had deteriorated seriously and the threat of nuclear war had increased as a result of the adventurous actions of the aggressive circles of imperialism. The unprecedented arms race imposed on the world by the imperialist Powers and their preparations for nuclear war had jeopardized the basic right of people to life, constituted a heavy burden for the socio-economic development of countries, and thus hindered the realization of economic, social and cultural rights, as well as the fundamental freedoms of individuals.

67. Scientific and technological progress had created favourable conditions for enhancing the living conditions of people and for the effective realization of basic human rights. They should be employed solely in the interest of international peace and security and for the well-being of mankind, which should not be sacrificed to military preparations. Her delegation believed that the United Nations should pay an important role in further broadening co-operation among States to implement the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind. The implementation of the provisions of that Declaration by Member States would make a valuable contribution to consolidating peace and international security and for further promoting the co-operation of States in the field of human rights.

68. Her delegation attached particular importance to resolution 1982/7 adopted by the Commission on Human Rights; in that context, it believed that the United Nations should devote greater attention to the question of ensuring to everyone the right to live in peace.

69. In connection with item 86, she said that Mongolia attached great significance to the International Covenants on Human Rights. It had ratified the Covenants and

(Mrs. Sarangerel, Mongolia)

had fully implemented their provisions by granting a broad range of socio-economic, political, civil and cultural rights to its citizens. Her delegation welcomed the increased number of States Parties to the Covenant but regretted that almost half of the States Members of the United Nations had so far failed to ratify those important instruments. It joined other delegations in appealing to those States to do so.

70. Mongolia appreciated the work done by the Human Rights Committee, which was conducting a constructive dialogue with States Parties.

71. Her delegation had noted with satisfaction the results achieved by the Sessional Working Group at its fourth session. Mongolia had submitted its report on the implementation of articles 13 to 15, which had been greatly appreciated by the Committee.

72. Her delegation believed that the Commission on Human Rights would shortly complete the work of drafting a convention on the rights of the child which could be adopted by the General Assembly at its next session.

73. Mr. AL-QUTAISH (Democratic Yemen) said that respect for human rights required the sincere efforts of all States. The success of the Human Rights Committee depended on its seriousness in approaching its functions and its readiness to concentrate on the basic issues. It was a matter of some concern to his delegation that at a time when there were an increasing number of conventions, declarations and resolutions calling for respect for human rights, actual practice was tending in a contrary direction. Evidence to that effect was plentiful, and the fact that delegations vied with each other in the Third Committee in expressing concern for human rights should not cause anyone to forget that the violation of such rights was widespread and occurred in all continents. The right of millions of human beings to live in peace continued to be endangered in the Middle East, southern Africa and South-East Asia.

74. International gatherings should not be exploited for the purpose of attacking Governments hostile to imperialist policies by charging them with alleged violations of human rights. However, such attacks did not harm those Governments, which continued to record success after success for their peoples. The mere pretense of defending human rights would never obscure the guilt of crimes committed against humanity.

75. Science and technology should be mobilized in the service of humanity, and the United Nations was making valuable efforts to implement the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind. Those efforts would, however, remain insufficient so long as they were not combined with the efforts of States to achieve that noble objective. The Declaration reflected the need to adopt effective and timely measures against the possible negative effects of scientific and technological progress on the cause of peace and on human rights. Since Article 1 of the Charter of the United Nations had stated that the purposes of the Organization were to maintain international peace and security and to achieve

(Mr. Al-Qutaish, Democratic Yemen)

international co-operation in solving international problems, it was important to struggle against all abuses of scientific and technological progress, such as the arms race, the proliferation of weapons of mass destruction and the increasing dominance of the new colonialism over the developing countries. There was no better example of such abuse than the ongoing aggression of the Zionist entity against the Palestinian and Lebanese peoples. It had made use of the most up-to-date United States military technology in order to kill thousands of innocent people and to destroy large amounts of property. The entire world had witnessed a part of that through the mass media when Beirut and its civilian population had been subjected day after day to bombardment from land, sea and air. Science and technology should enhance life and not be used as a threat to it; they should therefore be used for peace and development and to ensure the enjoyment of human rights.

76. Ms. ABU LUGHOD (Observer for the Palestine Liberation Organization) said that in the part of Lebanon under Israeli occupation, torture and other cruel, inhuman or degrading treatment were in fact punishment inflicted for the crime of nationality, over which the individual had no control. Torture of Palestinian prisoners taken during the past six months represented a deliberate and sustained policy on the part of the Israeli Government. One Israeli colonel had objected to the maltreatment of prisoners but had been told by younger soldiers that they would stop abusing the prisoners only when orders were changed; subsequently the colonel had been relieved of his duties.

