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SUMMARY RECORD OF THE 43rd MEETING

Chairman: Mr. DIRAR (Sudan)

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 98: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE (continued)

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AGENDA ITEM 106: NEW INTERNATIONAL HUMANITARIAN ORDER (continued)

1. Mrs. BROŠNAKOVA (Czechoslovakia) said that so far in the history of mankind efforts to promote scientific and technological progress in order to improve conditions of life had always prevailed. Often, however, scientific and technological progress had been most rapid when it had been needed to secure the military defeat of an opponent. Despite the recent favourable improvements in international relations, there was a real threat of the destruction of life on Earth. Steps must be taken against the abuse of the achievements of science and technology for military purposes. Science and technology created new possibilities for meeting the spiritual and material requirements of individuals and entire peoples, as called for under the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind. The Committee's consideration of the item in question could be a major factor in analysing, in the light of the requirements of the nuclear-space era, problems which were of concern to every single inhabitant of the Earth; discussions could then be continued at a deeper and more expert level.

2. Her delegation had set forth its position on human rights and scientific and technological development in its reply to the Secretary-General contained in document A/42/392. Science and technology must be an instrument for States and peoples in their combined efforts to resolve universal problems. If States demonstrated political will, science and technology could also overcome barriers of mistrust between peoples and States.

3. Czechoslovakia attached great importance to the realization of the human rights deriving from the International Covenants on Human Rights. An ever fuller realization of human rights was ensured by the very nature of the socialist social system, and was now being enhanced under the process of perestroika.

(Mrs. Brosnakova, Czechoslovakia)

4. Czechoslovakia was conscientiously fulfilling its obligations under the International Covenants and was one of the few States which submitted full reports on time and sent experts, and sometimes even ministers, to present them. The Committee on Economic, Social and Cultural Rights had already considered the second periodic report of Czechoslovakia; most members of that Committee had praised the reports and noted that they had been prepared in accordance with the Committee's recommendations. Its third periodic report on the implementation of the International Covenant on Civil and Political Rights was under preparation.

5. Fuller use of the machinery of the International Covenants to monitor their implementation in individual States, and in general a more objective appraisal of the human rights situation in the world, would greatly facilitate the accession to the International Covenants of, in particular, the States that were most important in the political and economic spheres. It was impossible to conduct a discussion in individual United Nations bodies on an equal basis if there were States which did not want qualified international bodies to analyse the state of implementation of human rights in their territories.

6. Czechoslovakia had signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1986; it hoped that work on the draft convention on the rights of the child would be completed at the next session of the working group.

7. Ms. LAFORTUNE (Canada) said that Canada believed that the International Covenants on Human Rights should be universally ratified. The machinery to consolidate the rights acquired must be effective and should even envisage, where necessary, appropriate methods of redress. Canada hoped that States Parties would meet their reporting obligations in a full and timely manner. Canada had ratified the Optional Protocol to the International Covenant on Civil and Political Rights. It was clear that the reluctance of some States to ratify the Optional Protocol could be attributed largely to their fear that individual complaints might embarrass them at the international level. Canada's experience did not justify such concerns. Instead, a Government's active co-operation emphasized its commitment to protecting human rights by both national and international means.

8. Her delegation would fully support the Committee on Economic, Social and Cultural Rights and hoped that it would establish guidelines for periodic reports and would better define the scope of the rights covered by the International Covenant, using all available sources of information.

9. Canada welcomed the entry into force of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; it had submitted the name of a Canadian to sit on the Committee against Torture as an independent expert, in order to demonstrate its intention to treat the work of the Committee with all due seriousness. Her delegation believed that the ideal occasion for finalizing the convention on the rights of the child would be in 1989, the thirtieth anniversary of the Declaration of the Rights of the Child. However, the draft convention should not be concluded in haste and be left incomplete. The main objective of the convention was the best possible protection of the rights of the child.

