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SUMMARY RECORD OF THE 57th MEETING

Chairman: Mr. KABORE (Burkina Faso)

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/44/3, A/44/402, A/44/403, A/44/404, A/44/426, A/44/440, A/44/462, A/44/482, A/44/573, A/44/600, A/44/620, A/44/622, A/44/635, A/44/657, A/44/669, A/44/671; A/C.3/44/1 and 4; A/44/67, A/44/68, A/44/71, A/44/99, A/44/119, A/44/153, A/44/171, A/44/238 and Corr.1, A/44/320, A/44/325, A/44/355-S/20704, A/44/367, A/44/377, A/44/378, A/44/381, A/44/466, A/44/504, A/44/580, A/44/706, A/44/728 and A/C.3/44/8)

AGENDA ITEM 109: EFFECTIVE IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS ON HUMAN RIGHTS, INCLUDING REPORTING OBLIGATIONS UNDER INTERNATIONAL INSTRUMENTS ON HUMAN RIGHTS (continued) (A/44/98, A/44/539, A/44/568, A/44/171, A/44/409-S/20743 and Corr.1 and 2, A/44/551-S/20870 and A/44/689-S/20921)

TRIBUTE TO THE MEMORY OF MR. AHMED ABDALLAH ABDEREMANE, PRESIDENT OF THE ISLAMIC FEDERAL REPUBLIC OF THE COMOROS

1. The CHAIRMAN asked the Committee to pay tribute to the memory of Mr. Ahmed Abdallah Abderemane, President of the Islamic Federal Republic of the Comoros, of whose tragic death he has just learned. Posterity would remember President Abderemane for the distinction with which he had led his country and his whole-hearted support for the search for peace in the world.
2. On behalf of the Committee, he asked the representative of the Comoros to transmit to his Government and people the heartfelt condolences of the members of the Committee.
3. The Chairman asked the Committee to observe a minute of silence in tribute to the memory of President Abderemane.
4. Mrs. MONCADA BERMUDEZ (Nicaragua) emphasized the close relationship between the observance of human rights and peace, and recalled that on 7 August 1987 the Presidents of the Central American countries had signed the "Procedure for the establishment of a firm and lasting peace in Central America", called the Esquipulas II agreement (A/42/521-S/19085) in order to ensure a peaceful future for Central America and to strengthen democracy and human rights there.
5. For that purpose, they had undertaken a number of commitments, including that of beginning a process of genuine democratization based on social justice, observance of human rights and respect for the territorial sovereignty of each country and its right to choose its economic, political and social model freely and without foreign interference. For Nicaragua, the observance of human rights was the ultimate proof of the existence of genuine democracy.
6. In view of the importance of the commitments assumed, her Government had always believed that verification of their implementation should be entrusted to international bodies of recognized competence and impartiality. It had accordingly always followed an open-door policy with regard to the competent international human rights bodies.

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(Mrs. Moncada Bermudez, Nicaragua)

7. As a part of the peace process, her Government had taken many political steps and made significant changes in its legal system with a view to ensuring the peaceful settlement of disputes and respect for the right to peace, the right to self-determination and the right to development. Nicaragua had begun an electoral process which was without precedent in Central America. For their part, the international bodies which had visited the country had been able to learn first-hand what the human rights situation was and what steps had been taken to promote national reconciliation. The electoral law reform, adopted by the National Assembly with the participation of the opposition parties, the amnesty extended to the rebels and the right granted them to vote testified to the Government's sincerity in the matter.
8. On the other hand, her delegation was deeply concerned at the recent development of the human rights situation in El Salvador. Like other delegations, it could not but condemn the bombardments of urban areas which had caused civilian victims and the fact that the International Committee of the Red Cross had been unable to evacuate the wounded.
9. Her delegation shared the sadness of the Salvadorian people at the assassination of the rector of the Central American University of El Salvador and five other priests. According to the "Americas Watch" of 24 November, there was no doubt as to the identity of the assassins and their accomplices. The testimony of Mrs. Barrera de Cerna, the only witness to the massacre, confirmed that report. Her Government considered that the resolution to be adopted by the Third Committee on the question must clearly reflect that situation if similar acts were to be avoided. In that respect, she recalled that the legal process begun in the case of the presumed authors of the murder of Mgr. Romero in 1980 had made little progress.
10. The special representative of the Commission on Human Rights had drawn attention, in his report, to a recurrence of human rights violations in El Salvador. The situation that now existed in that country was related to domestic social, economic, political and military problems and it was false to attribute responsibility for it, as certain people had done, to another State.
11. Her delegation was convinced that the implementation by El Salvador of the Esquipulas II agreement and the attached declarations by the five Presidents of the Central American countries would help to begin a genuine democratic process based on social justice and observance of human rights. Her delegation therefore appealed to the international community to direct its efforts towards a settlement embodying a cease-fire under United Nations supervision and the beginning of real negotiations in which all the political and social forces of the country, including the FMLN, would take part.
12. Mr. MAHMOUD (Lebanon) said that throughout the long torment it had undergone, Lebanon had never ceased to defend the principles of the Universal Declaration of Human Rights and its own democratic institutions. He recalled resolution 1989/65, entitled "Situation of human rights in southern Lebanon", in which the Commission

