



THIRD COMMITTEE  
54th meeting  
held on  
Monday, 28 November 1988  
at 10 a.m.  
New York

**SUMMARY RECORD OF THE 54th MEETING**

**Chairman:** Mr. ABULHASAN (Kuwait)

**later:** Mr. GALAL (Egypt)

**CONTENTS**

**AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)**

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Distr. GENERAL  
A/C.3/43/SR.54  
7 December 1988  
ENGLISH  
ORIGINAL: SPANISH

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

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)  
(A/43/3; A/C.3/43/1 and 7; A/43/170-E/1988/25, A/43/305-E/1988/26, A/43/328, A/43/375 (and Corr.1, English only), A/43/478, A/43/534, A/43/535, A/43/536, A/43/592, A/43/593, A/43/594, A/43/595, A/43/624, A/43/630, A/43/705, A/43/706, A/43/736, A/43/739, A/43/742, A/43/743 and Add.1, A/43/770, A/43/122, A/43/165, A/43/214, A/43/235-S/19674, A/43/273-S/19720, A/43/361, A/43/370, A/43/393-S/19930, A/43/435-S/19974, A/43/446, A/43/457-E/1988/102, A/43/460-E/1988/104, A/43/544, A/43/587, A/43/590, A/43/604, A/43/617 and A/43/759)

1. Mrs. ALTURAIHI (Iraq) said that the celebration of the fortieth anniversary of the Universal Declaration of Human Rights offered an opportunity to evaluate the achievements made so far. It was obvious that much still remained to be done, particularly since some countries had not yet understood the importance for international relations of fulfilling the commitments embodied in the International Covenants on Human Rights.

2. In every historical period, the peoples and nations had attached a different meaning to those basic principles. After the Second World War, for example, the emphasis had been on the principle of freedom, and currently, for some peoples, such as those of Palestine, South Africa and Namibia, freedom meant freedom from the yoke of colonial régimes. At all events, the link between civil and political rights and economic, social and cultural rights must always be borne in mind.

3. She noted, not out of a desire to engage in polemics, but as a matter for thought, that some countries applied a double standard in their practice in the sphere of human rights. In the case of permanent sovereignty over natural resources, it should be asked why some delegations had abstained in the vote on the relevant draft resolution, although they were aware of the importance of that right for developing countries. A double standard was also applied with regard to the right of self-determination of the peoples of Namibia and Palestine.

4. With regard to the link between peace and human rights, some countries were trying to avoid the problem by arguing that questions of disarmament and peace belonged in the First Committee. Iraq, engaged in a war which had been imposed on it ten years previously, understood the value of peace and knew that peace was essential for securing respect for human rights; it had therefore supported all the relevant resolutions of the United Nations.

5. Mr. GALAL (Egypt) took the Chair.

6. Mr. MEZA (El Salvador) said that his delegation joined in the celebration of the fortieth anniversary of the Universal Declaration, the foundation in the struggle for the protection of human rights. The principles embodied in the Universal Declaration and the two International Covenants had won universal acceptance and had served for the formulation of national legislations.

(Mr. Meza, El Salvador)

7. His Government shared the view that violations of human rights in any part of the world were a legitimate source of attention and concern on the part of the international community; however, it considered it unacceptable that for political or ideological reasons, investigations of respect for those rights were concentrated exclusively on certain countries, since that contradicted the universal nature and humanitarian content of the norms for the protection of human rights. The reality was that violations of human rights, both civil and political and economic, social and cultural, occurred in all regions of the world, and all of them should be considered by the relevant bodies of the United Nations.

8. As to the situation of human rights and fundamental freedoms in El Salvador, it should be borne in mind that the current situation in El Salvador was the result of a historical process which had had as its starting point social inequality, poverty, repression, fear and hatred between different social groups, aggravated by the inability of authoritarian governments to adopt social welfare programmes. That situation had produced a vicious circle which had been broken in October 1979 when efforts had been initiated to establish a democratic, pluralist and representative society. Only eight years had gone by since the process of democratization had begun, and El Salvador was in a period of transition and consolidation of its institutions. Considering that developed societies had evolved over a period of more than 150 years, it could be appreciated that eight years was very little time.

