



SUMMARY RECORD OF THE 51st MEETING

Chairman: Mr. HAMER (Netherlands)

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The meeting was called to order at 3.05 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/41/3, 180, 183, 189, 213, 274 and Add.1, 315, 317 and Add.1, 326, 337, 343, 354, 398, 461 and Corr.1, 462, 494, 507, 523, 607, 667, 710, 719, 729, 771, 778 and 787; A/C.3/41/1, 3, 6, 10, 11; A/C.3/41/L.1, L.6, L.18, L.33, L.49, L.57)

1. Miss BYRNE (United States of America) said that despite the heartening signs of improvement in the observance of human rights, in many countries, millions of persons were still denied basic human rights. The report by the Special Rapporteur on human rights in Afghanistan (E/CN.4/1986/24) was a grim document on the most acute case of violations of human rights today and deserved a large readership. Moscow had sent some 120,000 troops to crush a non-aligned, Muslim State and to impose a brutal ideology on that country. The Soviet Union and the so-called Democratic Republic of Afghanistan constantly recited the international human-rights instruments that they had ratified and spoke of the "progressive" nature of their systems. There was no respect for human rights in Afghanistan and her delegation urged all who had expressed revulsion over the Soviet occupation of Afghanistan to condemn the human-rights situation there.

2. She said that the international community's concern about human rights in Iran was justified and she urged the United Nations to continue to express that concern. On the other hand, the human-rights situation in El Salvador had steadily improved despite a long campaign of terror by guerrillas armed by Nicaragua and Cuba under orders from Moscow. El Salvador was the only country with a democratic government that was the subject of a report of the Commission on Human Rights to the General Assembly. Her delegation hoped that that situation would end and that the Commission would ask the Special Rapporteur to assist with technical services to improve El Salvador's still inadequate system of administration of justice.

3. The Government of Chile had taken some significant steps to improve the observance of human rights in that country and had provided the Special Rapporteur with all the co-operation it had promised. Another welcome step was the Government's decision to promulgate an electoral-registry law and its announcement that political parties would be legalized in 1987. However, the continuing severe restrictions on individual liberties prevented progress towards the democratic system desired by the majority of Chileans. Her delegation deplored the attempted murder of the President of Chile. That attempt had been carried out by terrorists opposed to peaceful and democratic change and armed by outside Powers. The international press had reported that the weapons used by the terrorists in Chile had been supplied by Cuba. The United States called on Cuba and its foreign masters to cease their intervention in Chile's affairs and to allow the Chilean people to return to democracy, in keeping with Chile's long traditions.

4. In South Africa, apartheid was a vicious system that must be replaced by a multiracial, democratic Government, and the United States wanted to help to end that system in a way that would not increase the suffering of the people of southern Africa. Divestment was not the solution, as could be seen from the turmoil among workers in South Africa at the announcement that General Motors was divesting.

(Miss Byrne, United States)

5. In the "man-made disaster" that was Ethiopia, millions had suffered as a result of the terror and famine caused by the Government's policies that used starvation as a weapon while attacking the West for "not providing enough".
6. Bulgaria presented a terrible human-rights picture. That country continued its relentless persecution of the one-million-strong Turkish-Muslim minority. To justify its actions, Bulgaria had produced bizarre historical and racial theories in the best Nazi tradition. Talks between Turkey and Bulgaria had broken down owing to Bulgaria's refusal to negotiate seriously. Her delegation called on Bulgaria to cease its brutal efforts to crush the language, traditions and religion of its Turkish minority and to allow all those Turks who wished to do so to leave Bulgaria.
7. Viet Nam continued its deliberate destruction of the Khmer people and its troops had murdered thousands and had pushed others into exile. Hanoi had sent over 500,000 Vietnamese into Kampuchea to turn that country into a colony. The examination of human rights in Kampuchea was long overdue.
8. In Nicaragua, there was an agenda for repression that duplicated those previously used in other Soviet satellites: the deprivation of basic civil and political rights; steady militarization and regimentation of society; persecution of ethnic minorities and religious groups; and a faltering economy in which only the ruling elite did well. Her delegation called upon the Sandinistas to honour their promises of free elections and respect for human rights and to stop efforts at subversion in the region.
9. One could not discuss human-rights violations without mention of the Soviet Union. No other country had for so long and in so massive a way violated the rights of so many people at home and abroad. The entire system was based on the premise that only a small elite composed of senior party members, secret police, intelligence officers and military personnel had the right to govern. The Soviet system had destroyed the lives of tens of millions of people, Soviet and foreign. In addition, it was one of the most anti-Semitic systems on earth and its massive propaganda apparatus produced a steady stream of anti-Semitic propaganda masquerading as "mere" anti-zionism.
10. From the description given by the Soviet representative, one would think that the USSR was a "magical Kingdom" and that the United States was hell on earth. Yet there were millions of people around the world whose only dream was to come to the United States; there were millions of people in the Soviet Union whose only dream was to leave.
11. The year 1986 marked the thirtieth anniversary of the Hungarian uprising. In the years since Soviet tanks had rolled into Budapest to smash that revolt, the Berlin Wall had been built, Soviet tanks had pushed into Prague and Kabul, and Cuba had come under total Soviet control. In addition, the Soviet Union's Vietnamese satellite was waging a war against Kampuchea, Nicaragua had come under Soviet domination, and a barbarous system of minefields and border guards had been perfected to prevent the people of the Soviet bloc from fleeing.

