



SUMMARY RECORD OF THE 63rd MEETING

Chairman: Mr. MADAR (Somalia)

later: Mrs. BOCHECIAMPE de CROVATI (Venezuela)

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

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The meeting was called to order at 3.30 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/39/3 (Parts I and II), A/39/81, A/39/128, A/39/168 and Add.1 and 2, A/39/174 and Add.1, A/39/180 and Corr.1, A/39/185, 193, 407, 414, 443, 444, 445, 446, 447, 477, 496, 568, 570, 581 and Corr.1, 590, 631, 635, 636, 694; A/C.3/39/1, A/C.3/39/4, A/C.3/39/9, A/C.3/39/11; A/C.3/39/WG.1/WP.1; A/C.3/39/L.32, L.34, L.41/Rev.1, L.42/Rev.1, L.43/Rev.1, L.45, L.47, L.54, L.71, L.72, L.73, L.74, L.75, L.76, L.77, L.78, L.79, L.80, L.81 and L.82).

Draft resolutions A/C.3/39/L.32, L.34, L.41/Rev.1, L.42/Rev.1 and L.45

1. Mrs. LUANGHY (Zaire), introducing draft resolutions A/C.3/39/L.32 on assistance to refugees in Somalia, A/C.3/39/L.34 on assistance to displaced persons in Ethiopia, A/C.3/39/L.41/Rev.1 on emergency assistance to returnees and displaced persons in Chad, A/C.3/39/L.42/Rev.1 on humanitarian assistance to refugees in Djibouti and A/C.3/39.L.45 on the situation of refugees in the Sudan, on behalf of the sponsors, said that as the High Commissioner had pointed out in his report (A/39/12) the refugee problem, particularly with regard to the international protection of refugees, had assumed alarming proportions. At a time of massive population movements owing to civil strife or armed conflicts, the right of asylum and the principle of non-refoulement were increasingly being called into question. Yet asylum was a right which all States should respect.

2. The primary objective of UNHCR activities was the achievement of durable solutions through which refugees became fully self-sufficient and no longer required international support. Voluntary repatriation was undoubtedly the best solution.

3. Zaire had always welcomed many refugees on its territory and would remain true to that tradition; it intended to continue its efforts, with the assistance of UNHCR, to ease the suffering of the refugees. Conscious of the seriousness of the refugee problem in the African continent and of the additional economic burden that refugees placed on African asylum countries, Zaire was pleased that the Second International Conference on Assistance to Refugees in Africa had recognized the extent of the problem and had stressed the complementarity of aid to refugees and development assistance. Zaire subscribed to the principle recognized by the Conference that, in order to work out durable solutions, refugee assistance projects must be integrated in the development process. It was in that context that her delegation had joined with others in sponsoring all the draft resolutions on refugee problems.

4. She informed members of the Committee that the proposed amendments to draft resolution A/C.3/39/L.34, contained in document A/C.3/39/L.47, had been withdrawn. Two changes had been made in the draft resolution itself: in the fourth preambular paragraph the words "14 November" should be replaced by "12 November" and in the sixth preambular paragraph the word "voluntary" should be inserted before the word "returnees".

(Mrs. Luanghy, Zaire)

5. As the purpose of all five draft resolutions was the same, namely, to request assistance for refugees and displaced persons in Africa, she invited the Committee to adopt them simultaneously and by consensus.
6. Mrs. WARZAZI (Morocco), endorsing the request, proposed that the five draft resolutions should be adopted together by consensus.
7. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee agreed to the proposal.
8. It was so decided.
9. Draft resolutions A/C.3/39/L.32, A/C.3/39/L.34, A/C.3/39/L.41/Rev.1, A/C.3/39/L.42/Rev.1 and A/C.3/39/L.45 were adopted without a vote.
10. Mr. OSMAN (Somalia) said he was pleased that the draft resolutions introduced by the delegation of Zaire had been adopted without a vote and he thanked that delegation for what it had done to bring that about.
11. Although his delegation had withdrawn its proposed amendments (A/C.3/39/L.47), following consultations, he wished nevertheless to state briefly the circumstances which had prompted it to submit them, so that Member States would have a better understanding of the situation and position of the Somali Government on the question of assistance to displaced persons in Ethiopia.
12. The Somali Government had the greatest sympathy for people who had been displaced by war, civil strife, political oppression or natural disaster, and its readiness to aid such people was rooted in both the African and the Arab culture which made up its natural heritage. The purpose of the proposed amendments submitted by his delegation was to ensure that the provisions of draft resolution A/C.3/39/L.34 were based on veritable facts and related only to those categories of people who could be regarded as genuine refugees and voluntary returnees.
13. Everyone was aware that many areas of the Horn of Africa were currently experiencing severe drought and famine. Somalia had not been as seriously affected as some other countries in Africa, but in the area of Ethiopia contiguous to Somalia drought and political strife had intensified during the past 12 months. Some sections of the international community had been misled into believing that conditions in that area had become favourable for the return of the people who had crossed over into Somalia for safety and impoverished groups of people were being passed off as returnees.
14. Two aspects of the question called for the Committee's attention. Firstly, one must ask where the so-called returnees were coming from since far from decreasing, refugee camp numbers which were monitored both by UNHCR and by international and national organizations, had increased since August 1984 by a further 50,000 refugees from Ethiopia. Secondly, food shortages and drought had reached alarming proportions in the area of Ethiopia adjacent to Somalia's western