9. At a certain point, the conditions of social injustice, poverty and frustration had given rise to the armed movement of FMLN-FDR, a movement which no longer had any justification because of the changes which had been made in El Salvador's political and economic structure. The cause of the continuation of armed confrontations was that, although the FDR, the political arm of the FMLN, was registered to participate in the forthcoming elections, the movement was continuing to use violence as a means of achieving power. The FMLN must be urged to abandon armed struggle and join in the established political process. His Government was convinced that a political solution through dialogue was the best way of achieving peace.

10. His Government shared the concern about the deterioration of the situation in El Salvador compared with the previous year. Despite the difficulties and the opposition of certain sectors, his Government's commitment to struggle for respect for human rights remained strong, and to that end, El Salvador needed international co-operation and assistance. The application for technical assistance submitted to the Government of Spain in 1985 and the application for assistance submitted to the Centre for Human Rights in Geneva in the second half of 1988 demonstrated his Government's desire to overcome the current crisis.

11. Mr. NIYUNGEKO (Burundi) said that he had not intended to speak on item 12 of the agenda, but the references made by the delegations of Canada and Sweden to the unfortunate events which had occurred in the north of Burundi forced him to provide some clarification, although his delegation had already referred in the plenary debate to the domestic situation and had indicated that terrorist elements from

(Mr. Niyungako, Burundi.)

abroad had infiltrated the population to spread desolation and death. From the outset, his Government had followed a policy of open information.

12. With regard to the comments made by the delegation of Canada, he noted that both the Canadian Embassy in Burundi, with its main office in Kinshasa, and three journalists from Radio Canada International had been able to visit the region where the incidents had occurred and had found that the programme of national reconciliation was being successfully carried out. As to the Swedish delegation's interest in knowing what steps his Government had taken to prevent the repetition of a similar tragedy, some political and administrative measures had already been adopted for that purpose within the framework of the priority objective of national unity. Burundi would not abandon that policy and, if necessary, it would accelerate the process with the support of all the forces in Burundi.

13. Mr. HELLER (Mexico) said that, since the adoption of the Universal Declaration, the international norms and mechanisms for the protection and promotion of human rights, which were a heritage of all the peoples, had been considerably developed. The work of the United Nations had consisted above all of standard setting and consideration of cases and situations which involved serious violations of basic rights. The deterioration of the human rights situation during the 1980s had been linked with the intensification of regional conflict.

14. The observance of human rights in Central America was closely linked with the pacification of the area and the solution of the conflicts that were afflicting it. The conclusions of the Special Representative on El Salvador regarding the increase in serious violations of the right to life and of personal integrity for political reasons, the resurgence of death squads, the practice of summary executions and damage to the economic and social infrastructure were extremely disturbing. It was true that the parties to the conflict had adopted some measures for the humanization of the war and that the Government of El Salvador was continuing its efforts to seek solutions to the problem of refugees, whose voluntary repatriation should be accompanied by measures to guarantee the full exercise of their human rights. The General Assembly and the Commission on Human Rights had come out in favour of a negotiated political solution to that conflict, which Mexico also advocated. In that respect, his delegation was sponsoring a draft resolution which, among other things, called upon the Government and opposition forces to resume a magnanimous and open dialogue leading to the achievement of a global political solution.

15. With regard to the situation in Chile, in the 15 years that had elapsed since the violent disruption of a political process that was an example for Latin America, the Chilean people had waged a fierce battle to recover its civil rights and liberties which had led to the lifting of the states of emergency and ending of the prohibition of free movement into and out of the country. The recent referendum had signified the rejection of a régime based on force and a vote for democracy. The process was not an automatic one, however, and the support of the international community was needed. The measures taken so far must find expression in an effective improvement in the situation of human rights and fundamental

(Mr. Heller, Mexico)

freedoms. For that reason, the delegation of Mexico, together with 12 other delegations, were co-sponsoring draft resolution A/C.3/43/L.81.