(Ms. Lafortune, Canada)

10. Several States had submitted reservations to certain conventions which nullified or seriously undermined the objectives of those conventions. While reservations might be necessary to express legitimate differences at the level of national law or practice, their effect could not be contrary to the objective and intention of those conventions. It should not be possible for a reservation to be applied selectively to certain aspects of a convention and to deny the validity of other parts, whether in respect of substance or financing. Financial problems such as those besetting the Committee on the Elimination of Racial Discrimination could arise in respect of other Committees; the question had reached crisis point, and the financing mechanisms provided for under certain conventions must be reviewed.

11. The advisory services and technical assistance provided by the United Nations in the field of human rights to countries which requested them were of great importance; so far, however, the programme had not yielded concrete results. As noted by the Commission on Human Rights, the committees responsible for monitoring the implementation of the human rights instruments were well placed to make specific suggestions to States parties.

12. Archbishop MARTINO (Observer for the Holy See) said that the Holy See attached paramount importance to the right to freedom of thought, of conscience, of religion and of conviction, as defined in the Universal Declaration of Human Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. It was a primary and fundamental duty to defend and promote the right of every believer to religious freedom. Religious freedom was at the very root of all other freedoms.

13. The value of the human person must not be sacrificed to any political or ideological system; the fundamental rights of the person were innate and therefore preceded any recognition on the part of the State. The Holy See expressed its consternation at the flagrant violations of human rights, and specifically of the right to religious freedom, which occurred in many States, in open contradiction of the principles which the same States solemnly proclaimed in the relevant declarations and covenants.

14. The experience of the Catholic Church in many countries corroborated the findings of the Special Rapporteur of the Commission on Human Rights on cases of religious intolerance or discrimination. Article 6 (g) of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief made it clear that the community of believers enjoyed freedom in the choice of their leaders. It was a source of perplexity that in 1986 the representative of a certain country had stated to the Human Rights Committee that it was not the Government but the Vatican that had refused the designated persons (document A/41/40, para. 359). His delegation had also been surprised to read in the current report of the Human Rights Committee (A/42/40) that in another country the Roman Catholic Church was not recognized because it did not accept the law of that country (para. 332). The Catholic Church had never refused to abide by any just law that respected the freedom and pursued the common good of all citizens.

(Archbishop Martino, Observer,
Holy See)

15. The Holy See was deeply concerned about the unwarranted pressure exerted on the Church in certain countries, including obstacles placed in the way of the free appointment of bishops, the exercise of priestly functions, the public profession of faith by migrant workers, and the entry of young men and women into the priesthood or religious life. The Catholic Church did not seek freedom of religion only for itself, but called for respect of the religious convictions of every individual. It also believed that society had the right to defend itself against possible abuses committed under the pretext of freedom of religion. It was a special duty of Governments to provide that protection, and not to show partiality towards one group at the expense of another. While the Holy See was in favour of drawing up an ad hoc convention to secure respect for the right to freedom of thought, conscience and religion, it believed that all that was needed was political will on the part of States to adopt the existing instruments and make them operative in their own legislation and practice.

16. At the third meeting of the Conference on Security and Co-operation in Europe, in January 1987, the Holy See had submitted a proposal for the effective exercise of religious freedom, emanating from a letter from Pope John Paul II to the signatories of the Helsinki Final Act. It reiterated its appeal for the respect of the fundamental rights of every individual.

17. Mrs. SAELZLER (German Democratic Republic) said that recently, there had been a number of church-related public events which testified to the willingness of the State and Church in the German Democratic Republic to co-operate in responding to global challenges. That co-operation had been particularly noticeable in regard to efforts for peace. In her country there were many opportunities for religious believers to fulfil responsible roles in public life.

18. Her Government had initiated a number of activities indicating respect for and understanding of the Jewish community, including the reconstruction of a synagogue destroyed during World War II, the unveiling of a memorial stone to the 55,000 Berlin Jews who had been victims of Nazi barbarism and the filling of the previously vacant post of Rabbi of the Jewish community. Members of the Jewish community, united with public figures and representatives of other religious denominations, had publicly reaffirmed their common obligation never again to permit fascist terror and anti-humanism on racial grounds.