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(Mr. Mahmoud, Lebanon)

on Human Rights had expressed its grave concern about Israel's acts of aggression and its practices with respect to the civilian population, and called on it to put an immediate end to those acts, to liberate the Lebanese prisoners it had detained, to stop expelling Palestinians arbitrarily to southern Lebanon and to implement the Security Council resolutions calling for its immediate withdrawal from Lebanese territory.

13. The violations referred to in that resolution were numerous and well documented. Since the second Israeli invasion of Lebanon in 1982, 171 towns and villages remained under Israeli occupation in what Israel called the "security zone", which was guarded by the so-called "South Lebanon Army" financed, trained and controlled by Israel. The inhabitants of those villages were forced to volunteer for that army. Houses were destroyed and civilians arrested and transferred to detention camps or to Israel.

14. Israel prevented representatives of the International Committee of the Red Cross from entering the detention camps to investigate the condition of the detainees, who could not receive visits from their relatives, and deported Lebanese citizens from the security zone in order to establish a local civilian administration which would collaborate with it. Lebanese citizens had been imprisoned in Israel for resisting the occupation. Israel was hindering the activity of UNIFIL. It was carrying out a de facto annexation of certain areas, to which it refused access to Lebanese. Palestinian citizens inhabiting the occupied territories had been deported to Lebanese territory in spite of the Security Council resolutions condemning those practices.

15. He went on to recall the many acts of aggression committed by Israel, its air attacks and shellings which caused many casualties, particularly among women, children and the elderly. During 1988 Israel had carried out 30 air raids, causing the loss of 100 lives and injury to 200 others. On many occasions Israeli forces crossed the borders of the "security zone" to carry out operations in nearby villages.

16. Those acts of aggression and arbitrary practices, which had been the subject of repeated letters from Lebanon to the United Nations Secretary-General, were violations of international law. The tragedy of southern Lebanon would end only when its occupation by Israel ended and Security Council resolutions 425 (1978) and 508 and 509 (1982), which called for unconditional Israeli withdrawal, were implemented.

17. A solution to that problem was necessary if the other complicated problems which had for years prevented the Lebanese authorities from carrying out their functions normally were to be solved. The problems of Lebanon had begun in the south and Lebanon appealed to the international community to make an effort to solve them.

(Mr. Mahmoud, Lebanon)

