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COMMISSION ON HUMAN RIGHTS

Forty-second session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)\* / OF THE 56th MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 13 March 1986, at 3 p.m.

Chairman: Mr. CHARRY SAMPER (Colombia)

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\* / The summary record of the first part (closed) of the meeting appears as document E/CN.4/1986/SR.56.

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The public meeting was called to order at 7.15 p.m.

STATEMENT BY THE CHAIRMAN

1. The CHAIRMAN said that, in accordance with Economic and Social Council resolution 1503 (XLVIII), the Commission had considered, in closed meeting, the cases of the following countries: Albania, Gabon, Haiti, Paraguay, Philippines, Turkey and Zaire. In accordance with paragraph 8 of Council resolution 1503 (XLVIII), Commission members should not, at a public meeting, refer to the confidential decisions concerning the above-mentioned countries, or to the confidential documentation concerning them. However, it was the Commission's custom to make known the names of the countries whose cases had been considered in accordance with the procedure under resolution 1503 (XLVIII). He thus considered it appropriate to indicate that the Commission had decided to put an end to the study of the human-rights situations in Gabon, the Philippines and Turkey, which it had undertaken following the confidential procedure provided in resolution 1503 (XLVIII).

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT (agenda item 10) (continued) (E/CN.4/1986/L.7, L.76 and L.88)

Consideration of draft resolutions

Draft resolution E/CN.4/1986/L.76

2. Mr. GRIEGER (German Democratic Republic) proposed that operative paragraph 2 of the draft resolution (E/CN.4/1986/L.76) should be amended to read as follows:

"2. Decides to extend for two years, on an experimental basis, the Working Group's mandate, as laid down in Commission on Human Rights resolution 20 (XXXVI), in accordance with the recommendations of the Working Group, while maintaining its annual reporting cycle, and to reconsider the question at its forty-third session,".

3. His delegation had consulted the sponsors of the draft resolution who had not objected to its amendment. The draft resolution might thus be adopted by consensus.

4. Mr. COLLIARD (France) said that the sponsors of the draft resolution (E/CN.4/1986/L.76), of which his delegation was one, had approved the amendment proposed by the delegation of the German Democratic Republic. He thanked the delegations of that country and of Bulgaria for having helped to improve the original text of the draft and for having demonstrated their desire to achieve consensus on the draft resolution, which could thus be adopted without a vote.

5. The CHAIRMAN said that the financial implications of the draft resolution in question were to be found in document No. E/CN.4/1986/L.7.

6. Draft resolution E/CN.4/1986/L.76, as amended, was adopted without a vote.

Draft resolution E/CN.4/1986/L.88

7. Mr. SEGURA (Costa Rica) said that, after holding consultations with the delegations of India and the Union of Soviet Socialist Republics, he had made a number of revisions to the draft resolution (E/CN.4/1986/L.88). The seventh preambular paragraph would thus read:

"Noting the draft European Convention against Torture which is based on ideas similar to those contained in the draft Optional Protocol,".

The eighth preambular paragraph would be deleted. Operative paragraph 1 would be revised to read:

"Recommends that other interested regions, in which there might be a consensus regarding such ideas should consider the possibility of drafting a convention containing ideas similar to those set out in the draft Optional Protocol,".

Operative paragraph 2 would then read:

"Requests the Secretary-General to submit to the Commission on Human Rights, at its forty-fourth session, a progress report on the work relating to the drafting of such conventions".

8. His delegation hoped that the draft resolution, thus revised, might be adopted by consensus.

9. Draft resolution E/CN.4/1986/L.88, as orally revised, was adopted without a vote.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION; ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOM (agenda item 11) (continued) (E/CN.4/1986/L.6, L.69, L.82 and L.85)

#### Consideration of draft resolutions and decisions

##### Draft resolution E/CN.4/1986/L.69

10. Mr. JAYEWARDENE (Sri Lanka), introducing the draft resolution (E/CN.4/1986/L.69) on behalf of the sponsoring delegations, said that the question of regional arrangements for the promotion and encouragement of human rights and fundamental freedoms was of crucial importance. He recalled that the participants in the regional Seminar held at Colombo in June and July 1982 had stressed the need for regional arrangements appropriate to the Asian region and in harmony with the historical and cultural traditions of the peoples of the region. The conclusions of the Seminar had been supported by both the Commission and the General Assembly.