77. Israel did not consider itself to be a belligerent country but had nevertheless claimed that it would adhere to the terms of the Geneva Convention. Yet all evidence attested to its complete disregard for that Convention, as well as for any ethical and humane instrument prohibiting the torturing of prisoners.

78. Palestinian and Lebanese men between the ages of 12 and 65 had been rounded up regularly and taken to detention centres in the south of Lebanon and the north of Israel; perhaps as many as 35,000 had been arrested and subsequently held or released. Following the assassination of the President-elect of Lebanon, the Israelis had constructed a second detention camp, anticipating future mass arrests in Beirut. Current plans to winterize the camps were a forboding omen that the prisoners would be held for a very long time.

79. So far the names of only 8,000 prisoners had been released. It seemed more likely that the number of arrests was double that number. Prisoners were subjected to sustained and regular beatings; they were denied medical treatment, and often water and food as well; they were bound with rope or wire and beaten with table legs, iron rods and plastic whips which had nuts and bolts tied to the ends. Prisoners were often burned with cigarettes in the presence of other prisoners. At one centre, prisoners under interrogation had been subjected to electric torture, and two had died. At another centre some prisoners had had boiling water poured over them. One young boy had been hung by his wrists for 36 hours, until the wire had cut through to his bone; he had also been beaten severely and had all his teeth smashed. One Palestinian freedom fighter had died under torture in mid-November.

(Ms. Abu Lughod, Observer, PLO)

The Israeli purpose was to try to break the unity of the prisoners by forcing one prisoner to beat others; if he refused, he was subjected to punishment. In the presence of a Canadian doctor and two Scandinavian doctors, the so-called Israeli defence forces had beaten 11 prisoners to death.

80. Prisoners released from detention camps were frequently re-arrested, or else they were followed and the people whom they visited were then arrested. Women were terrorized in order to force them to divulge the whereabouts of the men in their families.

81. Detention centres were not identified as such, and the International Committee of the Red Cross (ICRC) was denied access to them. By way of contrast, ICRC had recently visited Israeli prisoners held by the patriotic Palestinian forces; such prisoners had expressed their appreciation for the good treatment they had received and had expressed their happiness at discovering that the Palestinians did not hate the Israeli or Jewish people.

82. The overwhelming majority of prisoners were civilians, including lawyers, doctors, teachers, engineers and administrators. No charges had been brought against them, and there were no prospects for their prompt release. A precedent for what had happened in Lebanon was to be found in the 1967 Israeli occupation of the West Bank and the Gaza Strip. But despite all their efforts, the Israelis would never succeed in breaking the will of the Palestinian people.

83. Israel claimed that torture or the use of force were not only crimes under Israeli law but also offences under the police and military code; it claimed that officers had been punished or demoted for the use of force. The testimony of a large number of non-Palestinians who had also been victims of Israeli brutality demonstrated the contrary.

84. The Israelis were also guilty of religious intolerance, as shown by the fact that Zionist fanatics had desecrated one of the holiest shrines of the Palestinian people.

85. Mr. RYONG (Observer for the Democratic People's Republic of Korea) said that the Netherlands delegation's accusations on 24 November about the state of religious affairs in his country were without foundation. Freedom of religious belief and the political rights and freedom of religious people were completely guaranteed by his country's laws and Constitution. All religious groups had their own organizations; religious people participated in the socio-political life of the State on a basis of equality. The League of Korean Christians was about to celebrate its thirty-sixth anniversary, and at Vienna, at the beginning of November 1981, many religious leaders from his country had participated in a dialogue with overseas Christians on a united Korea.

86. The CHAIRMAN said that although the preceding speaker had not been entitled to exercise the right of reply under the rules of procedure, he had been allowed to make a statement in accordance with the usual practice in such cases.