18. Lebanon supported the work of the Commission on Human Rights unreservedly. Its report gave an idea of the scope, both geographical and thematic, of its activities and interests. It was thus important not to impede its action by reservations that diminished its effectiveness.
19. Mr. LUNA (Peru) said that the strict observance of human rights, whether of the fundamental right to life, of civil and political rights, the first to have been recognized, or economic, social and cultural rights, remained a serious concern of his Government.
20. He did not believe that it was possible currently to speak of respect for human rights without referring to the alarming rise of poverty and mortality and morbidity rates throughout the world or to the direct and immediate effect of economic adjustment policies. The most vulnerable groups in society must, in particular, be taken into consideration: more than a million children under the age of one would die in Peru before the year 2000 unless there was a massive expansion of primary health care programmes.
21. As to the world-wide human rights situation, the monstrous case of the apartheid régime in South Africa could not be passed over in silence, nor the alarming situation in the occupied Palestinian territories. The fundamental role of the Commission on Human Rights in promoting and protecting human rights must be underscored. His delegation welcomed the work done by the representatives, special rapporteurs and working groups of experts appointed by the Commission, and paid tribute to the Centre for Human Rights, whose co-operation it had experienced firsthand. It believed, like the French delegation, that it was urgent to universalize the Commission's work. Bearing in mind the indivisibility and interdependence of civil and political rights on the one hand and economic, social and cultural rights on the other, the Commission would have to dedicate itself essentially to a study of violence in all its forms, including that which stemmed from the limitations imposed on the developing countries by an unfair international financial system.
22. The Commission should not restrict itself to cases of human rights violations in Latin America. One wondered why, since its establishment, the Commission had not discussed a single case of a violation that had not occurred in a third world country.
23. His delegation had taken the initiative in the inclusion, under the Commission's agenda item on the right to development, of a sub-item relating to foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights. That initiative had been the outcome of long reflection on the need to give due attention to the causes of the material conditions that were at the root of structural violence and generated violations of human rights and fundamental freedoms.

(Mr. Luna, Peru)

24. His Government's determination to put an end to such violence had led it to give priority to the struggle against terrorism, which had sprung up in Peru, often hand-in-hand with drug trafficking, and had taken on disturbing dimensions in the poorest regions of the country. In such a situation, strengthening democracy was a collective priority. In the latest municipal and regional elections, the Peruvian people, in a massive turn-out, had shown that it categorically rejected violence and that only through democracy and development could peace be re-established in the nation.

25. The human rights situation in El Salvador was a matter of concern to Peru. The re-emergence of violence impelled his Government to make an urgent appeal to the parties to the conflict for an immediate cessation of hostilities, which had lately taken on a particularly inhuman turn with the bombardment of highly populated urban areas.

26. The international community must rediscover the path of dialogue and conciliation. Therefore, on behalf of the member States of the Permanent Mechanism for Consultation and Concerted Political Action (Argentina, Brazil, Colombia, Mexico, Uruguay and Venezuela), Peru was submitting draft resolution A/C.3/44/L.86, whose aim was to find a compromise solution to the problem of El Salvador and thereby bring an end to the sufferings of the Salvadorian people. He hoped that the draft resolution would be adopted by consensus.

27. Mrs. REGAZZOLI (Argentina) said that human progress began with the right to life. Consequently, anthropological theories that had throughout history put emphasis on the individual - an individual increasingly anxious to have rather than to be - had necessarily jeopardized the right to life, in which freedom played an essential role. All human beings must be able to realize their potential as persons in a society that was an organized community.

28. That overall concept was the basis of social justice, an imperative that could not be put off in a country like Argentina, where hunger and unemployment affected more than 9 million persons. Human rights were not restricted to the civil and political rights regained through the restoration of democracy in 1983; they also encompassed economic, social and cultural rights. Argentina, which considered it to be one of the essential tasks of the United Nations to promote human rights by means of a set of international instruments that represented one of the greatest advances in international law in the twentieth century, welcomed the adoption of the Convention on the Rights of the Child, even though it believed that the Convention could have gone further, in particular by protecting the child from the moment of conception, by flatly prohibiting the enlistment of children for armed conflicts and by preventing fraudulent international adoptions. With regard to new international instruments, Argentina was very pleased that it had been decided to elaborate a second optional protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

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(Mrs. Regazzoli, Argentina)