19. There was also broad co-operation between the State and Church in the implementation of the Government's economic and social policies. For example, the charitable work of the churches was encouraged, given financial assistance and highly appreciated by the State. Churches were involved in an ever-widening range of publishing activities. In addition, churches received assistance from the State for religious building projects, for the preservation of sites of cultural value and for construction or renovation of health and social welfare facilities. Finally, under church-sponsored relief programmes, an assistance equal to DM 14.7 million had been provided to developing countries in 1986, demonstrating the commitment of the religious community in her country to international solidarity and relief activities.

20. Ms. YOUNG (United Kingdom) said that her delegation particularly welcomed the news that a further meeting of the chairpersons of the treaty monitoring bodies would take place in October 1988. The problem of overdue reports should be one of the main topics for discussion at that meeting. Her delegation welcomed the initiatives which had been taken in previous years to deal with the problem and would strongly support a further text on reporting obligations. While encouraging all States to consider ratifying or acceding to the International Covenants and the Optional Protocol, she noted that it was important to ensure that the reporting obligations did not come to be seen as an excessive burden or a discouragement to accession.

21. She congratulated the Human Rights Committee on the effective and successful job it continued to do, while maintaining an admirably high standard of expertise and objectivity. Her delegation agreed with the emphasis placed by the Committee in its latest report on the importance of giving more publicity to its work. Summary records of the Committee's proceedings were an important element in that regard. However, it was regrettable that as a result of financial constraints it had not yet been possible to produce the second volume of Selected Decisions under the Optional Protocol, or to carry forward work on the Yearbook of the Human Rights Committee.

22. Her delegation was encouraged by the approach taken by the newly established Committee on Economic, Social and Cultural Rights, in particular, the useful recommendations it had made on the preparation and content of reports submitted by States Parties. Implementation of those suggestions should enable the Committee to function more effectively in the future.

23. Torture, one of the most horrifying forms of human rights abuse, remained widespread and for that reason, general acceptance and implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was essential. It was encouraging that 26 countries had now ratified or acceded to the Convention, and she hoped that as many other countries as possible would do the same without delay. Her country had signed the Convention shortly after it had been opened for signature and would ratify it as soon as the necessary legislative arrangements were in place. In the same context, the Special Rapporteur on the subject of torture had a crucial role to play, which deserved full support of the Member States.

24. Her delegation had for many years attached particular importance to the subject of human rights and scientific and technological developments. Progress in those areas offered opportunities to promote economic, social and cultural rights. Similarly, scientific and technological developments had the potential to affect, in both a positive and negative fashion, civil and political rights. It was up to Governments to ensure that those developments did not engender abuse of the rights of the individual. While her delegation was fully aware of the urgent need for further progress in disarmament, that breakthrough was not going to be achieved in the Third Committee. Instead, the Committee should focus on the specific benefits or abuses of human rights stemming from scientific and technological developments.

(Ms. Young, United Kingdom)

25. One issue of particular concern was the abuse of psychiatry, and medical treatment of persons detained on non-medical grounds. The report (E/CN.4/Sub.2/1985/30 and Add.1) prepared for the Sub-Commission on Prevention of Discrimination and Protection of Minorities by its Special Rapporteur left no doubt about the seriousness of the issue. The conclusions of that report confirmed that psychiatry was often used to subvert political and legal guarantees of the freedom of individuals. It was imperative, then, to establish promptly guidelines which would deter further occurrence of such practices. Her delegation regretted that the Sub-Commission had not yet completed its considerations of the draft principles in the report of the Special Rapporteur and urged the Sub-Commission to complete that work at its next session in 1988. As in previous years, her delegation would again be introducing a draft resolution to that effect, which she hoped would be adopted by consensus.

26. Ms. AL-TURAIHI (Iraq), speaking on the question of the elimination of all forms of religious intolerance, said that Iraq attached particular importance to promoting and protecting the principle of non-discrimination based on religion or belief. Because religious intolerance had led to war and oppression, it was necessary to promote mutual understanding and peace among mankind.