(Mr. Osman, Somalia)

borders and one must therefore ask why refugees would want to leave their camps in Somalia, where their basic needs were met, to return on their own initiative to famine-stricken areas where the political conditions which had caused their exodus moreover remained unchanged.

15. A draft resolution on assistance to displaced persons and victims of drought in Ethiopia had already been presented to the Second Committee. By portraying all displaced persons and victims of drought in Ethiopia as returnees and refugees, when that was not the case, draft resolution A/C.3/39/L.34 created a confusion which the amendments proposed by Somalia had been designed to avoid. One should by all means help those in need, but in so doing one should avoid using a humanitarian situation for political ends.

16. Mr. ELAEMADI (Sudan) welcomed the adoption by consensus of the draft resolutions under consideration, in particular the draft resolution on the situation of refugees in the Sudan (A/C.3/39/L.45), which he saw as proof of the solidarity of the international community in the face of that problem.

17. The refugee situation in the Sudan had grown even worse in recent months. There were currently 150,000 refugees in western Sudan, and 1,000 to 1,500 people arrived in eastern Sudan and a further 500 to 800 in western Sudan each day. Both areas were stricken with drought and desertification, as indeed the 29 November 1984 report of the Office of the United Nations Disaster Relief Co-ordinator indicated. He therefore called on all friendly States, UNHCR, the specialized agencies and humanitarian organizations to increase their assistance to his country by providing it, inter alia, with foodstuffs, medicines and means of transport.

18. Mr. HAGGAR (Chad) expressed the gratitude of the people and Government of Chad for the adoption by consensus of draft resolution A/C.3/39/L.41/Rev.1 on emergency assistance to returnees and displaced persons in Chad. As a result of war and natural disasters, his country faced a disastrous situation which directly affected three categories of people: firstly, voluntary returnees, who numbered over 160,000; secondly, displaced persons, in other words the some 100,000 people who had fled the southern part of the country and were mainly women, old people, children and even maimed persons; thirdly, persons displaced by drought, whose numbers were difficult to determine because there was widespread famine in Chad. It could however be estimated that over half of Chad's population (i.e. nearly 3 million people) were suffering from famine. Over 300,000 people had already left their homes in search of water and food. The situation of those different categories of people showed the extent of the problems facing Chad. In addition to the civil war, which had been raging for 17 years and had destroyed virtually all of the country's socio-economic structures and thrown its administration into disarray, Chad had fallen victim to natural disasters, in particular the drought which had lasted for over 10 years now, with grave repercussions for agriculture and livestock production which were the cornerstones of the Chadian economy. The 400,000 ton grain deficit had created an alarming food situation not only in the Sahelian area but also in the Sudanese area which was generally regarded as the

(Mr. Haggar, Chad)

country's granary. His Government therefore attached great importance to draft resolution L.45, which would make the international community more aware of the threat which hung over countless human lives in that part of the world.

19. In conclusion, his delegation launched an urgent appeal to all countries and to governmental and non-governmental organizations to provide emergency humanitarian assistance to disaster victims in Chad.

20. Mr. SEIFU (Ethiopia) welcomed the adoption by consensus of draft resolution A/C.3/39/L.34 on assistance to displaced persons in Ethiopia. His Government believed that voluntary repatriation offered the best solution to the refugee problem and was prepared to co-operate fully with UNHCR and all host countries with a view to speeding up that process. It hoped that the other countries concerned would show the same willingness so that the situation could be improved.