(Miss Byrne, United States)

12. The United Nations must do all it could to promote human rights. The denial of basic human rights must be denounced and prevented wherever it occurred.

13. Mr. TELLMANN (Norway) said that, despite the commitment and co-operation of many States, the protection of human rights remained a distant goal in many countries. It was regrettable that human-rights activities accounted for only 0.7 per cent of the total United Nations budget, and even that limited allocation had been affected by the recent austerity measures. For instance, the work of the Commission on Human Rights had been hampered by the cancellation of the 1986 session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

14. It was essential to increase the resources allocated to human rights, if necessary by redeploying funds from other programme areas. An effort should be made to establish clearer priorities in order to improve the efficiency of United Nations human-rights bodies. It was important to ensure that the committees charged with monitoring the implementation of international human-rights instruments were given the facilities they needed to function properly.

15. The examination by special rapporteurs and working groups of human-rights violations in specific countries and of practices such as torture, disappearances and summary executions had been instrumental in protecting individual rights and should be given a high priority. The procedure for dealing with individual complaints and communications should be further developed.

16. The programme of advisory services, which provided practical assistance to national human-rights institutions, should be expanded, and alternative sources of funds sought.

17. The comments made by non-governmental organizations about United Nations human-rights activities, including the report of the recent seminar in Geneva, deserved particular attention.

18. The rights of the individual to life and integrity of person was among the most fundamental human rights, although it had often been infringed on the grounds of national security, integrity or sovereignty. His delegation believed that no circumstances could justify disregard of such basic rights, and called upon all Governments involved in conflicts to respect them.

19. His delegation was also concerned about the vulnerability of indigenous populations and tribal peoples in various parts of the world. Governmental transmigration, land-reform and enforced-relocation programmes had led to killings, torture and disappearances. The basic human rights of indigenous and tribal peoples must be respected, and a dialogue must be established between them and their Governments. His delegation welcomed the progress towards an internationally recognized statement of the rights of indigenous populations made by the Working Group of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

20. Mr. LEBAKIN (Ukrainian Soviet Socialist Republic) said that the concept of the right of peoples had taken on great political significance in recent years, owing to the collapse of the colonial system and the creation of many new States struggling for political and economic independence. However, those forces which wished to continue their neo-colonialist exploitation of those countries continued to infringe their rights, resorting even to genocide in the case of the Palestinian people. The concept of the right of peoples was a valuable protection in the campaign against the neo-colonialist usurpers. It was no coincidence that the 1981 African Charter of Human and Peoples' Rights, which had just come into force, had originated in Africa.

21. Many international instruments adopted earlier also contained references to the rights of peoples and had stressed that every people should have the opportunity to develop in its own way, without pressure from other countries.

22. Some States opposed any efforts within the United Nations to develop the concept of the rights of peoples, and attempted to differentiate between the rights of peoples and human rights. However, no individual could be truly free if his people was persecuted and unable to decide its own destiny; human rights and the rights of peoples were indivisible. Nevertheless, some States preferred to philosophize about the rights of an abstract individual, while trampling underfoot the rights of entire peoples in southern Africa, the Middle East, Central America, Asia and other parts of the world.

23. His delegation had drafted a resolution which stressed the need for respect for the rights, equality and dignity of peoples, and hoped that it would gain wide support.

24. Despite some welcome achievements, the Economic and Social Council had not always acted in the best interests of human rights and the rights of peoples. The United States and some other countries still attempted to use the Council and the Commission on Human Rights in order to intervene in the affairs of recently established States, particularly the Democratic Republic of Afghanistan. The debate within the Third Committee on alleged human-rights violations in Afghanistan was intended to denigrate the legitimate Government of Afghanistan and its allies, while making no mention of the many crimes committed in that country by hired bandits.

