



**Economic and Social Council**

Distr:  
GENERAL

E/1981/C.2/SR.15  
1 May 1981

ORIGINAL: ENGLISH

First regular session, 1981

SECOND (SOCIAL) COMMITTEE

SUMMARY RECORD OF THE 15th MEETING

Held at Headquarters, New York,  
on Friday, 1 May 1981, at 10.30 a.m.

Chairman: Mr. MAPP (Barbados)

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The meeting was called to order at 11.05 a.m.

HUMAN RIGHTS QUESTIONS (continued) (A/36/209; E/1981/25 and Corr.1 and E/1981/28)  
MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL  
MIGRANT WORKERS (continued) (E/1981/25 and E/1981/26)

1. Ms. NUÑEZ (Venezuela) said that efforts to secure the effective enjoyment of human rights had become one of the most urgent tasks of the United Nations.
2. The Venezuelan Constitution embodied all the human rights set forth in the relevant international legal instruments. The Government of Venezuela had always supported efforts at every level to promote the observance of human rights, wherever they were threatened. True freedom could exist only in countries which guaranteed individual rights. Human rights were based on the right to the enjoyment of freedom, life with dignity, well-being and access to the fruits of civilization. Mankind had the right to live under a just and equitable political, social and economic order.
3. Venezuela was a signatory of the Riohamba Charter of Conduct, which affirmed that the strengthening of democratic institutions offered the best guarantee of development and of achieving social justice and the full enjoyment of human rights. Venezuela had not hesitated to play an active role in efforts to ensure the enjoyment of human rights, since human rights violations prejudiced co-existence between States.
4. Venezuela had supported attempts to eliminate apartheid and racial discrimination. It should be constantly borne in mind that the promotion of human rights was of the highest priority, given that such rights were violated by many States Members of the United Nations.
5. The work of the Commission on Human Rights was extremely valuable. Venezuela welcomed the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Commission's recommendation that the draft Declaration be adopted by the General Assembly at its thirty-sixth session. A convention against torture and other cruel, inhuman or degrading treatment or punishment was necessary, and work on the draft convention should continue. The protection of children's rights was of great interest, children being mankind's most precious "raw material". His delegation fully supported the preparation of the draft convention on the rights of the child.
6. Ms. RASI (Observer for Finland) said that the international community should concentrate on more effective implementation of human rights instruments. The implementation of civil and political rights and that of economic, social and cultural rights were equally important. All States, regardless of their level of economic development, could honour the obligations set out in the various international human rights instruments. Effective international machinery was needed to provide opportunities for review and assistance, and to deal with violations of human rights. The strengthening of the relevant United Nations machinery was thus of major importance.

(Ms. Rasi, Observer, Finland)

7. The status of human rights throughout the world called for further action by the United Nations, which should be able to identify and examine serious violations of human rights whenever and wherever they occurred. Many situations existed in which human rights and fundamental freedoms had been compromised and in which the international community was impotent.

8. Work was continuing in the Commission on Human Rights on an over-all analysis of the United Nations approach to human rights. The Finnish delegation looked forward to receiving concrete proposals and recommendations from the working group.

9. Although generally cautious about the establishment of new posts, her delegation had supported the establishment of a post of United Nations High Commissioner for Human Rights as well as the redesignation of the Division of Human Rights as a Centre for Human Rights. The secretariat should be strengthened in accordance with its expanding responsibilities. The regional machinery for the promotion and protection of human rights should be developed, which would enable more account to be taken of cultural and regional differences.

10. Codification and standard setting in the field of human rights were already advanced. Nevertheless, further action was taking place in specific fields in which there was a need to strengthen existing instruments. It was gratifying that the preparation of a draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief had been completed. The Commission had also made progress in drafting certain other international instruments.

11. It was, however, regrettable that no significant progress had been made in drafting a convention against torture and other cruel, inhuman or degrading treatment or punishment. That task was of great importance, and it was to be hoped that work on such a convention would be finalized in 1982.

12. Her delegation fully supported the work of the Commission in disseminating information on human rights, which was of importance in the implementation of such rights. Public discussion of human rights should be stimulated throughout the world by educating everyone about their human rights. The active and constructive role played by non-governmental organizations should not be forgotten.