21. He assured the Somali delegation that draft resolution L.34 was based on facts which were reproduced, inter alia, in the report of the Secretary-General on assistance to displaced persons in Ethiopia (A/39/446) and the report of UNHCR (A/39/12). He also reminded him that, on 8 November 1984, UNHCR had launched an appeal for additional assistance to refugees and returnees in Africa, including the 160,000 genuine returnees in Ethiopia.

22. Mrs. DOWNING (Secretary of the Committee) recalled that the following countries had sponsored draft resolution A/C.3/39/L.32: Guatemala, Guinea, Guyana, Japan, Lebanon, Nigeria, Samoa, Suriname, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia and Yemen, and announced that Colombia, Egypt, Niger, Senegal and Turkey had also become sponsors. Benin, China, Iran, Japan and Suriname had become sponsors of draft resolution A/C.3/39/L.34, as had Austria, Egypt, Hungary, Senegal, Sri Lanka and Yemen. Finally, Mauritius had become a sponsor of draft resolution A/C.3/39/L.45.

23. Mrs. Boccheciampe de Crovati (Venezuela) took the Chair.

24. Mr. VRAALSEN (Norway) expressed satisfaction that the draft Convention against Torture, a practice which Norway considered to be a particularly abhorrent violation of human rights, had been adopted by consensus.

25. In its statement on behalf of the Nordic countries concerning the draft convention on the rights of the child, his delegation had stressed that broad international involvement in the drafting process was necessary not only for a draft convention to obtain support in the General Assembly but also to make it become a useful and respected instrument.

26. Such involvement had been secured for the preparation of the draft convention on the rights of migrant workers and their families. The Working Group concerned had ended its first reading of the draft, but his delegation was of the view that much work still remained for the second reading.

(Mr. Vraalsen, Norway)

27. Norway had also contributed actively to the deliberations of the Working Group on Indigenous Populations, whose work could only move ahead if new initiatives were taken. The question of land rights seemed to be very controversial but, given its particular importance for indigenous peoples, should not be set aside.

28. His delegation particularly welcomed the efforts made by the Commission on Human Rights with respect to summary or arbitrary executions, disappearances and torture because those were particularly serious violations which jeopardized the fundamental right to life. In 1980 the Commission had established a Working Group on Enforced or Involuntary Disappearances which had performed very well and whose strictly humanitarian mandate (its task was to inform families of the fate of their relatives) should be extended. It should also be asked to give advice on the means of preventing such disappearances. His delegation noted with great satisfaction the strong support given to the Working Group by the Argentine Government. The mandate of the Special Rapporteur on summary or arbitrary executions should also be extended because that was a very serious problem, even in countries that were parties to the International Covenant on Civil and Political Rights. The Commission should also discuss further steps to be taken to ensure that no individual was arbitrarily deprived of life.

29. The consideration of the situation of human rights in some countries had always led to controversy, one of the arguments being that the selection of countries was not even-handed and that there had been systematic and massive violations of human rights in some countries which had not been mentioned in United Nations resolutions, a matter which could not but be deplored. However, his delegation rejected the practice of invoking that pretext to avoid dealing with the situation in any country. Violations of human rights, wherever they occurred, should be of concern to the international community. At the same time, efforts should continue to be made to improve the procedures of the United Nations for consideration of the situation of human rights in the various countries. It was also important to adhere strictly to the norms generally accepted by the international community and, in particular, to those provisions of conventions and agreements which the Government in question was a party. Extraneous political considerations must be avoided.

30. His delegation was deeply concerned with the situation in South Africa and Namibia where the denial of human rights continued to be widespread and where cases of the death sentence, torture, ill-treatment and the death of detainees under suspicious circumstances had increased notwithstanding the efforts made by the international community.

31. It also noted with concern that after a period of improvement, the situation in Chile had again deteriorated recently with a state of seige being declared and the climate of violence mounting. The situation of human rights there was patently unacceptable and if the internal political and social conflict of that country was not resolved, it would become worse.

(Mr. Vraalsen, Norway)

32. A violent internal conflict was raging in El Salvador. The parties to the conflict had taken certain measures to humanize it to some extent and, in that connection, one could not but appreciate the co-operation of the International Red Cross. Nevertheless, Norway was greatly disturbed at the loss of life and believed that the Salvadorian authorities must take urgent measures to improve the judicial system which was responsible for investigating human rights violations. It was nevertheless encouraging to note that the dialogue which the General Assembly had repeatedly called for between the Salvadorian Government and the opposition forces had begun. That dialogue must be regarded as part of the internal political process aimed at creating just economic and political conditions leading to the establishment of a democratic system.