27. With respect to human rights and scientific and technological developments, she drew attention to some of the technological and scientific developments which threatened mankind and the environment. Depletion of the ozone layer constituted a grave threat to the environment. In addressing such issues, the United Nations should look to the past and derive benefit from practical experience.

28. The peace and security of the Middle East region was threatened by Israel, which had refused to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and to subject its nuclear installations to international supervision. Iraq had devoted its uses of nuclear power exclusively to peaceful purposes, as indicated by its ratification of the Treaty on the Non-Proliferation of Nuclear Weapons and the fact that it had subjected its nuclear installations for peaceful purposes to supervision.

29. Accordingly, her delegation called upon all parties in the region to follow Iraq's example. It was most important to save the world from the scourge of war and to settle conflicts by peaceful means on the basis of non-interference in the internal affairs of States in accordance with the provisions of the Charter and international law. In keeping with those principles, Iraq had attempted to end the war with Iran during the past eight years. In that connection, Security Council resolutions 479 (1980) and 598 (1987) represented the international community's desire for a just, honourable and comprehensive settlement of the dispute and to utilize science and technology for constructive development purposes in both countries.

30. Iraq had ratified the International Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights. In addition, Iraq had submitted its second periodic report under article 40 of the Covenant on Civil and

(Mr. Al-Turaihi, Iraq)

Political Rights. Her delegation welcomed the constructive dialogue and discussion which had taken place in that framework.

31. Her delegation hoped that on the occasion of the thirtieth anniversary of the Declaration on the Rights of the Child the international community would adopt a convention on the rights of the child. Children were the connecting link between the three generations representing the past, present and future. She hoped that children would be able to live in a world in which peace and security prevailed.

32. Mr. MEZZALAMA (Italy), speaking on agenda item 101, expressed his delegation's thanks to the Secretary-General for his ongoing activity in encouraging States which had not yet done so to adhere to the international instruments on human rights. Until those instruments had become universally accepted as the basis for international law, new initiatives had to be taken in order to strengthen enforcement of the existing rules and to fill in gaps. Italy was participating in the preparation of a draft Convention on the Rights of the Child and expressed its satisfaction at the progress achieved to date.

33. His delegation was particularly concerned about decision 1987/109 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to take no action on the draft resolution on the draft optional protocol aiming at the abolition of the death penalty. It hoped that a new proposal, in line with decision 1987/104 of the Commission on Human Rights, would receive adequate support.

34. While priority should be given to any proposal concerning dissemination of information on the International Covenants on Human Rights, individuals should be made more aware of their rights in cases of human rights violations. He also wished to emphasize the crucial role played by national judiciaries in the implementation of international human rights law. Failure to apply international standards by judges or inadequate advice from lawyers were often the consequence of insufficient information on the international law system.

35. Consequently, his delegation fully supported programmes related to the organization of specialized seminars. In general, his delegation supported any activities aimed at the following objectives: (a) exchange and circulation of judgements rendered by national judges concerning the enforcement of international rules; (b) elaboration of a guide to all judicial and administrative recourse procedures available in the event of an alleged violation of any human right; (c) comparative research to verify and eliminate any possible conflict between international and national laws; and (d) assistance to any Member State wishing to promote the above-mentioned initiatives.

36. Mr. MATSOUKA (Ukrainian Soviet Socialist Republic) said that it was the duty of all States Members of the United Nations to ratify the International Covenants on Human Rights and make them universal. All States that claimed to play an important role in the protection of human rights should endorse and implement those Covenants. A common approach must be taken to both covenants and the different rights they embodied, and that applied not only to the policy of individual States

(Mr. Matsuoka, Ukrainian SSR)

but also to the work of international organizations. It was therefore unfortunate that the international organizations attached less importance to social and economic rights, even though the indivisibility of all human rights was recognized in the covenants themselves. The current General Assembly should reflect upon that indivisibility and be fully supported in that connection General Assembly resolutions 40/114 and 41/117.