29. Convinced of the importance of the monitoring bodies established pursuant to the international human rights instruments, the new Government of Argentina intended to fulfil its reporting obligation to report on Argentina's actual implementation of those instruments. It had just reported to the Committee against Torture and would soon report to the Committee on Economic, Social and Cultural Rights, and then to the Human Rights Committee.
30. Argentina considered the Advisory Services Section to be a very valuable mechanism and supported the efforts of the Centre for Human Rights to secure appropriate funding for the Section.
31. Argentina continued to support the humanitarian work of the Working Group on Enforced or Involuntary Disappearances. It remembered that in the darkest hours of its own history, between 1976 and 1983, at a time when all the traditional United Nations protection machinery had proven powerless, the Working Group had, thanks to its flexibility and realism, been able to give solace to the anguished families of the disappeared persons.
32. Argentina also expressed satisfaction at the work done by the Commission on Human Rights at its forty-fifth session and assured it of its intention to participate actively as a member. It also drew attention to the important function of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.
33. Argentina welcomed the fact that the Commission had decided to include the right to development, which in Argentina's view was basic, as a specific agenda item at its forty-sixth session.
34. Attaching great importance to the elaboration of a convention on the protection of the rights of migrant workers and their families, Argentina was happy to note that the Working Group established for the purpose had made considerable headway in its work.
35. The realization of economic, social and cultural rights was the responsibility not only of each country but also of the international community. It was to be hoped that the most affluent countries would spare no effort to resolve the economic crisis of the developing countries, which for several years had been victims of the world economic situation and the net negative transfer entailed by external debt servicing. The latest reports of the Economic Commission for Latin America and the Caribbean clearly illustrated the marked decline of economic indicators for Latin America, where the per capita GDP had fallen by 10 per cent in relation to 1980.
36. In conclusion, she stressed the need for a political, not an economic, settlement to the debt problem that would be based on solidarity between the creditor and the debtor countries. Failing that, not only was there no conceivable way of really improving the situation with regard to economic, social and cultural rights, but the exercise of civil and political rights as well was likely to be endangered.

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37. Mr. RIVERA BIANCHINI (Costa Rica) said that respect for human rights, the protection and implementation of which was one of the fundamental tasks of the United Nations, was a pre-condition for the development of freedoms and of peace. Those rights had been enunciated in specific legal instruments. Costa Rica was proud to have been among the first six States to sign, and the first to ratify, the International Covenant on Civil and Political Rights and its Optional Protocol and the International Covenant on Economic, Social and Cultural Rights. It welcomed the preparation of a second optional protocol aiming at the abolition of the death penalty, and the recent adoption of the Convention on the Rights of the Child.

38. Despite that very comprehensive system of principles and norms, it must be recognized that all human rights were being violated everywhere in the world and, in some cases, the violations were serious, systematic and persistent. The United Nations must have effective machinery in order to deal with that situation. While the Centre for Human Rights, the Commission on Human Rights and the Human Rights Committee were doing excellent work, their mandate was too limited. That was why, since 1965, Costa Rica had been proposing the appointment of a United Nations high commissioner for human rights. The idea had met with a lack of political will on the part of certain States which, despite the guarantees built into the proposal, claimed that it would constitute interference in their internal affairs. Fortunately, they had agreed to the appointment of special rapporteurs and special representatives of the Commission on Human Rights, both for specific countries and for certain thematic aspects of flagrant human rights violations. The fact remained that the proposed high commissioner would offer the advantage over special representatives and special rapporteurs of being able to act quickly, and would escape complaints of discrimination and politicization. He hoped that the current climate of freedom and democracy would give renewed impetus to Costa Rica's proposal.

39. His country wholeheartedly supported the proposal for a world conference on human rights to evaluate the human rights situation of the past 20 years.

40. He commended the special representatives and rapporteurs, thanks to whom the Commission on Human Rights had been given the information it needed, whether that concerned Afghanistan, where a political solution to the conflict must be found; Chile and its welcome return to democracy which must now be consolidated by first inviting the Government to resume its co-operation with the Special Rapporteur; or the Islamic Republic of Iran, where the disturbing human rights situation warranted a further urgent appeal to the Government to implement certain measures, and which he hoped the Special Representative would be authorized to visit as part of his mandate.

41. In Central America, given the futility of armed violence as a solution to social, economic and political problems, Costa Rica had consistently advocated dialogue, on which a chance must be taken after paying the price of a conflict that had killed more than 100,000 people and displaced a further 1 million. Peace alone could guarantee human rights, the most flagrant violation of which was war.

(Mr. Rivera Bianchini, Costa Rica)

42. In that spirit, Costa Rica was greatly alarmed by events in El Salvador. It called on the Government to investigate with all due speed the assassination of the Jesuit priests, so that those guilty could be punished. Like the other Governments of the region, Costa Rica called on the Salvadorian Government and FMLN to continue their dialogue so that a prompt return to peace could end the serious human rights violations, in particular politically motivated summary executions, by both the armed forces and the guerrillas.

43. The brutal repression in China of a peaceful people thirsting for freedom, and the proclamation of martial law in that country and in Tibet were deeply disturbing.