16. Drawing attention to paragraph 35 of the Special Rapporteur's report on Chile, he considered that the views expressed therein about the resolutions adopted by the General Assembly on the question exceeded the mandate conferred on the Special Rapporteur by the Commission on Human Rights.

17. The situation in other parts of the world also gave cause for concern, even though current developments were encouraging. The progress made in Afghanistan and Iran should extend to the full restoration of human rights and fundamental freedoms. With regard to Cyprus, the situation of the Cypriot people as a result of the occupation of part of its territory was a matter of serious concern, and it was to be hoped that the steps taken by the Secretary-General would be of help in finding a just solution to the problem.

18. The Mexican delegation considered that the struggle should continue to ensure that the principles of humanitarian law and the desire to create conditions conducive to respect for and full exercise of political and civil rights as well as economic, social and cultural rights continued to prevail.

19. Mr. ROMARE (Sweden) announced that his delegation had withdrawn as a sponsor of draft resolution A/C.3/43/L.81 on Chile and that he would explain the reasons for that decision when the draft came up for consideration.

20. Mr. STROHAL (Austria) said that since the adoption of the Universal Declaration a comprehensive body of international human rights law and various mechanisms for the monitoring of its implementation had been established, and yet every day reports continued to come in, especially from the Special Rapporteurs appointed by the United Nations, on grave violations in all parts of the world.

21. Although the Vice-Chancellor and Minister for Foreign Affairs of Austria had already set forth in the plenary Assembly Austria's position with regard to the protection and promotion of human rights, he wished to stress the importance attached to the work of the United Nations and its various bodies in that field, in particular through procedures such as that established under Economic and Social Council resolution 1503 (XLVIII) and the Special Rapporteurs appointed to study specific situations - all of which had not only helped to bring about a better understanding of the facts but had also made direct intervention possible in urgent cases.

22. The Austrian delegation welcomed the co-operation between the Special Rapporteur on the human rights situation in Afghanistan and the Afghan authorities, as well as the signs of some improvement in the human rights situation in that country. However, allegations of human rights violations continued, there were more than five million Afghan refugees in the world and the country's social and economic conditions were dramatic. Austria appealed once again to all parties to help to enable all Afghans fully to enjoy human rights.

(Mr. Strohal, Austria)

23. Austria welcomed the recent cease-fire between Iran and Iraq and trusted that it would contribute to an improvement of the situation of human rights and fundamental freedoms.

24. Although it had taken note with interest of the exemplary co-operation extended by the Government of Chile to the Special Rapporteur on the situation in that country, Austria considered that that co-operation should be reflected in concrete measures to guarantee full protection of human rights in Chile. The human rights situation in El Salvador continued to give cause for deep concern, and Austria supported the Special Representative's appeal to the Government and the opposition urgently to initiate a dialogue for an early settlement of the conflict. His delegation also reiterated its deep concern at the grave human rights violations in South Africa and in the Arab territories occupied by Israel, and expressed the hope that the Government of Guatemala, and the expert appointed by the Secretary-General would take action leading to an improvement in the human rights situation in that country.

25. In Europe, too, there were disturbing situations, including that of minorities. Reference should be made to the policy of "systematization" in Romania, which might result in the destruction of thousands of villages and represented a serious threat to the Hungarian- and German-speaking minorities, as well as to the cultural heritage of a large part of the Romanian population.

26. Mr. BEN-DOV (Israel) recalled that the General Assembly at its thirty-sixth session had unanimously adopted a declaration calling for the elimination of all forms of intolerance and discrimination based on religion or belief, and regretted that that declaration had had little influence on the Syrian authorities' treatment of the Jewish communities in that country. Those communities, numbering about 4,000, were to all intents and purposes held as hostages by the authorities, who applied measures of control, intimidation and repression against them.