11. It was important to disseminate information concerning human rights as widely as possible, at all levels of society, and to establish educational programmes on the subject. The organs of the United Nations, and particularly the Centre for Human Rights, should support and guide such programmes. However, a regional focal point concentrating on the needs of the Asian region would be of undoubted value. His Government supported the proposal for the organization of a training seminar on the teaching of human rights. There was already in Sri Lanka an educational programme of that kind in secondary schools as part of the social studies syllabus, and teachers throughout the country had already received training in that area. Nevertheless, his Government earnestly hoped that Sri Lankan teachers would have an opportunity of widening their knowledge in that regard.

12. After consultations with various delegations, some minor revisions had been made to the draft resolution (E/CN.4/1986/L.69) and those changes, which he read out, had been incorporated in a revised text.

13. Mr. SHIQIU CHEN Shiqiu (China) said that the draft resolution (E/CN.4/1986/L.69) concerned a region to which China belonged and his Government fully supported the regional arrangements for the promotion and encouragement of human rights. His delegation, which had played an active part in the Colombo Seminar of June and July 1982, would continue to support all arrangements for the protection of human rights in the Asian and Pacific region. His Government welcomed the proposal for the establishment, within the Economic and Social Council for Asia and the Pacific, of a centre for the collection, processing and dissemination of human rights materials in the region and hoped that the centre would be set up as soon as possible.

14. The CHAIRMAN said that the financial implications of the draft resolution (E/CN.4/1986/L.69) were to be found in document E/CN.4/1986/L.6.

15. Draft resolution E/CN.4/1986/L.69, as orally revised, was adopted without a vote.

Draft resolution E/CN.4/1986/L.82

16. Mr. KLENNER (German Democratic Republic) said that he had decided not to speak on agenda item 11.

17. Introducing the draft resolution (E/CN.4/1986/L.82), he said that its purpose was to draw attention to some facts which were often overlooked. The dissemination of information on human-rights questions should not be an end in itself, and human-rights concepts should not be used as a sort of alternative programme to the preservation of peace. It was important that the human-rights standards developed by the United Nations should serve the objective of paramount importance set out in Article 1 of the Charter, namely to maintain international peace and develop friendly relations among nations based on respect for the principle of equal rights and self-determination.

18. Freedom, including freedom of information, in no way meant the right to be wayward, as was clearly apparent from the connection between articles 19 and 29 of the Universal Declaration of Human Rights and between articles 19 and 20 of the International Covenant on Civil and Political Rights.

19. It was not always easy to distinguish the true from the false, but the international community should at least declare its support for the aim to be achieved: the dissemination of truthful and balanced information on human rights, their standards and their degree of realization. In the contemporary world, however, the communications media were distributed very unequally. That was why his delegation referred, in its draft resolution to the relevant General Assembly resolutions - the most recent of them being resolution 40/164 - on the establishment of a new world information and communication order, although it was aware that the new order thus proposed was not to the liking of the States whose economic power currently enabled them to exercise power also over the opinions of others. The old order would undoubtedly be defended in the name of freedom, perhaps even in the Commission on Human Rights. Nevertheless, between the powerful and the powerless, it was sometimes freedom which oppressed and law which liberated. All the Conferences of Non-Aligned Countries held since 1979 had stressed the importance of establishing a new international information order. The dissemination of truthful and objective information had a direct bearing on the exercise of human rights in general and not just the right to freedom of opinion or information. It was thus vitally necessary to ensure the dissemination of objective information on human rights, their content, implementation and violations.

20. His delegation had had many fruitful discussions on the subject and had received wide support. It had not, however, been surprised at sometimes encountering a lack of understanding and objections to the effect that the question required fuller clarification or discussion. Consequently, it requested the Commission to defer consideration of the draft resolution (E/CN.4/1986/L.82) until its forty-third session, in the hope that the said draft resolution would then be supported by an overwhelming majority.

21. The CHAIRMAN said that, if he heard no objection, he would take it that the Commission wished to defer until its forty-third session consideration of draft resolution E/CN.4/1986/L.82.

22. It was so decided.

Draft decision E/CN.4/1986/L.85

23. Mrs. ILIC (Yugoslavia), introducing the draft decision (E/CN.4/1986/L.85), said that it was an ordinary procedural decision, the sole aim of which was to speed up the Commission's work and to ensure a more rational utilization of the time at its disposal, so that it could carry out its task more effectively. She proposed that the draft decision be adopted by consensus.

24. Draft decision E/CN.4/1986/L.85 was adopted without a vote.

The summary record of the third part of the meeting appears  
as document E/CN.4/1986/SR.56/Add.2