44. The struggle for human rights was not over. Efforts must be made to learn and teach about those rights more effectively so that they might at last become universally respected.

45. Mr. BURCUOGLU (Turkey) said that the stability of societies depended increasingly on respect for human rights. With tensions subsiding as a result of the new international climate, the international community expected to see the United Nations play a more active role in that area of concern to all mankind.

46. His delegation acknowledged that Turkey was no more above criticism in that area than other countries. Despite the great progress it had made, Turkey was aware that gaps remained and was trying to fill them. It was equally aware of the imperfections of some of its laws and was trying to improve them. Reported violations were studied with care. As its President had recently emphasized on the occasion of his election, Turkey was working to ensure the rule of democracy, which was the best guarantee of respect for human rights. The establishment of a standing committee on human rights was on the agenda of Turkey's Parliament and respect for human rights was the subject of a lively debate in Turkey in which all political parties, the competent institutions and bodies and the press were participating.

47. His delegation drew the Committee's attention to a serious problem, namely the situation of the Turkish minority in Bulgaria. Since the end of 1984, Bulgaria had been pursuing a policy towards the 1.5 million-strong Muslim Turkish community that had recently triggered the mass exodus in two and a half months, of 300,000 people, a phenomenon without precedent in Europe since the end of the Second World War. Without wishing to harm Bulgaria or interfere in its internal affairs, Turkey wanted to find a fair and fitting solution to that serious humanitarian problem. In order to avoid any misunderstanding, as the Turkish Minister for Foreign Affairs had emphasized before the General Assembly on 3 October 1989, once the problem was settled Turkey, which had not forgotten the mutually advantageous good-neighbourly and co-operative relations which had existed until then between the two countries, would then act to normalize and develop those relations in all areas. His delegation hoped that recent changes in Bulgaria would contribute to solving that problem, namely, to the restoration of the human rights of the Turkish minority in Bulgaria.

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48. Mr. BARNEA (Israel) drew attention to the difficult living conditions of the Jewish community in Syria. Four thousand people in Damascus, Aleppo and Kamishli were the victims of daily harassment and discrimination. For several decades, they had been kept under the constant supervision of the Syrian Intelligence Services (Mukhabarat), they were not allowed to travel inside Syria or to leave it, nor to express themselves freely. The rare permits for temporary stays abroad for medical, business or family reasons required very complicated procedures and very strict financial and personal guarantees.

49. That virtual imprisonment of the Jewish community was compounded by instances of arbitrary incarceration without any legal recourse whatsoever. He cited the names of several individuals who were currently being detained in that manner, many of whom had young children with no one to care for them.

50. Violations of the basic human rights of the Jewish minority by the Syrian authorities took various forms: the near impossibility of changing their place of residence; the indication of their religion on identity cards, contrary to the practice for other Syrian citizens; the prohibition on selling property without a commitment to purchase other goods in return, which was designed to prevent Jews from liquidating everything in order to leave the country; discriminatory treatment in the case of inheritance procedures; and exclusion from government employment. Lastly, cultural discrimination undermined the teaching and practice of the Jewish religion, with the rare Jewish schools being run by Muslims.

51. In addition, far from co-operating in the prosecution of persons guilty of crimes against the Jews during the Holocaust, Syria had shielded many Nazis, including Alois Brunner, who had sent more than 130,000 Jews to their death. Brunner had been indicted by the courts of several European States and his extradition had been requested by Austria, the Federal Republic of Germany and France. Not only did Syria claim that Brunner had committed no punishable crimes, but it employed him as an adviser on security matters.

52. Action should be taken through bilateral diplomatic channels and at the multilateral level to alleviate the plight of the Jewish minority in Syria. In 1984 and 1988, international conferences held at Paris for the freedom of Syrian Jewry had brought together parliamentarians, human rights activists, writers, artists and representatives of Jewish communities from around the world. The situation had been reviewed in detail and appeals had been addressed to the Syrian Government. In 1987, the European Parliament had adopted unanimously a resolution calling upon the Syrian authorities to grant their Jewish citizens the right to leave the country freely. It should be remembered that in 1981, the General Assembly had adopted unanimously a Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (resolution 36/55). Despite all those actions, not one of the United Nations organs dealing with human rights had dared raise its voice against Syria's oppression of its Jews. In all fairness, United Nations organs had also remained silent when, in 1982, Syrian tanks had destroyed the Syrian city of Hamath, killing more than 30,000 Syrian civilians.