27. A number of innocent Syrian Jews had been held in Syrian jails under harsh conditions after being subjected to cruel interrogations and protracted torture. Emigration by Jews was strictly prohibited in flagrant violation of various human rights instruments. Some Syrian Jews had been authorized to go to the United States of America, but only on condition that their children be left behind in Syria. That meant that they were held hostage, and was in violation of an elementary right, recognized throughout the world, namely, the right of children to live with their parents. Only a small number of unmarried Jewish women had been allowed to go abroad, and even then only on payment of large sums of money. Jews were also subjected to other restrictions, including limitations on the sale or purchase of real estate and access to public office. The delegation of Israel appealed to the Government of Syria to lift all the restrictions on Syrian Jews and resolve that humanitarian issue without delay.

28. Mr. MATSOUKA (Ukrainian Soviet Socialist Republic) said that although the human rights situation in the world had improved recently, the question of the protection of those rights continued to be an urgent problem in several parts of the world. That was particularly the case in southern Africa, where the apartheid régime persisted in its inhuman practices, depriving the South African people of all its rights and freedoms. Since the imposition of the state of emergency in 1986, more than 30,000 people had been detained, many of them children. The international community must take concerted action to put an end to that régime and make South Africa a multiracial and democratic State.

29. On the eve of the Day of Solidarity with the Palestinian People, reference should be made to the alarming situation in the Middle East. The uprising of the Palestinian people against the occupying forces as a result of the restrictive measures taken since 1985 against the civilian population had been met with fresh violence and repressive measures which had become a matter of course for the Israeli authorities. Most of the human rights of the Palestinians were being violated, and there could be no radical change in the situation until a political solution to the problem was found, and that required the convening of an international conference.

30. Although the international human rights law-making process begun 40 years earlier with the adoption of the Universal Declaration of Human Rights had yielded significant results, much remained to be done. That meant not that there was any need to establish new instruments and mechanisms, but that the existing ones should be utilized effectively.

31. His delegation was of the view that a world public information campaign on human rights played a useful part in promoting international co-operation in that field. His delegation, together with the delegations of Austria and Canada, had consequently submitted a revised draft resolution on international co-operation in the field of human rights, and hoped that the Committee would adopt it by consensus.

32. Mr. LABERGE (Canada), on behalf of the sponsors, who had been joined by Pakistan and Thailand, introduced the draft resolution contained in document A/C.3/43/L.77 entitled "Human rights and mass exoduses". The purpose of the draft resolution was to ensure that the international community did not lose sight of the problem of mass exoduses of refugees and the factors which caused them, including human rights violations. In 1987, the Secretary-General had created the Office for Research and Collection of Information which, among other things, had been entrusted with the function of providing early warning on developing situations of possible mass exoduses requiring the Secretary-General's attention. The sponsors hoped that the Secretary-General, within the limits of his mandate and available resources, would consolidate the new warning system in the humanitarian area.

33. He drew the attention of the Committee to a revision in paragraph 8, where, in the first line, the words "to consolidate and strengthen" should be replaced by "to use available resources with a view to consolidating and strengthening".

34. Miss DE SILVA (Sri Lanka), on behalf of the sponsors, introduced the draft resolution contained in document A/C.3/43/L.63 entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region". She drew the attention of the Committee to revisions to paragraphs 6 and 2. In the second line of paragraph 6, the words "within existing resources" should be deleted and instead added in the third line of paragraph 2 after the word "establishment".

35. The draft resolution was based on resolutions 41/153 of the General Assembly and 1988/73 of the Commission on Human Rights, both of which had been adopted by consensus. She summarized the contents of the paragraphs of the draft resolution and said that the sponsors hoped that it would be adopted by consensus.

36. The CHAIRMAN announced that the delegation of Greece had become a sponsor of draft resolution A/C.3/43/L.69 and that the document on the financial implications of draft resolution A/C.3/43/L.83 was available.

37. Miss DIEGUEZ-ARMAS (Mexico) introduced draft resolution A/C.3/43/L.59 entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers" on behalf of the sponsors who had been joined by Bangladesh and Greece. She summarized the principal operative paragraphs and said that the sponsors had agreed to revise paragraph 5 by replacing the words "to continue" by "to conclude, if possible". She hoped that the Committee would approve the draft resolution without a vote.