33. The situation in Guatemala in which violence and disappearances continued was still very serious. One of the fundamental causes seemed to be restriction of fundamental economic, social and cultural rights of the majority of the population. His delegation noted that the World Council of Indigenous Peoples at the General Conference held in Panama in September 1984 had regarded the situation in Guatemala as being particularly serious for the indigenous population. The Government should ensure that all its organs, including the security forces, fully respected human rights, and it should undertake far-reaching social reforms and re-establish a democratically-elected government. That change should be undertaken by an internal democratic process.

34. The Soviet military occupation of Afghanistan was a tragic violation of the right to self-determination. The mass exodus of refugees showed clearly the extent of human rights violations in that country where arbitrary executions and torture were common practice and the most basic economic and social rights were being denied. Norway welcomed the appointment by the Economic and Social Council of a Special Rapporteur on the human rights situation in Afghanistan. It was regrettable that the Afghan Government had decided not to co-operate with the Rapporteur and one could only hope that it would reconsider its decision.

35. The Commission on Human Rights had appointed a Special Rapporteur on the situation of human rights in Iran where, according to information received, summary or arbitrary executions, cases of torture and religious intolerance, including the persecution of the Baha'is and other religious minorities, had multiplied. Norway urged the Iranian authorities to co-operate with the Special Rapporteur so that the allegations of human rights violations in that country could be cleared up.

36. His delegation believed that the appointment of Special Rapporteurs was very useful and that the Centre for Human Rights should assist them in their work. In addition, it was necessary to broaden the mandate of the United Nations Secretariat so that it could deal more efficiently and rapidly with allegations of violations of human rights. The best way would be to establish a post of High Commissioner for Human Rights, an idea which had been under study since 1967 and which Norway had always supported. The Sub-Commission on Prevention of Discrimination and Protection of Minorities had already discussed the proposal in detail. Norway hoped that the Commission on Human Rights would be able to formulate the necessary recommendation at its next session.

(Mr. Vraalsen, Norway)

37. Consideration should also be given to extending the advisory services by the Secretariat to countries on request. The possibility of special funding for the promotion of human rights should also be studied, using as a model the United Nations Voluntary Fund for Victims of Torture, which Norway had strongly supported since its establishment in 1981. Strong doubts had been expressed at the time because it was feared that the Fund might be used for political purposes. That had not been the case and every effort must be made to avert that danger. Norway, which was one of the major contributors, appealed to all Governments to contribute to the Fund.

38. Mr. Madar (Somalia) resumed the Chair.

39. Mr. HAWKES (Canada) reaffirmed the commitment of the Canadian people and Government to the protection of human rights. In Canada, the individual was free to criticize the Government, which was responsible for ensuring respect not only of the rights of the majority, but also of those of minorities. Indeed, it was clear that today, the most flagrant violations of the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights occurred in States which had totalitarian régimes. On the other hand, systems which encouraged individuals to dissent freely from the views of governments were the best defenders of the rights embodied in the Charter. The General Assembly itself, in which each State, regardless of position, had one vote and had the right to dissent, had provided, for more than 39 years, a concrete example of the wisdom of that system.

40. Canada supported United Nations activities aimed at the elaboration of standards for the protection of human rights, notably work on a convention on the rights of the child, a declaration on the rights of minorities, and a draft declaration on the right and responsibility of individuals, groups and organs to promote and protect human rights.

41. The implementation of those standards could be approached in two ways: the first consisted in examining the various types of violations, while the second dealt with the consideration of the situation of human rights in specific countries.

42. The first approach was thematic and had shown significant development in the past year, as evidenced by the recent debate in the United Nations on totalitarian ideologies which his delegation would continue to follow with great interest. Moreover, the Organization had manifested its concern at the marked increase of states of siege and their extension for prolonged periods as well as the suspension, often by fiat, of civil and political liberties, and the Canadian Government looked forward to the report on that issue which had been requested by the Commission on Human Rights. His Government also supported the renewal of the mandate of the Working Group on Enforced or Involuntary Disappearances, and welcomed the work of the Special Rapporteur on Summary or Arbitrary Executions. Finally, the Commission on Human Rights had recently begun consideration of the problem of citizens imprisoned for having opinions differing from those of their Government. That was an area in which the international community could develop effective mechanisms which would reduce the number of violations of the right to freedom of expression and opinion.