13. Mr. NOVAK (United States of America) said that 16 million people had fallen victim to the Nazis because they had been judged to be less than human and without rights. The world-wide revulsion provoked by so many horrible deaths had led to the Universal Declaration of Human Rights.

14. The United States Government was ever conscious of the persecuted throughout the world. It did not intend to forget, in any negotiations in which it might be engaged, those who suffered. The present United States Administration regarded it as a sacred duty to reduce the numbers of those who suffered.

(Mr. Novak, United States)

15. The citizens of the United States originated from every part of the globe. They were linked by flesh and blood to all the sufferings of the earth. Wherever there was persecution, the families of United States nationals were being persecuted.
16. The families of virtually all United States citizens had migrated to the United States because of human rights violations. There were, of course, human rights violations in the United States, which had to be corrected. Yet the dynamism, strength and very meaning of United States society lay in the right of the individual to life, liberty and the pursuit of happiness. All United States nationals were refugees from the absence of those rights.
17. That taste for human rights rendered abhorrent apartheid, the collective oppression of Eastern Europe, the flight of millions from totalitarianism in Ethiopia, Kampuchea, Cuba, Afghanistan and Viet Nam, and right- and left-wing terror in South America. No country owed more to the dynamism unleashed by fundamental rights. The most powerful and scarcest form of energy was liberty. The United States cherished the great liberties of the individual: liberty of conscience, political liberty and economic liberty. The greatest power in the world lay in the intelligence and will of the individual. It could be released only if the State limited its role. The collective had to respect the inalienable liberties of the individual, and only then would the greatest human energy flow forth.
18. The United States could not condone any abuse of human rights anywhere in the world. It opposed the violation of human rights by ally or adversary, friend or foe.
19. There were two reasons for such a policy. Firstly, the dynamism of United States society depended on respect for individual rights. United States society was not safe in a world dominated by collectivist States, in which the rights of the individual were made superfluous. Secondly, experience and observation had taught that nations which respected the rights of individuals experienced unparalleled economic growth, while those collectivist societies which proposed to produce bread first, while postponing until later liberty and individual rights, produced neither bread nor liberty. The suppression of human rights of individuals commonly resulted in economic stagnation and decline.
20. The first law of economic development - the first condition for producing the wealth of nations - was respect for the rights of individuals. Those societies which best respected human rights were, in nearly every case, wealthier than societies of comparable national endowment which respected the rights of individuals less. For wealth was created by human intellect and will.
21. The people of the United States were committed to the economic development of all regions, and the spiritual and political development of all peoples. The rise of some did not demand the fall of others. On the contrary, the growth of any one

(Mr. Novak, United States)

nation benefitted all nations. The United States thus supported the opportunity and duty of all nations to develop, while maintaining that development could not be regarded as a right.

22. Respect for individual human rights was a prerequisite of economic development. Citizens whose rights were respected created, produced and flourished. Human rights were the cause, not the consequence, of development.

23. Unfortunately, the vast majority of nations in the world were authoritarian, and limited the civil and political liberties of their citizens. There were very few truly free nations. Most were authoritarian and quite a few totalitarian.

24. The totalitarian States were collectivists. The individual was subordinate and the power of the State total. Individual rights were considered a "bourgeois illusion". In such societies "human rights" meant the rights of the State. In such societies the suppression of the individual was not occasional, accidental or merely general, but total, being justified by an appeal to a "higher law".

25. Totalitarian systems had appeared in the twentieth century, first in the Soviet Union of Lenin and Stalin, and then in Nazi Germany under Hitler. Those models were the only two sources of totalitarianism the world had ever known, and only one of them survived as the ideology and practice of existing States.

26. The distinction between authoritarian and totalitarian societies was important. Information about abuses inside totalitarian countries was harder to obtain because of the system of total control. Who dared to resist total terror? Who could penetrate a resolutely closed society? Experience taught that not all revolutions resulted in greater respect for human rights. Many revolutions had led to the replacement of authoritarian societies, bad as they were, with totalitarian societies, which were even worse. The United States Government abhorred both authoritarian and totalitarian societies. It condoned the human rights abuses of neither.

27. It should be clearly understood. The United States would resist the spread of totalitarianism with all its strength. It would combat the ideology of the closed totalitarian society by every means of intellect and wit at its disposal.