(Mr. Barnea, Israel)

53. His delegation urged the Committee once again to appeal to the Syrian authorities to alleviate the plight of Syrian Jews, free those currently in prison without trial, allow the reunification of families and grant exit visas to all Jews who wished to leave the country. After all, that involved only a small minority who could not jeopardize any vital Syrian interest. In the present climate of improved relations among States, a positive response from Syria would be appreciated by people of goodwill all over the world.

54. Mr. KHOSHROO (Islamic Republic of Iran) said that his country had always been ready to co-operate with United Nations bodies, including the Commission on Human Rights and the Third Committee. At the beginning of the current session of the General Assembly, his delegation had begun constructive consultations with a number of delegations in order to explain his country's position on human rights. On the basis of paragraph 125 of the interim report of the Special Representative of the Commission on Human Rights (A/44/620) and through the good offices of the Permanent Representative of Austria, a consensus draft resolution, without any prejudgements, had been tabled by the Chairman of the Committee.

55. He emphasized the importance of the Islamic revolution, which had been welcomed throughout the world as the greatest epic in mankind's fight for freedom in the present century. The revolution had marked the end of foreign domination in Iran and had therefore become the target of attacks by terrorist groups allied to the powers avid for hegemony. Those terrorist groups had killed innocent people, carried out espionage for the enemy in time of war and served as mercenaries. Basing United Nations reports on information from such sources was detrimental to the Organization's credibility.

56. In connection with the comments on drug trafficking made by the Special Representative in his report (A/44/620), Iran had embarked resolutely upon the eradication of drug abuse. It was therefore regrettable that, instead of praising the Government's efforts, the Special Representative had chosen to cast doubts on Iran's intentions by repeating baseless allegations that the executions of some drug traffickers had been political. Drug traffickers were prosecuted in accordance with due process of law in the Islamic Republic of Iran. He called upon the relevant United Nations bodies to investigate the situation as a matter of priority and to publish their findings.

57. With regard to the situation of prisoners, under an amnesty marking the tenth anniversary of the Islamic revolution and on the basis of a decree issued by the late leader of the Islamic revolution, Imam Khomeini, all prisoners except for 900 members of terrorist groups had either been freed or had their sentences reduced.

58. Regarding allegations in the Special Representative's report of legal inadequacies with respect to fundamental rights in Iran, such observations stemmed from a serious misunderstanding of the egalitarian principles of Islam on the part of the author of the report. An understanding of Islamic law was a prerequisite for an objective judgement of the human rights situation in the Islamic countries.

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(Mr. Khoshroo, Islamic Republic of Iran)

59. With regard to some of the statements made in the Committee, he was surprised that countries kept repeating accusations without waiting for the results of an independent inquiry, and advocated human rights while defending the rights of drug traffickers - merchants of death and mankind's most dangerous enemy - and preaching the virtues of human rights to others while paying only lip service themselves.

60. It was tragic that certain countries should use the issue of human rights for political ends and that special rapporteurs should be appointed and their reports reviewed on a selected basis. It was essential to respect the national legislation and judicial sovereignty of States in order to secure their co-operation.

61. Mr. ALFARO (El Salvador) informed the members of the Committee that Mr. Francisco José Guerrero, a former senior official of the Salvadorian Government and a Presidential candidate in 1984, had been assassinated that morning. He trusted that the international community would condemn that despicable act committed by the enemies of democracy.

62. Recent events in El Salvador only confirmed the determination of the Frente Farabundo Martí para la Liberación Nacional (FMLN) to impose on El Salvador, by violence and with the direct support of the Governments of Nicaragua and Cuba, totalitarian doctrines that were contrary to the country's most profound aspirations. Faced with an irreversible democratic process which had swept Mr. Alfredo Cristiani to power in free and genuine elections on 19 March 1989, FMLN had adopted a terrorist strategy which was described in detail in a document entitled "Plan fuego", which made it clear that FMLN's aim was to destroy the country's economy and to provoke the army to the point that the Government was forced to resort to repression. An all-out war was being waged by every means, including harassment, psychological pressure, murder and execution. The strategy had already resulted in the killing of 15 mayors, death threats against 155 others and against judges, and the elimination in 1989 of a number of open-minded public figures who had denounced the terrorist violence and the human rights violations perpetrated by FMLN. The guerrillas had also been responsible for bomb attacks on the homes of senior Government officials. As part of its terrorist strategy, the FMLN general staff did not hesitate to launch attacks that caused large numbers of civilian casualties. They even hid in people's homes, holding them hostage in order to obstruct action by the armed forces. In that situation, the army had no choice but to exercise its right to self defence, and to respond with the means at its disposal in order to safeguard law and order and protect citizens from the violent attacks of the rebels and their international allies.