(Mr. Hawkes, Canada)

43. Many States committed gross and systematic violations of human rights. It was the responsibility of the United Nations, in co-operation with those States, to seek to improve the situation. The condemnation of a State could lead to its isolation and its refusal to co-operate with the United Nations and was not conducive to eliciting the desired improvements.

44. In their reports, the special rapporteurs and the Special Representative of the Secretary-General once more considered human rights violations in Chile, El Salvador and Guatemala. Last year, Canada had expressed concern that those reports dealt exclusively with three countries from the same region. It was gratified that the reports submitted in 1984 covered a wider range of countries. Thus, at its forty-first session, the Commission on Human Rights would consider for the first time reports on the situation in Iran and Afghanistan and would also take action on the report on the situation in Poland, which had been reviewed at the last session. His delegation urged the Governments of the countries concerned to co-operate fully with the representatives of the Secretary-General who had been appointed to prepare those reports.

45. With regard to the report on the situation of human rights in El Salvador (A/39/636), his Government was pleased to note that the Special Representative believed the Government of El Salvador to be sincerely concerned about improving the human rights situation in that country. It was essential that the Salvadorian Government should fulfil its stated commitments to investigate the abuses mentioned in the report, to reform its judicial system and to continue to pursue social and economic reform. However, there was still a gap between the intentions of the Government and its ability to achieve results, although that gap had narrowed in recent months. The number of violent deaths associated with human rights violations remained alarmingly high. His Government therefore welcomed the dialogue initiated between the Government of El Salvador and the guerrillas.

46. The report on the situation of human rights in Guatemala (A/39/635) inevitably led to the conclusion that the violations of human rights continued to be serious, particularly for the indigenous populations. His delegation was pleased that the Guatemalan Government had granted an absolute pardon to all persons convicted by the abolished special tribunals. It was also pleased that Guatemala had provided the Special Rapporteur with a list clarifying the fate of many who had been tried by the tribunals, and it urged the Guatemalan Government to publish that list. However, the fate of others who had disappeared or who had been illegally held by the police was still unknown. His Government therefore welcomed the consultations between the Government of Guatemala and the Grupo de Apoyo Mutuo, which represented the families of disappeared persons. Nevertheless, the role of the security forces in those disappearances was profoundly disturbing and was a most serious violation of the responsibility of Member States of the United Nations to protect human rights. Of equal concern was the marked increase in urban violence in Guatemala, and it was of paramount importance that Guatemala should constitute an independent and effective judiciary, without which the proposed new constitution would remain a hollow document.

(Mr. Hawkes, Canada)

47. His delegation strongly deplored the fact that the Chilean Government had refused to co-operate with the Special Rapporteur in producing his report on the protection of human rights in Chile (A/39/631). The new state of siege which had recently been decreed and during which civil liberties had been suspended and large numbers of individuals had been arrested, showed that the situation in that country had not improved. His Government urged the Government of Chile to take all steps possible to revoke the state of siege at the earliest date and to permit the peaceful return to democracy.

48. His delegation believed that a wider ratification by States of existing human rights instruments should be encouraged, particularly the International Covenants on Human Rights. Moreover, procedures for the implementation of those instruments should be strengthened. Recourse through national and international procedures was essential for the protection of those rights. Finally, a balance should be struck between consideration of human rights situations in specific countries and the study of types of human rights violations and the development of remedial mechanisms.

49. Miss NGUYEN THI KIM XUAN (Viet Nam) recalled that, 40 years ago, the forces of peace and democracy had finally been victorious in their struggle against fascism and nazism, but only after those ideologies had caused the loss of millions of lives. With that terrible experience in mind, the international community should be vigilant in the face of the resurgence of activities of Fascist and racist organizations and the militaristic policies of the imperialist forces which were driving mankind to the brink of nuclear catastrophe. Those ideologies were a threat both to human rights and fundamental liberties and to international peace and security. Their most dangerous manifestations were seen in South Africa, which the racist régime was transforming into a gigantic concentration camp and whose policy of aggression threatened the independence of neighbouring countries. They were also manifest in Israel, where the Zionist régime was carrying out a policy of State terrorism against the Arab countries and the Palestinian people.