28. His Government wished to draw the attention of the Committee to the slow corruption of the very language of human rights. That language was precious and precise. It was rooted in specific intellectual and political traditions. Not all ways of speaking or all ways of thinking were compatible with an accurate understanding of the Universal Declaration of Human Rights. Without intellectual discipline, precious rights lost their substance.

29. His delegation strongly supported the Swedish delegation's plea for clear definitions and exact conceptual accuracy. The United States had noted with amazement the declaration of some totalitarian nations that their delegations were irrevocably opposed to totalitarianism. Did such claims presage revolutions?

(Mr. Novak, United States)

30. Human rights were respected, made real, protected and exercised through words and institutions which depended on words - through due process, civil discourse and reasonable speech. Whoever corrupted the words of human rights corrupted the exercise of human rights.

31. The Commission on Human Rights had sometimes allowed words to be used in an improper manner. Sometimes, for the sake of compromise and consensus, perverse formulations had been unwisely consented to. The circle of valid meanings and clear usable language thus grew ever smaller. Such surrenders strangled real human rights like fingers on the windpipe. It was absolutely essential to defend the language of human rights. It must not be distorted, or inflated or made to mean its opposite. Semantic sabotage had to be resisted.

32. Certain ideologies were incompatible with respect for individual human rights. The deplorable effects of such ideologies upon those who embraced them were saddening. They corrupted both their victims and the executioners. In the name of human rights, ideologies should be examined closely.

33. The United States delegation was gratified by the conclusion of the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. It was the choicest flower of the thirty-seventh session of the Commission on Human Rights, a session which many regarded as one of the most successful ever. The United States delegation looked forward to opening up a greater range of human rights questions in the future, to inventing new and more searching techniques, to ending all double standards, and to making the Commission seem to stand above the nations, like a shining city on a hill.

34. Mr. SIMONS (Barbados) said that his delegation had noted with satisfaction that the Commission had reached agreement on a draft convention on the rights of the child, and that the Commission had decided to continue consideration of a draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities.

35. It was distressing that once again the Commission had devoted most of its time to human rights violations and the implementation of human rights standards in specific instances. Barbados would continue to condemn violations of human rights whenever and for whatever reasons they occurred. Such violations were the compelling and legitimate concern of the entire international community.

36. The Barbadian delegation was disturbed to note that four States from the Latin American region, Chile, Guatemala, El Salvador and Bolivia, were identified in the Commission's report as violators of human rights. Though it shared ties of geography, history and culture with those States and with others in the region which, while not mentioned specifically in the report, were also guilty of serious violations of human rights, Barbados unhesitatingly condemned those violations. In so doing, its aim was not to infringe upon the right of any sovereign State to determine its own affairs but rather to appeal to repressive régimes to recognize essential human rights, to check excesses of power by the state machinery, and to protect and promote the fundamental freedoms of all their people.

(Mr. Simmons, Barbados)

37. In that spirit of universal concern, it supported the Commission's call to Israel, in resolution 1, to take immediate steps for the return of the displaced Arab inhabitants to their homes and property in Palestine and the other Arab territories occupied since June 1967 and for the release of all Arab detainees. It also supported the call for the observance by Israel of the Geneva Convention on the Protection of Civilian Persons in Time of War and related United Nations resolutions.

38. In the same spirit, it endorsed resolutions 4 and 5 concerning the violation of human rights in southern Africa and Namibia. It would support any proposal for mandatory economic sanctions against South Africa and, in particular, an embargo on the supply of petroleum and petroleum products. It also reiterated its plea for an end to military and nuclear collaboration with South Africa. Barbados had imposed a total trade embargo on the racist South African régime as early as 1956.

39. His delegation also welcomed the reaffirmation by the Commission on Human Rights that the practice of using mercenaries against national liberation movements or sovereign States constituted a criminal act. Barbados, which had been consistently threatened by mercenary activity since 1976, was playing an active role in the drafting of an international convention on mercenaries. The recent apprehension by the FBI at New Orleans in the United States of some 10 mercenaries planning to overthrow the constitutionally elected Government of the sovereign Caribbean State of Dominica showed how urgent it was for the international community to outlaw such criminal activities through the adoption of an appropriate United Nations convention.