37. He commended the work of the Human Rights Committee and particularly its efforts to establish dialogue and co-operation with States, as well as the fact that it took decisions on the basis of consensus. The Committee's mandate was to help States implement the covenants and should remain so, despite the efforts of those who would assign it tasks beyond that mandate; hence his delegation's cautious approach to the so-called standardization of reporting procedures in respect of various human rights instruments. Technical improvements would be acceptable but there should be no single model or machinery for such procedures, which would run counter to the political will and intentions of the States. It was indeed strange that talk of standardization should frequently come from countries that were not even parties to the human rights instruments to which those procedures applied. One of the essential pre-conditions for international co-operation in human rights was respect for other countries and peoples and their views of democracy, as well as a capacity for objectivity and self-criticism.

38. He commended the work being done by the Committee on Economic, Social and Cultural Rights, which had favourably judged his country's second periodic report on the implementation of articles 10 to 12 of the International Covenant on Economic, Social and Cultural Rights.

39. The General Assembly should renew its appeal to all States that had not yet done so to ratify the international covenants and his delegation urged those that were parties to them to concentrate more on implementing them than on unprofitable procedural discussions.

40. Mr. VAN DEN AKKER (Netherlands) said that, as a member of the Dutch Association of Journalists, affiliated with the International Confederation of Free Trade Unions (ICFTU), he wished to draw attention to the hazards encountered by trade unionists. The yearly Survey of Violations of Trade Union Rights, published by the ICFTU, and reports from Amnesty International painted a sad picture of arbitrary detentions and mass arrests, deportations, disappearances, deaths resulting from brutality and torture, and assassinations of leaders and members of trade unions. Defending their own rights as well as rights of others, trade unionists had become symbols for developments in the direction of a free society, and thus were feared by many of those in authority.

41. Basic trade union rights, such as those set forth in the International Covenant on Economic, Social and Cultural Rights, were essential for the existence of free and democratic societies. He noted with satisfaction that in its first session the Committee on Economic, Social and Cultural Rights had formulated many pertinent questions regarding implementation of article 8 of the International

(Mr. van den Akker, Netherlands)

Covenant. He listed several articles set forth in instruments adopted by the International Labour Organisation regarding trade union rights and noted that the Committee on Economic, Social and Cultural Rights kept itself informed on the adherence to those instruments.

42. Restrictions on trade union rights were frequently encountered in countries where other fundamental human rights were curtailed. Such curtailment constituted an indirect infringement on trade union rights since the exercise of those rights was based on certain fundamental human rights, namely, freedom of peaceful assembly and association, freedom of movement and residence, and freedom of opinion and expression. There was a tendency among many countries to disregard trade union rights or to view them as only of secondary importance. He hoped that tendency would be counteracted by the emphasis in the recent statement by the Under-Secretary-General for Human Rights on the universal validity, relevance and applicability of human rights to all peoples.

43. Mr. STROHAL (Austria) urged those countries that had not yet done so to ratify the international covenants and the Optional Protocol. His own country would soon deposit the instrument of ratification of the Optional Protocol. Practical action was also essential, of course, and he welcomed in that connection the recent entry into force of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Austria had already become a party. He looked forward to the establishment of a committee against torture to help implement the Convention and eradicate that evil. Preventive measures such as periodic visits by the committee were also important, and the draft optional protocol to the Convention proposed by Costa Rica should be given priority consideration. The Special Rapporteur of the Commission on Human Rights also had an important role to play, and his reports, which contained indispensable information, deserved the most extensive distribution and attention possible.

44. He commended the Human Rights Committee for its efforts and particularly for developing jurisprudence in respect of individual complaints and for its general comments. Its standards should guide the work of other supervisory bodies. The Committee on Economic, Social and Cultural Rights was also off to a good start in heightening international awareness of the importance of the rights it monitored.

45. States Parties and the chairmen of the human rights monitoring committees must confront the problem of the growing backlog of overdue reports by streamlining reporting obligations and making the various bodies aware of each other's activities so as to avoid different interpretations of similar rights.