38. Mr. RICHTER (German Democratic Republic), on behalf of the sponsors, introduced the draft resolution contained in document A/C.3/43/L.73/Rev.1, entitled "Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror". The draft resolution was the result of wide consultations with interested delegations and was based on resolutions 41/160 of the General Assembly and 1988/63 of the Commission on Human Rights, which had been adopted by consensus. As in previous years, the draft resolution was designed to warn the international community of the existence of different forms of totalitarian ideologies and practices. As the draft resolution was based on resolutions which had been adopted by consensus, the sponsors believed that the Committee should be able to adopt it without a vote.

39. Mr. LINDHOLM (Sweden), on behalf of the sponsors, introduced the draft resolution contained in document A/C.3/43/L.74, entitled "Summary or arbitrary executions". He pointed out that the Special Rapporteur, in his sixth report on summary or arbitrary executions submitted to the Commission on Human Rights (E/CN.4/1988/22 and Add.1 and 2), had stated that he had received information regarding a considerable number of alleged summary or arbitrary executions. Such violations of the right to life represented a particularly reprehensible abuse of the human rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The draft resolution contained many of the provisions of General Assembly resolution 42/141 and some new elements from Economic and Social Council resolution 1988/38; in particular,



(Mr. Lindholm, Sweden)

paragraphs 3, 6, 9, 10 and 11 were based on the latter resolution. The penultimate preambular paragraph was new.

40. Miss FOSTIER (Belgium), on behalf of the sponsors, who had been joined by Côte d'Ivoire, introduced the draft resolution contained in document A/C.3/43/L.75, entitled "Regional arrangements for the promotion and protection of human rights". For some years past Belgium had consistently stressed the importance of promoting and protecting human rights at the regional level. The principles of human rights could best be implemented through regional arrangements. Since 1982, her delegation had worked to ensure that the General Assembly continued to assist countries of different regions as well as regional organizations on the issue of universal respect for human dignity. Obviously, the elaboration of regional arrangements was a matter for the States concerned.

41. The preamble of the draft resolution recalled relevant resolutions on the issue which had been adopted by consensus in past years. The purpose of the draft resolution was to ensure that consideration should continue to be given to the ways and means of improving co-operation between regional agencies and international organizations in the area of the promotion and protection of human rights; there was, however, no question of dictating how such co-operation should be established. Furthermore, the Secretary-General was invited to submit to the General Assembly at its forty-fifth session a report on the status of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the current draft resolution. The sponsors hoped that the draft resolution would be adopted without a vote.

42. Mr. MORA GODOY (Cuba), on behalf of the sponsors, who had been joined by the Lao People's Democratic Republic, introduced the draft resolution contained in document A/C.3/43/L.79, entitled "Improvement of social life". He pointed out that the international community was aware that the improvement of living conditions was essential for the effective enjoyment of human rights. A harmonious balance must be reached between scientific, technological and material progress and the intellectual, spiritual, cultural and moral advancement of mankind. In order to contribute to the rationalization of the work of the Third Committee and provide time for the presentation of national initiatives on the issue, the draft resolution proposed that consideration of the question should be taken up again at the forty-fifth session of the General Assembly. The sponsors hoped that the draft resolution would enjoy the full support of States Members of the United Nations.

Draft resolution A/C.3/43/L.82 entitled "Question of enforced or involuntary disappearances"

43. Mr. GELLET (France) introduced draft resolution A/C.3/43/L.82 on behalf of the sponsors and pointed out that the text was similar to that which had been introduced the previous year and which had been adopted by consensus as General Assembly resolution 42/142. In order to facilitate consensus, the second preambular paragraph would be amended by the deletion of the words "in some regions of the world". Paragraphs 3 and 7 had been added; in the case of the latter, the purpose was to thank the Governments which had invited the Working Group.

Draft resolution A/C.3/43/L.68 entitled "Situation of human rights and fundamental freedoms in El Salvador"

44. Mr. GRILLO (Colombia), introducing draft resolution A/C.3/43/L.68, said that, during the drafting of the text, consultations had been held with a view to developing an objective and balanced approach; the relevant report of the Special Representative had been taken into account. He hoped that, as in previous years, the draft resolution would be adopted by consensus.

The meeting rose at 12.30 p.m.