40. The 1st of May, the day on which the current meeting was being held, was a day of international solidarity of working people. He would therefore turn to item 8, Measures to improve the situation and ensure the human rights and dignity of all migrant workers. He thanked the representatives of the ILO and UNESCO for their statements on that item and praised the useful work being done by their organizations to promote and protect the welfare of migrant workers and their families. He also congratulated UNESCO on the publication of its bulletin on human rights teaching. He trusted that the bulletin would fulfil its mandate of bringing about a consensus on the promotion of respect for human rights through education.

41. There could be no doubt that the plight of migrant workers and their families was likely to be exacerbated as a result of current negative economic trends and related socio-cultural phenomena. Any effort to promote the application of the fundamental principles of equality of opportunity and treatment in respect of working and living conditions as well as the protection of the cultural identity of migrant workers and their families was therefore to be commended. The peoples of the Caribbean had been migratory for many centuries, their roots being in Africa, Asia, Europe and the Middle East. In early times, the vast majority had migrated involuntarily, as slaves. Between the end of the Second World War and the political independence of Barbados in 1966, there had been a large-scale voluntary migration of Barbadians to the United States, Canada, and above all to the United Kingdom as the colony's mother country. It had been expected that they would be

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accepted, and that the United Kingdom would become a cosmopolitan mixture of peoples, perhaps even a model multiracial society. It appeared, however, that ethnic relations and the racial situation in the United Kingdom were deteriorating. The recent disturbances in south-west London and elsewhere were of great concern to the Government of Barbados. It was essential for a strategy to be designed that would provide a greater measure of consolidation and assimilation for the children of those workers who had migrated to the United Kingdom from Africa, Asia and the Caribbean. There was also a need to allay the mutual fears and suspicions of the black community and the police in the United Kingdom.

42. Anything that impinged negatively on the welfare of migrant workers in general, and Barbadian migrant workers and their families in particular, was of concern to the Barbadian delegation. In that connexion, he wished to refer to the proposed British Nationality Bill. There was implicit in the Bill the abandonment of commitment to a multiracial society and a new emphasis on limiting future entry to the disadvantage of people from Africa, Asia and the Caribbean. There seemed to be an over-all absence of objective criteria for granting nationality, while the creation of three types of citizenship could only devalue British citizenship. The Barbadian Government continued to believe that citizenship by descent should apply to the children of any citizen, whether that citizenship had been acquired by birth or naturalization, and it regretted the demise of the special Commonwealth relationship. It particularly regretted the consequences which would ensue from the Bill for the peoples of the United Kingdom's dependent territories, most of which were in the Caribbean. The passage of the British Nationality Bill could not but undermine the reputation of the people of the United Kingdom for tolerance, justice and fair play. In conclusion, he strongly hoped that the General Assembly at its next session would complete the elaboration of an international convention on the protection of the rights of all migrant workers.

43. Mr. BELTRAMINO (Argentina) said that the undertakings in regard to human rights in Articles 13, 55, and 56 of the Charter, the resolutions adopted by various United Nations bodies, and the provisions of the human rights instruments promulgated by the United Nations, had done much to secure the promotion and protection of human rights throughout the world. The achievements of the thirty-seventh session of the Commission on Human Rights, of which Argentina was a member, were evidence of the Organization's continuing efforts to set new standards for human rights and to secure the effective application by States of those already in existence.

44. At the current stage of the debate, he would not go into detail regarding the Commission's programme but would confine himself to general remarks regarding its activities and to certain special aspects concerning the use of the theme of human rights for questionable purposes, thus impairing the permanent effort to secure their universal acceptance.

45. The Argentine delegation attached particular importance to the work on new international instruments. In that connexion, the draft Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or

(Mr. Beltramino, Argentina)

Belief, the progress made in the negotiations on the documents referring to torture and other cruel, inhuman or degrading treatment or punishment, the draft Convention on the Rights of the Child, and the consideration of the declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, had been evidence of the international community's interest in strengthening observance of those rights and in overcoming the difficulties inherent in the need to reconcile in a single text the multiplicity of systems that existed and the many legal and philosophical concepts that resulted from the diversity of the States which made up the Organization. Unless that effort to reconcile differing views was successful, the universality to which such instruments should aspire was impossible. The Argentine delegation had accordingly participated actively in the negotiations aimed at permitting the adoption by consensus of the instruments being studied by the Commission. The absence of such consensus would impair the practicality of the instruments and pose a serious obstacle to their acceptance by States.