87. Mrs. de PAFRALES (Nicaragua), speaking in exercise of the right of reply, said she would like to believe that the expression of concern by the representative of the United States about the religious situation in her country reflected real concern on his Government's part for the way religious people were being treated in certain countries other than Nicaragua. But facts showed the opposite. His statement was part of the destabilizing manoeuvres being conducted by the United States Government against her people. Latin American history showed that the topic of religion had been used in the CIA's covert operations against revolutionary Governments which enjoyed genuine popular support.
88. From its inception, the current United States administration had revealed its intention to reverse the Sandinista victory in her country, and a document prepared by an extreme right-wing group of President Reagan's advisers had shown how religion was to be used in countering the ideology of liberation in Latin America. She was not surprised at that use of religion, since it was clear that the propaganda was intended to manipulate her people's deep Christian faith so as to provoke a political reaction which was contrary to their true interests. It was precisely through religion that efforts had been made to introduce the image of the United States model, wrapped in biblical messages, into Latin American countries. The apparent concern of the United States for religious sects was not surprising, since it had been shown that some of them were riddled with CIA agents and former Somoza guards who, Bible in hand, were promoting counter-revolutionary and even military operations against her people, thus combining preaching with the perpetration of the most atrocious crimes.
89. Since the victory of the revolution, her people's religious beliefs had been deeply respected and religion had ceased to be a matter of trade and empty traditional worship. Christian patriots and revolutionaries had long been an integral part of the Sandinista popular revolution; their participation in the party and Government was a logical result of their outstanding involvement with the people throughout the struggle against the dictatorship. Many of them had been prompted to join in the revolutionary struggle by reasons of faith, and many had given not only their very valuable support but even their lives. It could be said that her country's Christians had made the most important contribution that any religious people had made to social change in Latin America. Perhaps that was why the United States delegation felt concerned, since the example of unity between revolutionaries and Christians which was being given by her country might have profound consequences not only in Latin America but throughout the world.
90. Lastly, she said that The New York Times had reported on 22 November that two nuns had been sentenced to six months' imprisonment at Denver, Colorado, for protesting at a nuclear arms installation. She asked the representative of the United States to explain how such excesses were possible in his country, especially when the only sin of the victims had been to protest, like the great majority of his country's people, against the present administration's runaway arms race, which was endangering the lives not only of that people but of the whole of mankind.

91. Mr. BYKOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, singled out the United States delegation as one of several which were using the United Nations as a forum for slandering other countries. Fabrications were being turned out as if on a conveyor belt, and at the present meeting representatives had heard yet more routine falsehoods against his country which did no honour to the representative of the United States. The aim of all the propaganda noise was simply to poison the international situation and disrupt the foundation on which the United Nations stood.

92. He did not propose to dwell on worthless fabrications but wondered whether United States representatives were resorting to slandering others simply in order to create the appearance that all was well in their own country. In reality, what they attributed to others was happening in the United States, where the authorities had created a refined system to persecute and repress those who protested against injustices. There were many known cases of normal, healthy people being forcibly isolated in psychiatric hospitals and prisons simply for their political convictions. An eminent United States jurist had told the press that hundreds of people were sent to psychiatric hospitals each year merely for complaining to the authorities. There was also much evidence that psychiatry was used in the United States as a weapon against people who disagreed with the system. Authors in the United States had written about the use of psychiatry in attempts to change the thinking of individuals and social groups and had exposed the shameful fact that many of the 750,000 United States citizens in psychiatric institutions were confined there illegally against their will. Those ills could not be cured by attributing such actions to others.

93. The United States also had a comprehensive system of electronic surveillance for monitoring its citizens' beliefs, and anyone whom the authorities considered untrustworthy was liable to be consigned either to prison on some trumped-up charge or to a psychiatric hospital. There were some 3.5 billion files containing compromising details about individuals, and in addition, the lie detector, a miracle of modern technology, had been invented for use by private companies and State institutions to test prospective employees. He wondered how many people had been thrown out of work and lost their means of subsistence as a result of lie detectors which indicated that they were unreliable. He did not know whether the United States representative had taken a lie detector test but the fact that he had lied was incontrovertible.

94. In conclusion, he said that the representative of the United States had acquired the habit of sticking various labels on other sovereign States, describing them, for example, as totalitarian or as closed societies. He would ask the representative of the United States to remember that a totalitarian State was in fact a dictatorship of the most reactionary circles of finance capital and to consider whom he was speaking about when he used that expression.

95. Mr. GERSHMAN (United States of America), speaking in exercise of the right of reply, said that nothing in the preceding speaker's remarks refuted the facts contained in his own statement, which were supported by testimony from the world's most distinguished experts in the field of psychiatry. In 1977 the World Psychiatric Association had singled out the Soviet Union for its practice of imprisoning healthy individuals in psychiatric institutions for the criminally insane and punishing them through the administration of drugs. The facts were well documented, and there could be no reasonable doubt about them. He therefore urged delegations to study the contents of his statement carefully.

96. Mr. BYKOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that a lie did not become the truth merely because the representative of the United States repeated it.

97. The CHAIRMAN said that the general debate on agenda items 84, 85, 86, 87 and 88 was now concluded. The Committee's programme of work would continue with the general debate on agenda items 12 and 93, the introduction and consideration of draft resolutions under other items still pending and, in particular, the voting on draft resolutions under agenda items 90 and 94 and any other resolutions which had financial implications.

The meeting rose at 6.45 p.m.