50. Moreover, there had been a resurgence of Fascist ideologies in various Western countries. In the United States, the Ku Klux Klan and the Nazi Party carried out acts of violence against Blacks, with impunity. In Europe, neo-Fascist and Fascist organizations and groups preached hatred, war and revanchism, and attacked political figures who were fighting for social progress, justice and democracy. In certain Latin American countries, military régimes continued to violate human rights. That rise of fascism was being nurtured by mass unemployment, inflation and the widening gap between rich and poor. The great-Power arrogance and chauvinism of those who arrogated to themselves the right to give lessons to other countries and who sought to sow chaos among their neighbours, should also be condemned.

51. In face of the danger posed by Fascist practices and ideologies, the international community had reacted. Even before the end of the Second World War, the Allies had pledged in a number of agreements to bring Nazi criminals to justice and to eliminate all traces of their ideology. The General Assembly had

(Miss Nguyen Thi Kim Xuan, Viet Nam)

subsequently taken a similar position in many resolutions. However, contrary to the expectation of progressive forces, many war criminals were still at large and were being protected by certain forces. Mr. Botha, Prime Minister of a régime guilty of a grave crime against humanity, had been warmly welcomed in Western Europe the past summer. The fortieth anniversary of the victory over fascism and the founding of the United Nations should serve as an opportunity for mobilizing international efforts in the struggle against nazism, fascism and neo-fascism, which threatened the right to life of all peoples.

52. His delegation supported the struggle of the peoples of Chile, El Salvador and Guatemala for respect for their fundamental rights and freedoms. Those who claimed to be the champions of human rights were the very ones who encouraged violations of human rights in the world, who voiced support for the rights of individuals but showed no concern for the rights of communities and nations fighting against dictatorial racist and militaristic régimes; they were the same persons who opposed the right to development and to the establishment of a new international economic order and who pretended to ignore the fact that before individuals could enjoy their rights they must live in material and spiritual conditions of equality and justice and that freedoms and rights were accompanied by duties and responsibilities towards society.

53. Mr. MONTAÑO (Mexico) said that the Mexican Constitution, promulgated in 1917 and still in force, had already recognized the indivisibility of human rights, which meant that social, economic and cultural rights must be placed on an equal footing with civil and political rights. With such a tradition as its heritage, it was therefore natural that Mexico had undertaken to comply with the Universal Declaration and the International Covenants on Human Rights and was prepared to support the efforts of the international community to adopt new legal instruments along similar lines. In that connection, he welcomed the fact that the Third Committee had adopted the draft Convention against Torture and draft resolution A/C.3/39/L.56 on the rights of migrant workers.

54. With regard to the human-rights situation in Guatemala, he pointed out that the section of the report (A/39/635) by the Special Rapporteur, Viscount Colville of Culross, dealing with the situation of Guatemalan refugees in Mexico contained certain inaccuracies which could probably be ascribed to the fact that the Special Rapporteur had had insufficient time to carry out investigations in countries adjoining Guatemala. His delegation considered that the presence of the Office of the High Commissioner for Refugees in Mexico and its activities there, as well as the efforts of the Mexican Commission on Aid to Refugees, fully guaranteed respect for the rights of refugees.

55. The international community had already witnessed cases of regression in the historical evolution towards democracy and development. The example of Chile, where a long democratic tradition had been interrupted for the past 11 years, was a particularly sad one. With the reimposition of the state of siege, repression against the press, trade-union organizations and opposition groups had sharply increased, and the situation could worsen at any moment. At a time when the

(Mr. Montaño, Mexico)

democratic spirit was growing stronger in Latin America, Chile's evolution in the opposite direction was particularly distressing. World public opinion, fully informed of those developments, recognized how serious the situation was and saw the need for the international community to condemn it unequivocally. It was in that spirit that draft resolution A/C.3/39/L.79 had been prepared and submitted. His delegation, as one of the sponsors, appealed to all delegations to support the draft.

56. His delegation believed that the international community could contribute to a normalization of the situation in Central America by encouraging a political rapprochement in El Salvador. In order for the Salvadorian people to be able to exercise their civil and political rights and freely choose their economic and social system, it was imperative, in the view of the four countries that were members of the Contadora Group, to avoid all foreign interference in and, in particular, any type of military assistance to, the countries of the region; it was also essential to put an end to the campaigns of intimidation and terrorism which thus far had impeded democratic progress in El Salvador and the free interplay of all political forces. The dialogue recently opened between the Government of President Duarte and the opposition forces should contribute to that process of democratization and should result in a negotiated political settlement and the restoration of human rights. Although the situation still was worrisome in many respects, the evident will of the Salvadorian Government to guarantee full respect for human rights encouraged hopes for an improvement.