63. It was regrettable that the attitude of FMLN had prompted similar action by other terrorist groups who were trying to undermine the dialogue. That explained the infamous assassination of members of the Society of Jesus, including Father Ignacio Ellacuria who, shortly before his death, had endorsed President Cristiani's policies, particularly his action in favour of disadvantaged groups and his determination to bring about peace by strengthening dialogue and the democratic process. The Salvadorian Government intended to conduct an exhaustive inquiry into that criminal act, with the help of friendly Governments.

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(Mr. Alfaro, El Salvador)

64. The large shipment of military equipment seized in recent days was clear evidence of the Sandinista Government's complicity in and responsibility for the violence in El Salvador. Such interference was undoubtedly motivated by the difficult situation in which the Sandinista Government found itself on the eve of elections scheduled for February 1990, in which it was predicted that Daniel Ortega would be defeated. The Sandinista Government's inability to promote democracy and dialogue in Nicaragua had been denounced repeatedly by the Nicaraguan democratic opposition, in particular by Mrs. Violeta Chamorro, who was a Presidential candidate.

65. In any case, Nicaragua's position represented a flagrant violation of the principles of international law and the commitments undertaken in accordance with the Esquipulas II agreements and the Costa del Sol and Tela Declarations. The position of the Sandinist Government also demonstrated how far that Government and FMLN were out of step with history, in view of the changes currently taking place in the socialist world and the irreversible trend towards co-operation and dialogue manifesting itself at the international level. Nicaragua's aggressive position had forced the Salvadorian Government to suspend diplomatic and trade relations with that country.

66. He reiterated his Government's firm intention to continue the dialogue with the Special Representative of the Commission on Human Rights, Mr. Pastor Ridruejo, and urged the international community to appeal to FMLN to halt its acts of violence against the Salvadorian people and call upon Nicaragua and Cuba to refrain from providing support to the terrorist forces.

67. Mrs. QUISUMBING (Philippines) said that her country was a party to 43 international human rights instruments, including those that had established the bodies designed to monitor the fulfilment by States parties of the commitments that they had undertaken. Those commitments included the obligation to submit reports and her Government, determined to meet its obligations in that regard, had established the Presidential Committee on Human Rights, which had been the precursor of the Philippine Commission on Human Rights, the national institution for promoting and protecting human rights in the Philippines.

68. The Commission's attention had focused primarily on human rights abuses under the previous régime. It had then undertaken the task of setting up machinery to enable the Government to promote and protect human rights and then launching, in co-operation with other government agencies and non-governmental organizations, an education programme aimed at making citizens fully aware of their rights.

69. In 1988, the Office of the Assistant Secretary for Human Rights and Humanitarian Affairs had been established in the Department of Foreign Affairs; the Office's primary function was to co-ordinate the preparation of the country's reports to the different human rights treaty bodies. There had been tremendous progress in the promotion and protection of human rights in the Philippines since 1986, but that progress had not been systematically reported. Her delegation wished to underscore the importance of technical assistance and advisory services

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(Mrs. Quisumbing, Philippines)

in that area. The regional seminar on that question held in Manila in co-operation with the Centre for Human Rights and UNITAR had helped improve the skills of the officials involved in the preparation of national reports.

70. In drawing up its initial report to the Human Rights Committee, the Philippine delegation had followed the Committee's guidelines. It had answered frankly and openly the questions asked by the experts of the Human Rights Committee and the Committee against Torture. The Philippine delegation had never used the difficulties encountered by its Government to justify the occurrence of isolated cases of human rights violations in the Philippines, but had focused on the efforts made to address and overcome those difficulties - the insurgency, the separatist movement, coup attempts by persons in the military and the poverty affecting more than half of the population. The Philippines was convinced that human rights could thrive only in a climate of peace and development.