46. The practice of assigning the task of negotiation and drafting to working groups had produced some satisfactory results, but more delegations should be encouraged to take part in the work of the groups responsible for drafting legal texts, so that they would reflect the widest possible range of ideas.

47. The thirty-seventh session of the Commission on Human Rights had continued the United Nations efforts over many years to eliminate racism, racial discrimination and apartheid. In that connexion, important resolutions had been adopted on human rights violations in southern Africa. Resolution 4, for example, reaffirmed the inalienable right of the people of Namibia to self-determination and independence and strongly condemned the attitude adopted by the Government of South Africa. Clearly, that country's persistent refusal to put into effect the resolutions and decisions of the Security Council and the General Assembly must merit constant attention from the Organization, with a view to the adoption of appropriate measures to bring to an end the illegal occupation of Namibia.

48. Important resolutions had also been adopted on events in Kaupuchea, on support for the exercise by the people of Western Sahara of their right to self-determination and independence, and on the situation in Afghanistan. The Commission had also devoted much attention to the violation of human rights in the occupied Arab territories, including Palestine. Without an adequate response to the problem of the Palestinian people, there could be no peace in the Middle East. A just peace in that area would be the best guarantee of the effective enjoyment of human rights by all the peoples concerned and the efforts of the Commission on Human Rights should be directed to that end.

49. The Argentine delegation had supported resolution 27 on the question of hostage-taking. Such acts were not only a violation of the rights of the people concerned but attacked the very basis of international life. In the Charter, respect for human rights was directly related to the establishment of conditions of economic and social progress and development. Resolution 36, establishing a

(Mr. Beltramino, Argentina)

working group of governmental experts to study the scope and content of the right to development, was a further step towards action which would enable peoples in all countries to enjoy the rights that were essential to their existence and development.

50. The draft resolutions and decisions brought to the attention of the Economic and Social Council concerned, *inter alia*, the appointment of a special rapporteur to study human rights and massive exoduses and provision for advisory services and other assistance for the Governments of Equatorial Guinea, Uganda and the Central African Republic.

In resolution 10, the Commission had extended for one year the mandate of the working group on enforced or involuntary disappearances. In so doing, it had stressed the need to observe United Nations standards and practice regarding the receipt of communications, their transmittal to the Governments concerned, and their evaluation. The Argentine Government's desire to co-operate fully with the working group was well known. It had joined in the consensus which had allowed the resolution to be adopted, and in so doing had reaffirmed the need for the working group to act in all cases on the basis of reliable information from responsible sources and to exercise discretion. It was in that sense that it interpreted the reference to the procedure regarding communications. Resolution 1 (XXIV) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities regarding the admissibility of such communications was particularly relevant in that regard. It was also important, in examining the question of disappearances, that the working group should analyse the context of the circumstances and reasons which led to them and that it should be able to recommend to the international community actions which would help to solve the problem and prevent its occurrence in the future.

51. During the discussion of the item in the Commission, a number of delegations had stressed that the method of work should not interfere with the procedures set forth in Economic and Social Council resolution 1503 and related decisions. The consideration by various United Nations bodies of human rights violations in specific countries showed how wise the remarks of the French delegation on that topic at an earlier meeting had been (E/1981/C.2/SR.12). The Argentine delegation concurred fully in the view expressed that the initiative should rest with the Commission on Human Rights as far as the decision to hold a public investigation was concerned, and that the procedure laid down in the Economic and Social Council resolution 1503 (XLVIII) should be followed. It would be desirable for the Economic and Social Council to take a specific decision to that effect.

52. The promotion and protection of human rights must inevitably be a lengthy process, but all States had an obligation to co-operate in furthering it. It was essential, therefore, that there should be respect, on the one hand, for such inalienable principles as the sovereignty of States and, on the other, for the economic, social and political realities of each of them. It was for that reason that Argentina was disturbed by the trend towards a one-sided and tendentious presentation of events, including criticism for political or ideological purposes

(Mr. Beltramino, Argentina)

or at the behest of domestic or international pressure groups. Criticism of that kind, regrettable when it came from States, organizations or individuals, was much more so when it was uttered by international civil servants.