57. Mexico, which always favoured the path of dialogue and negotiation, was pleased that several Latin American delegations were actively interested in the human-rights issues on the Committee's agenda and interpreted that interest as a desire to take a unified approach to problems directly affecting Latin America. The desire for conciliation had been evident, and it had been possible, without abandoning the principles of self-determination and non-interference so dear to all Latin Americans, to progress towards a common position. It was necessary to continue in that direction.

58. Draft resolution A/C.3/39/L.43/Rev.2, while still based to a great extent on the report of the Special Representative on the human-rights situation in El Salvador, was the result of lengthy negotiations with the delegations of Venezuela and Costa Rica, which had suggested many useful amendments to the original text. The adoption of that coherent and balanced draft should contribute to the restoration and protection of human rights in El Salvador.

59. Mr. DRAZ (Chile) said that over the last 10 years or more the debate on human rights had been transformed into a diatribe against his country and that, parallel to the debate, a genuine political manoeuvre was being contributed with the preparation of a draft resolution which did not take the facts into account and for which some would vote with harmful intent, others out of ignorance and yet others out of hypocrisy. Such a resolution was useless from the outset and undermined the respectability of the Organization.

(Mr. Daza, Chile)

60. The idea that the individual had rights, which were defined in such instruments as the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights and Economic and Social Council resolution 1503 (XLIII), introduced an ethical dimension in international relations and conferred upon the United Nations international competence in the field of human rights. For sovereign States that competence represented an exception to the principle of non-intervention, which was the vital pillar in the structure of the international community. By virtue of the provisions of the aforementioned instruments, the United Nations and, consequently, the Third Committee, had the obligation to concern themselves with all human-rights violations wherever they occurred. Furthermore, the sovereign equality of all States prohibited selectivity and made it morally inadmissible for a majority of States to set themselves up as judges of other sovereign States. That was why the manner in which the Third Committee traditionally dealt with the item under consideration and the irresponsibility of certain representatives shocked everyone who viewed the situation objectively and independently. Indeed, it was as if there were no human-rights problems on earth except in three small Latin American States with a total of 22 million inhabitants and as if the remaining 4.3 billion of the earth's inhabitants lived in a happy world free from those evils. It was as if summary executions imposed by religious fanatics had ceased, as if no refugees had fled to sea, as if no iron curtain confined entire populations, and as if there were no psychiatric hospitals where persons such as Olesky Tykhy, founder of a group established to monitor the implementation of the Helsinki Agreements, had died. One need only read the press to confirm that, far from having disappeared, such horrors were on the contrary a sad reality. However, complete silence regarding those horrors reigned in the Third Committee. The political objectives of the socialist countries and the fact that certain Western European countries were concerned mainly with protecting their own interests, prevented the Committee from discharging its obligation to promote human rights and fundamental freedoms throughout the world.

61. Chile had repeatedly shown its willingness to co-operate with the United Nations in the field of human rights, inter alia by accepting the implementation procedures in respect of the Covenants and of the International Convention on the Elimination of All Forms of Racial Discrimination, and had extended the same co-operation to the International Labour Organisation, UNESCO, and, at the regional level, the Organization of American States. On the other hand, it categorically rejected the United Nations attempt to interfere in matters appertaining exclusively to Chile's sovereignty, as it did year after year by adopting an illegal resolution condemning Chile.

62. The behaviour of countries which denied the competence of the Commission on Human Rights and the United Nations to consider situations within their own borders or in countries with which they had political links but supported the Organization's action in the case of Chile was cynical. So far as the 13 countries sponsoring the draft resolution were concerned, eight of them - Algeria, Cuba, France, Greece, Italy, Mexico, Spain and Yugoslavia - were expressly mentioned in the latest report of Amnesty International as being countries in which serious