71. Her country had also submitted its combined eighth and ninth periodic report to the Committee on the Elimination of Racial Discrimination at its last session. In January 1990 it would submit another periodic report to the Committee on Economic, Social and Cultural Rights. In drawing up those reports, the Philippine delegation had had to refer to other reports that it had submitted to other bodies established under international human rights instruments. It should be noted that there was considerable overlapping in the questions dealt with in those instruments. Duplication should be reduced and the detailed reporting manual which was being prepared should assist that effort. The reporting mechanism could be very useful, particularly if used in a constructive spirit. It need only be improved. In that regard, her delegation paid tribute to the independent experts for their work. The Philippine Government had published not only the text of all the reports that it had submitted, but also the summary records of the discussions and the recommendations made by the relevant bodies.

72. With regard to the composition of the committees, her delegation supported the view expressed in the report of the Secretary-General (A/44/98) that the number of female members of those committees should be increased. There was certainly no lack of qualified women to participate in their work.

73. The importance of the Centre for Human Rights could not be overestimated. The Philippines and the Centre had co-sponsored several seminars, one of which had been held the previous August in the Philippines with the participation of all branches of the Government, international organizations and three experts sent by the Centre. Her Government had agreed to host a training seminar for the Asia and Pacific region, to be held in 1990. It invited the Working Group on Enforced or Involuntary Disappearances to visit the Philippines.

74. Mr. CHRYSANTHOPOULOS (Greece), speaking in exercise of the right of reply, pointed out with regard to an earlier statement made by the representative of Yugoslavia that there was no Yugoslav minority in Greece.

75. Miss DE SILVA (Sri Lanka), speaking in exercise of the right of reply, said that in their statements under agenda item 109, the delegations of Sweden, Norway and Canada had referred to the situation in Sri Lanka. The views that they had expressed in that regard demonstrated a misinterpretation of the facts. Sri Lanka had a long democratic tradition and Sri Lankans had participated in large numbers, in spite of the difficulties and dangers involved, in the 1988 elections for the Presidential Council, then in the presidential elections, which had been held the same year, and finally in the 1989 parliamentary elections. Immediately after the parliamentary elections, the President had lifted the state of emergency, released prisoners and called upon the various factions to undertake a dialogue to resolve their differences. The President had also urged all political parties and groups to make a collective effort to restore peace in the country. Unfortunately, the acts of violence which subversive groups had continued to perpetrate had forced the Government to take measures to suppress the terrorism and to reinstitute the state of emergency. Her Government hoped that those groups would renounce violence and, by taking part in the democratic process, would help re-establish peace and harmony on the island. She hoped that that information would dispel any doubts which might remain in the minds of those who had given a distorted picture of the situation in Sri Lanka.

76. Mrs. WARZAZI (Morocco) said that paragraph 18 of draft resolution A/C.3/44/L.6, which the Committee had adopted by consensus, requested the Secretary-General to ensure that sufficient additional resources were included in the proposed regular programme budgets for the bienniums 1990-1991 and 1992-1993 to provide for the implementation of the activities of the Second Decade to Combat Racism and Racial Discrimination. She had just learned that no additional resources had been included in the proposed programme budgets drawn up. If the Committee did not react speedily, the activities planned would not be carried out owing to a lack of resources and the Committee would have engaged in a futile exercise by drawing up and then adopting the draft resolution in question. Since the Fifth Committee had to consider the financial implications of the draft resolution, it would be useful to draw its attention to that omission and request it to include in the proposed programme budgets on which it had to take a decision the resources requested in draft resolution A/C.3/44/L.6. In order to do that, the Third Committee could entrust its Chairman with the task of contacting the Chairman of the Fifth Committee to inform him of its concerns and its request.

77. The CHAIRMAN said that the proposal made by the representative of Morocco was very important and should be considered together with other questions which had programme budget implications, for example the proposal to cancel one of the three sessions of the Commission on Human Rights. Without prejudice to the mandate of the Third Committee, an effort should be made as far as possible to reach agreement. For that reason, he intended to hold consultations with the Secretariat on the question and subsequently report to the Third Committee in that regard.

The meeting rose at 1.20 p.m.