53. The Argentine delegation had listened with interest to the introduction of the report of the Commission on Human Rights by the Director of the Division, Mr. van Boven, summarizing in general and acceptable terms the Commission's work. Unfortunately, however, in an interview granted to a Swiss periodical, L'Illustré, published on 1 April 1981, Mr. van Boven had sharply criticized the Organization which he served and several of its member countries, including Argentina. Such statements, though offered as his personal views, damaged the very rights which they claimed to protect, impaired the sovereignty of States and weakened the basis of international co-operation. Furthermore, they would appear to constitute an explicit violation of Article 101 of the Charter, and of the Staff Rules and Regulations of the United Nations, article I of which called for the members of the Secretariat to regulate their conduct with the interests of the United Nations only in view, to exercise discretion, and to conduct themselves at all times in a manner befitting their status as international civil servants. Under staff regulation 1.4, they were required to avoid any action, and in particular any kind of public pronouncement, that might adversely reflect on their status or on the integrity, independence and impartiality required by that status; while not expected to give up their national sentiments or their political and religious convictions, they were at all times to bear in mind the reserve and tact incumbent upon them by reason of their international status. That unfortunate incident should make it clear that only through respect for the Charter and through sincere and constructive persuasion and dialogue could progress be made in the field of human rights, as well as in other fields of United Nations activity.

54. Mr. O'DONOVAN (Ireland) said that at its thirty-seventh session the Commission on Human Rights had considered a wide range of subjects and had adopted a number of important decisions contained in chapter I of the Commission's report (E/1981/25). Without wishing to detract from the significance of other matters before the Commission his delegation welcomed in particular the successful adoption by the Commission of the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. In particular, his delegation wished to congratulate the delegation of Senegal, which had presided over the working group concerned with the preparation of the draft declaration.

55. Man's need to search for the truth and to respect and observe that truth was a fundamental aspect of the human spirit and a freedom protected in numerous international instruments, ranging from the Charter of the United Nations and the Universal Declaration of Human Rights to the more recent International Covenants on Human Rights. In that connexion he referred to views expressed by Pope John Paul II in October 1979 during his visit to the United Nations concerning man's social nature as the external expression of internally perceived truth. The Pontiff had at that time also welcomed the dialogue between the religious view and the agnostic or atheistic view, which could serve to preserve respect for the human dimension without violating essential rights of conscience.

(Mr. O'Donovan, Ireland)

56. The United Nations had not, however, yet fulfilled the goals laid out in the Charter and other international instruments with respect to the protection of individuals against discrimination based on religion. Believers continued to be harassed and persecuted and there was still official intolerance of religious views and religious worship in many parts of the world. The General Assembly had succeeded in elaborating instruments to deal with discrimination based on other grounds, such as race or sex, but the history of recent attempts to draft an instrument on discrimination based on religion showed many delays and setbacks. Some of the reasons for those delays were genuine; there were legitimate differences of view on the definitions and balance required for such an instrument and the Commission had been much preoccupied with other matters. However, the delays were due not only to substantive issues but also to a certain lack of will and even some resistance to progress on the part of a few delegations. There had, however, been a recent change of climate and an easing of suspicions.

57. In his view, the renewed interest of non-European delegations had been particularly important to the final successful drafting of the draft Declaration at the recent session of the Commission. He pointed out that the initial resolution on the subject, resolution 1781 (XVII), in which the General Assembly had requested the Commission on Human Rights to prepare a draft declaration and a draft convention on religious intolerance, had been proposed by a number of African and Asian delegations.

58. Noting that action on other United Nations declarations dealing with discrimination had been prepared following the same procedures as those used in preparing the draft Declaration now before the Committee and that those declarations had been adopted quickly by the Economic and Social Council and transmitted to the General Assembly, he expressed the hope that the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief would also be acted on speedily and favourably by the Committee and the Council, especially in view of the fact that the draft Declaration had been nearly 20 years in the making and the problem was as acute as ever.