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human-rights violations were committed. Two others, Denmark and the Netherlands, had been accused in the United States Senate of permitting substantial trade in child pornographic material and child prostitution. According to an organization active in the protection of children, in Amsterdam children were sold for immoral purposes, the traffic amounting to \$5 billion. Chile's accusers also included, strange to say, the countries of the Socialist bloc, which dared to mention the word "democracy" when it was in those countries that dissent constituted treason and where the use of psychiatric hospitals or imprisonment for the offence of holding unauthorized opinions was an everyday occurrence. Was it not absurd that the delegation of the country which had built the Berlin wall should feel itself qualified to support a resolution which referred to alleged limitations upon the right of Chileans wishing to travel abroad? As for the Soviet Union, by accusing Chile of being Fascist it made itself guilty of out-and-out hypocrisy. Chile had always condemned fascism, while the Soviet Union had concluded a non-aggression pact with Nazi Germany in August 1939 for the purpose of annihilating Poland. The fact that Molotov had visited Berlin in November 1940 and had been received by, among others, Hitler, von Ribbentrop, Himmler and Goering spoke volumes about Moscow's relationship with fascism. Neither fanaticism nor fine speeches could change history.

63. Having dedicated the greater part of his professional life to the cause of Latin American integration, he regretted having to mention Latin American countries in the present context, but the fact that some of those countries were sponsoring the draft resolution forced him to do so. Among them was Cuba, which had set up Latin America's most totalitarian dictatorship, had built the Boniato prison, where political prisoners suffered and died, and had experienced the exodus of thousands of its nationals, and Mexico, whose democratic régime was a mere fiction. Those familiar with the Mexican reality knew that an oligarchy had held power in Mexico for several decades past thanks to the single-party structure which designated the President of the Republic in almost hereditary style and controlled the whole life of the country, including the bogus trade unions. If Mexico was really concerned with human rights, should it not make a start by replying to the national committee for the defence of prisoners, the persecuted and persons who had disappeared, which demanded information on 500 persons who had disappeared in Mexico, and should it not worry about the situation of children in the country's rural areas, 75 per cent of whom were undernourished?

64. The sponsors of the draft resolution also included Spain. The regret which Chile felt in that connection was all the deeper since it had believed the links between the two countries to be beyond time or contingencies. Clearly, however, for the present Spanish socialist Government those links, forged by the feeling of having common roots, had had to yield to cold reasoning. He would suggest to the Spanish Government that a little modesty was called for, not only because Spain was just starting upon the path of democracy while Chile had adopted a democratic system as far back as 1830, but also because, judging by recent press reports and the latest annual report of Amnesty International, serious violations of human rights were being committed in Spain, torture was practised there and persons detained under the anti-terrorism laws were subjected to ill-treatment. As the

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magazine Cambio 16 put it, the socialists, always so ready to denounce abuses, seemed to have become insensitive with their rise to government. By setting itself up as a judge of other countries and forgetting its own faults, the Spanish socialist Government was obviously pursuing political ends.

65. It might be asked why countries of Western Europe which were acquainted with Chilean reality and were aware of the Chilean people's attachment to democracy - a democracy which, unfortunately, had been destroyed between 1970 and 1973 - and to a pluralistic society persisted in concentrating their attention on Chile while remaining silent about dozens of other countries which had never even contemplated the idea of a free society. The answer was simple: it was because there was no loss of political dividends in attacking Chile. In other words, in matters of national interest good intentions were temporarily laid aside and the human-rights crusaders observed a cynical silence. He took no pleasure in making those remarks and made them only in order to demonstrate that in the United Nations there was no real concern for human rights but only an exploitation of that generous cause for political purposes.

66. Various representatives had referred to recent events in Chile. Without going into details which concerned no country but his own, he would point out that the commitment of Chilean society to the consolidation of the democratic process was confronted with a campaign of violence unleashed by forces which constituted what was known as the "terrorist multinational", and that the emergency measures which the Chilean Government had been obliged to take were designed solely to overcome the difficulties which that violence entailed. A leading government figure of a great Western democracy had recently said: "What my Government cannot accept is violence, intimidation and deliberate violation of the law".

67. The object of including so many accusations in his statement had been to show that selectivity was pointless and the methods employed against his country unworthy. If all countries adopted the biblical concept that he who was innocent should cast the first stone, none would be able to support the draft resolution on Chile. In conclusion, he said that, the debate on human rights which took place in the Third Committee year after year confirmed his delegation's view that there was a need to create a United Nations High Commissioner for Human Rights whose functions would be universal and apolitical and who would act with complete independence. It was regrettable, therefore, that the Committee had rejected the initiative to that effect, which Chile fully supported. As for the resolution which was adopted each year, in violation of the instruments governing the Organization, and which threw to the winds the principles of equity, good faith and mutual consideration in relations between States, Chile rejected it categorically.

The meeting rose at 6.50 p.m.