46. Another important matter was the protection of particularly vulnerable groups, such as children and minorities, but he noted that efforts in that area had to reflect General Assembly resolutions on standard-setting. Austria was particularly interested in the preparation of a second optional protocol to eliminate the death penalty. The reluctance of some countries should not block the efforts of the international community in that connection.

(Mr. Strohal, Austria)

47. The Commission on Human Rights had an important role to play in promoting better understanding of human rights and it should draw upon the independent expertise of subordinate bodies. The non-governmental organizations also had an important role to play in providing insights on humanitarian issues and he commended in that connection the work of the Independent Commission on International Humanitarian Issues.

48. Freedom of religion was a central human right and where it was denied all other fundamental freedoms were in danger. Future codification efforts in that area should concentrate on the establishment of implementation machinery in order to make existing norms effective, and a world-wide dialogue on freedom of religion should be further developed.

49. Mr. OULD MOHAMED LEMINE (Mauritania) said that illiteracy was one of the most serious problems facing the international community. The right to literacy was reflected in a number of international instruments and was one of the reasons for founding UNESCO, whose plans for eliminating illiteracy by the year 2000 were also reflected in General Assembly resolution 41/118. Illiteracy particularly affected the developing countries and was in fact one of the structural causes of underdevelopment. The right to education was therefore an essential pre-condition for the exercise of all other rights. His own country had embarked upon a programme to eliminate illiteracy by the 1990s by establishing literacy classes for all segments of the population and by employing the mass media to make citizens aware of the importance of literacy. The programme included technical and vocational education and stressed the elimination of illiteracy among women. His own country's efforts must be supplemented by prompt international action to combat illiteracy and his delegation would again sponsor the resolution on that subject.

50. Ms. CHENG Phobol (Democratic Kampuchea) said that the right of self-determination, as defined in the two International Covenants on Human Rights, was a prerequisite to the full enjoyment of all fundamental human rights, but despite impressive achievements in the promotion and protection of human rights, apartheid, foreign occupation and domination, and other abuses persisted.

51. In the nine years since the invasion and occupation of Kampuchea by its eastern neighbour, the Kampuchean people had suffered cruel, inhuman and degrading treatment. The occupiers had taken more than 25,000 prisoners, 240 of whom had died. Many had died of torture.

52. In connection with agenda item 98, her delegation welcomed the appointment of a Special Rapporteur to examine instances of intolerance and persecution considered inconsistent with or prohibited by the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. In Kampuchea, where most of the people were Buddhists, the occupiers had promoted an anti-Buddhism campaign and banned certain aspects of its observance.

53. Regarding agenda item 100, she drew attention to the plight of the children in Kampuchea who were being moulded into Vietnamized versions of the occupiers, forced

(Ms. Cheng Phobol, Democratic Kampuchea)

to accept their morals, dress, education, language and philosophy. Orphans - many of them because of war - were regarded as the property of the occupiers. Large numbers had been sent to Hanoi to be brainwashed to serve under the Vietnamese.

54. Thanks to the tenacious support of the international community, the occupiers had failed in their efforts to mobilize Kampuchians to support their Vietnamization policy and fight against fellow Kampuchians in the war of aggression. That support, as reflected in resolutions adopted by the General Assembly, the Economic and Social Council and the Commission on Human Rights, had been a source of encouragement and inspiration to the Kampuchians and their national resistance forces. He was confident that Kampuchea would ultimately regain independence with peace, freedom and justice for its people.

55. Mr. VALDERRAMA (Philippines) said that the Philippines had ratified the International Covenant on Civil and Political Rights on 23 January 1987 and was at present preparing its initial report for submission to the Human Rights Committee. It was also one of the 21 States parties that had made the declaration provided for in article 41. His delegation therefore joined with other delegations of States parties to the Covenant in appealing to those which had not yet done so to accede to the Covenants and make them universal.