59. Miss ABOUT-NAGA (Observer for Egypt) said that the promotion and encouragement of respect for human rights and fundamental freedoms had been enshrined in the Charter of the United Nations as one of the main purposes of the Organization. The Charter had rightly established a close link between human rights and other global concern, such as the maintenance of peace and the promotion of economic and social development. However, the record of the past 35 years since the foundation of the Organization gave rise for grave concern, as the international community, undergoing rapid change, continued to witness atrocities and mass murders as well as the denigration of human dignity.

60. It was her delegation's view that human rights were inalienable, indivisible and interdependent and could not be divided into two categories, namely civil and political on the one hand, and economic and social on the other. The human rights of the individual could not be protected if peoples did not enjoy their freedom, independence, sovereignty and their right to self-determination.

(Miss Aboul-Naga, Observer, Egypt)

61. It was with deep regret that her delegation viewed the deteriorating situation in South Africa and Namibia, where the inhumane policies of apartheid, racism and racial discrimination had not yet disappeared and gross and consistent violations of basic human rights and fundamental freedoms continued. It was the international community's collective responsibility to bring an end to violations of human rights of peoples, wherever they existed, in southern Africa, in the occupied Arab territories, in Lebanon and elsewhere. Although no country or society could claim to be the sole protector of human rights against other countries or societies, her delegation believed that human rights were the responsibility of the international community as a whole. Unfortunately, the approaches adopted by the United Nations in specific cases had not proved to be the most effective. It was therefore essential to avoid confrontation and to initiate action by the international community on the basis of co-operation and understanding in order to encourage the Governments concerned to fulfil their duties.

62. Her delegation welcomed the successful conclusion of the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. It was her delegation's view, however, that paragraph 3 of article I of the draft Declaration should be further elaborated in a separate article as a general proviso to ensure that the implementation of the Declaration would be without prejudice to full respect for the laws of States and the need to protect public safety, order, health, morals and the fundamental rights and freedoms of others.

63. Her delegation was fully convinced that the right to development was implicit in the Charter of the United Nations and relevant resolutions of United Nations bodies. It was a right that implied satisfaction of human needs at the level of the individual, while implying the right to political, economic and social planning at the level of nations. The right to development was a synthesis of already defined human rights. Her delegation therefore welcomed the decision of the Commission on Human Rights to establish a working group of 15 governmental experts to study the scope and content of the right to development and the most effective means to ensure the realization, in all countries, of the economic, social and cultural rights enshrined in various international instruments, paying particular attention to the obstacles encountered by developing countries in their efforts to secure the enjoyment of human rights.

64. With regard to resolution 2 (XXXVII) of the Commission, her delegation reiterated its grave reservations concerning paragraphs 4, 5, 6 and 7 of the resolution, for reasons already stated in the General Assembly.

SOCIAL DEVELOPMENT QUESTIONS (continued) (A/36/115; E/1980/112 and Corr.1; E/1981/26; E/1981/C.2/L.3)

65. The CHAIRMAN said that, following consultations among delegations concerning the report of the Committee on Crime Prevention and Control, agreement had been reached on the following draft decision:

(The Chairman)

"The Economic and Social Council,

" (a) Takes note of the report of the Committee on Crime Prevention and Control on its sixth session (E/1980/112 and Corr.1) transmitted through the Commission for Social Development;

" (b) Approves the provisional agenda for the seventh session of the Committee, to be held in 1982, contained therein;

" (c) Takes note of the note by the Secretary-General contained in E/1981/C.2/L.3 and requests the Secretary-General, without prejudice to the established reporting procedures of the Committee on Crime Prevention and Control, to submit a comprehensive statement on the preparatory work for the Seventh Congress to the Council at its first regular session in 1982."

66. If he heard no objection, he would take it that the Committee wished to adopt the draft decision.

67. It was so decided.

68. The CHAIRMAN suggested that the Committee should recommend to the Council that it take note of the report of the Commission for Social Development on its twenty-seventh session, contained in document E/1981/26. If he heard no objection, he would take it that the Committee wished to adopt his suggestion.

69. It was so decided.

70. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to take note of the report of the Secretary-General on national experience in promoting the co-operative movement (A/36/115) and transmit it to the General Assembly without debate.

71. It was so decided.

The meeting rose at 12.55 p.m.