25. The revolution in Afghanistan had not yet been fully accepted by all groups in society, and that situation had been used by reactionary imperialist forces, particularly the United States, as an excuse for intervention and propaganda. With the collusion of the Special Rapporteur of the Commission on Human Rights, they had made allegations of human-rights violations in Afghanistan, while themselves unleashing a counter-revolution against its citizens, creating an atmosphere of fear and chaos and using all the methods of State terrorism. In 1986 alone, the United States had spent \$500 million on military aid to the counter-revolutionaries, while its "humanitarian" aid over the previous two years had amounted to only \$23 million.

(Mr. Lebakin, Ukrainian SSR)

26. In his report (E/CN.4/1986/24), the Special Rapporteur had collected "information" from the enemies of the Afghan people and submitted it as objective testimony. He had made no mention of the hired bandits and terrorists who had blown up civilian facilities, shot down passenger aircraft and used toxic substances against the population.

27. The Afghan Government's policy was in the best interests of the people and had found wide-ranging support among them. The country was undergoing a social and democratic transformation and the people had achieved their right to free and independent development. No allegations by the Special Rapporteur could alter that fact.

28. Mr. GARVALOV (Bulgaria), speaking in exercise of the right of reply, said that United States allegations of human-rights violations in Bulgaria were unsubstantiated. It would be extremely naive to believe that the United States verbal attack against Bulgaria had been motivated by humanitarian concerns. Its own dismal record in human rights showed it was not qualified to evaluate their observance in other parts of the world. The genocide of the native American Indians had been carried out in Nazi style and blacks, Chicanos and other minority groups, were repressed under policies of Jim Crowism and John Birchism. The United States had also violated the right to self-determination in South and Central America, and had waged an imperialist war against the people of Viet Nam.

29. The real reason behind the United States accusations was that Bulgaria condemned apartheid, the denial of the Palestinian people's right to self-determination, and other flagrant human-rights violations throughout the world. Rather than criticize Bulgaria, the United States would do well to look at the shortcomings in its own foreign policy, which was irresponsible and totally lacking in seriousness.

AGENDA ITEM 103: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/41/L.75)

Draft resolution A/C.3/41/L.75

30. Mr. LINDHOLM (Sweden) introduced the draft resolution on behalf of the sponsors, joined by Australia, Japan and Luxembourg. The United Nations Voluntary Fund for Victims of Torture had a growing number of applications for financial assistance. The Board of Trustees had recommended grants for a number of different projects providing medical and psychological assistance to victims. However, requests for aid far exceeded the Fund's resources and it was necessary to appeal for further contributions. To that end, the humanitarian work of the Fund must be publicized. The sponsors hoped that the draft resolution would be adopted without a vote.

- AGENDA ITEM 94: ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE (continued)  
(A/C.3/41/L.69)
- AGENDA ITEM 95: HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS  
(continued) (A/C.3/41/L.66, L.67, L.73)
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- AGENDA ITEM 103: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR  
PUNISHMENT (continued) (A/C.3/41/L.74, L.75)

Draft resolution A/C.3/41/L.69

31. The CHAIRMAN said that draft resolution A/C.3/41/L.69 on the elimination of all forms of religious intolerance had no programme-budget implications.
32. Mrs. COLL (Ireland) said, on behalf of the sponsors, now joined by Colombia and France, that adjustments in wording had been requested since her introduction of the draft resolution. To delete "in all parts of the world" in paragraph 6 would be a distortion of the Special Rapporteur's mandate, and the sponsors could not comply with that request. If anything, it was important to stress that religious intolerance would be examined in all parts of the world, with no exceptions. Neither could "governmental" be deleted in that same paragraph, as it was related to several other paragraphs of the text which described the Special Rapporteur's work.
33. The word "high" before "priority" in paragraph 5 must not be deleted, for consideration of the study had already been delayed a number of times. If the study were not given immediate attention, the Commission on Human Rights would not see the experts' findings for two years.
34. The sponsors agreed to replace the final line of paragraph 6 beginning with "including, as appropriate, ..." with "and to recommend remedial measures as appropriate".
35. Draft resolution A/C.3/41/L.69, as orally revised, was adopted without a vote.
36. The CHAIRMAN said the Committee had concluded its consideration of item 94.

Draft resolution A/C.3/41/L.66

37. The CHAIRMAN said that draft resolution A/C.3/41/L.66 on human rights and use of scientific and technological developments had no programme-budget implications, and that a recorded vote had been requested.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, France, Germany, Federal Republic of Israel, Italy, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Chile, Denmark, Finland, Greece, Iceland, Ireland, Japan, Luxembourg, New Zealand, Norway, Spain, Sweden, Turkey.