56. In connection with the work done by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities in the elaboration of a second optional protocol aimed at the abolition of the death penalty, the 1987 Philippines Constitution provided that the death penalty should not be imposed, unless stipulated by Congress for compelling reasons involving heinous crimes. Any death penalty already imposed should be reduced to life imprisonment.

57. His delegation noted the progress made by the open-ended Working Group of the Commission on Human Rights in drafting a convention on the rights of the child. The highest priority should continue to be given to that task and every effort should be made to provide the necessary resources to ensure the conclusion of the instrument in 1989.

58. One of the most important developments in international human rights law in the current year was the entry into force of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Philippines looked forward to the first meeting of States parties to the Convention, to be held in Geneva on 26 November 1987, to elect the members of the Committee against Torture and decide on financial matters. It was nominating for membership of the Committee Dr. Alfredo R. A. Bengson, Secretary of Health and an active advocate and defender of human rights.

59. With the entry into force of a number of international human rights instruments and with conventions on other aspects of human rights nearing completion, the reporting obligations of States parties were becoming increasingly burdensome - as witness the increasing number of overdue reports by States

(Mr. Valderrama, Philippines)

parties. His delegation therefore welcomed the holding of seminars and training courses for government officials responsible for reports.

60. The Philippines supported the initiative of a number of delegations on reform of the reporting process under various human rights treaties. The second meeting, scheduled for October 1988, of the chairmen of the monitoring committees would provide an opportunity for an exchange of views and consideration of proposals that could help to overcome the difficulties concerning reporting obligations.

61. The Philippines was in the process of a political transition, moving towards a democratic political order characterized by respect for human rights, national reconciliation, a restored and robust economy and the elimination of poverty through a more equitable distribution of income and wealth. It was determined to surmount the difficult problems that faced it.

62. Mr. ARTACHO (Spain) said that the rights embodied in the two International Covenants on Human Rights were indivisible and were part of the whole system of protection of the individual and the best guarantee of international peace, justice and security. Violations of human rights were the concern of the international community. Human rights must be recognized and respected and that could best be assured by strengthening the universal implementation of the relevant international legal instruments.

63. His delegation stressed the need to promote universal observance of fundamental human rights without distinction, including the right to freedom of thought, conscience, religion and belief. The principle of tolerance and religious freedom, as recognized in article 18 of the Universal Declaration of Human Rights, was essential for the effective enjoyment of other rights, and should not be subject to limitations other than those set forth in article 18 paragraph 3 of the International Covenant on Civil and Political Rights. His delegation welcomed the efforts to disseminate the Declaration on the Elimination of All Forms of Religious Intolerance and of Discrimination based on Religion or Belief and supported the extension of the mandate of the Special Rapporteur on religious violation and intolerance.

64. It was regrettable that the tremendous scientific and technological advances of today, far from benefiting the individual, tended to impede the exercise of fundamental rights. The positive impact of material progress should not be limited to economic and social rights but should cover civil and political rights as well. Individuals and society alike should be able to benefit from such advances.

65. Regarding agenda item 100, his delegation attached particular importance to the completion of a draft convention on the rights of the child. The guidelines established in the Declaration on the Rights of the Child were inadequate today, bearing in mind the special characteristics of children and young people. Spain was a member of the Working Group of the Commission on Human Rights which was preparing a draft convention, but his delegation did not wish to become involved in the vexed question of deciding on the age of the child to be recognized as the

(Mr. Artacho, Spain)

beneficiary of the rights set out in the convention. It was important to speed up the Working Group's task and to set aside attitudes which would lead to undue sophistry in drafting particular articles.

66. Regarding agenda item 107, torture was one the most intolerable violations of human rights. The entry into force of the Convention against Torture had opened the way for States to assume legal commitments in the fight against it. Spain had ratified the Convention and appealed to countries which had not yet done so to accede to or ratify the Convention and to make the declarations provided for under articles 21 and 22. The new Committee should be an effective mechanism in the fight against torture.

67. He reaffirmed his country's support for the work of the Special Rapporteur on torture and its intention to continue contributing to the United Nations Voluntary Fund for Victims of Torture.

The meeting rose at 1 p.m.