38. Draft resolution A/C.3/41/L.66 was adopted by 105 votes to 10, with 15 abstentions.

Draft resolution A/C.3/41/L.67

39. The CHAIRMAN said that draft resolution A/C.3/41/L.67 on implications of scientific and technological developments for human rights had no programme-budget implications.

40. Draft resolution A/C.3/41/L.67 was adopted without a vote.

Draft resolution A/C.3/41/L.73

41. Ms. KAMAL (Secretary of the Committee) said that Bangladesh, Benin, Nepal, and Nigeria had joined the sponsors.



42. The CHAIRMAN said that draft resolution A/C.3/41/L.73 on human rights and technological developments had no programme-budget implications, and that a recorded vote had been requested.

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, China, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaïre, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

43. Draft resolution A/C.3/41/L.73 was adopted by 106 votes to none, with 24 abstentions.

44. The CHAIRMAN said the Committee had concluded its consideration of item 95.

Draft resolution A/C.3/41/L.44/Rev.1

45. Ms. KAMAL (Secretary of the Committee) said that Austria, Bangladesh, Canada, Jordan, Spain and the Syrian Arab Republic had joined the sponsors.

46. The CHAIRMAN said that draft resolution A/C.3/41/L.44/Rev.1 on the question of a convention on the rights of the child had no programme-budget implications.

47. Draft resolution A/C.3/41/L.44/Rev.1 was adopted without a vote.

48. The CHAIRMAN said the Committee had concluded its consideration of item 96.

Draft resolution A/C.3/41/L.65

49. The CHAIRMAN said that the sponsors were submitting a revised text of draft resolution A/C.3/41/L.65 on the indivisibility and interdependence of economic, social, cultural, civil and political rights; therefore, voting would be postponed.

Draft resolution A/C.3/41/L.68

50. The CHAIRMAN said that the draft resolution had been orally revised and that it had no programme-budget implications.

51. Ms. KAMAL (Secretary of the Committee) announced that Indonesia, Mauritania, Rwanda and the Sudan had joined the sponsors.

52. Draft resolution A/C.3/41/L.68, as orally revised, was adopted without a vote.

Draft resolution A/C.3/41/L.70

53. The CHAIRMAN said that the draft resolution had no programme-budget implications.

54. Draft resolution A/C.3/41/L.70 was adopted without a vote.

Draft resolutions A/C.3/41/L.71 and L.72

55. The CHAIRMAN said that at the request of the sponsors, consideration of those draft resolutions would be postponed.

Draft resolution A/C.3/41/L.74

56. The CHAIRMAN said that the draft resolution had no programme-budget implications.

57. Ms. KAMAL (Secretary of the Committee) announced that Australia and Portugal had become sponsors.

58. Draft resolution A/C.3/41/L.74 was adopted without a vote.

Draft resolution A/C.3/41/L.75

59. The CHAIRMAN said that the draft resolution had no programme-budget implications.

60. Draft resolution A/C.3/41/L.75 was adopted without a vote.

61. The CHAIRMAN said that the Committee had concluded its consideration of item 103.

#### Explanation of votes

62. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that his delegation had supported draft resolution A/C.3/41/L.69 in order to foster co-operation on matters that must be treated with honesty and good will. The Commission on Human Rights and its Special Rapporteur should work objectively to provide an accurate picture of the situation of religion in his country and others, without being influenced by United States propaganda and insinuations.

63. Mr. HOPPE (Denmark), speaking on behalf of the Nordic countries, said that their delegations had abstained on draft resolution A/C.3/41/L.66, which referred to matters that should be dealt with in the relevant forums. They had reservations concerning the references in the preamble to General Assembly resolutions they did not support and concerning paragraph 5, which referred to the International Covenant on Civil and Political Rights.

64. Mr. QUINN (Australia) said that his delegation had joined the consensus on draft resolution A/C.3/41/L.68 but had reservations concerning the addition of still another international year. International years were scheduled too frequently to be effective and were also costly. The International Literacy Year should be deferred so as to allow for better preparation.

65. Mrs. ITO (Japan) said that her delegation had abstained on draft resolution A/C.3/41/L.66 because the thrust of the resolution was not directly relevant to those aspects of human rights that should be dealt with under that agenda item.

66. With respect to draft resolution A/C.3/41/L.73, her delegation had abstained because it could not agree with paragraph 6, which called for a study that had been requested in Commission on Human Rights resolutions on which it had abstained.

67. Her delegation had joined the consensus on draft resolution A/C.3/41/L.74 because it endorsed the purpose of the Convention against torture, but noted that the Convention contained some provisions which might make it necessary for her delegation to examine further all of its possible implications.

The meeting rose at 4.55 p.m.