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Forty-fifth session

SUMMARY RECORD OF THE SECOND PART */ OF THE 55th MEETING

Held at the Palais des Nations, Geneva
on Wednesday 8 March 1989, at 6.15 p.m.

Chairman: Mr. BOSSUYT (Belgium)

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*/ The summary record of the first part of the meeting appears as document E/CN.4/1989/SR.55.

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Draft resolution E/CN.4/1989/L.88 (continued)

1. Mr. van WEISEN (International Youth and Student Movement for the United Nations) congratulated the Working Group, specialized agencies and non-governmental organizations on their work in connection with the draft convention on the rights of the child. His organization was confident that any remaining differences would soon be settled.

2. In the context of its co-operation with the specialized agencies, ISMUN had recently decided to undertake a European campaign on the rights of the child, to make young people aware of the urgent need for a convention, and to mobilize their support for its early adoption and rapid ratification by Governments. The campaign would involve close co-operation with other NGOs and would be followed by actions by youth and student NGOs in other regions of the world. He expressed sincere gratitude to UNICEF for its support of that initiative.

3. Mrs. TOLEDO (Latin American Federation of Associations of Relatives of Disappeared Detainees) expressed concern at the fact that the draft convention addressed obliquely, if at all, many issues which her organization considered to be of crucial importance.

4. For instance, the rights of the child in situations of political repression had not been broached. During the military dictatorships in Argentina, Chile and Uruguay, the practice of enforced disappearance was also applied to children, who were abducted together with their parents. Most of those children disappeared while others were summarily executed together with their parents. Many disappeared children, including children born in captivity, had been taken from their mothers and often adopted by the agents of repression themselves.

5. In other countries with constitutionally-elected Governments, such as Guatemala, El Salvador and Peru, the children of disappeared and murdered persons were defenceless and violations of their rights had increased. Efforts by churches, non-governmental organizations and in some cases State agencies were insufficient to deal with the repercussions of the political repression experienced by those children.

6. In addition to political instability, the economic crisis had led to the phenomenon of "street children" in varying numbers in Latin American countries. Such children were often exploited and forced to beg, steal and prostitute themselves. In many cases they incurred police repression rather than the protection and rehabilitation measures they needed.

7. Based on Argentina's experience, the system of genetic banks should be internationalized. The adoption laws should be seriously revised to prevent trafficking in children, especially disappeared children or children born in captivity, and extradition laws and agreements should be concluded between countries to facilitate the return of the children to their families.

8. Mr. GONZALES (International Indian Treaty Council) said that the prevalent attitude towards children must be changed, beginning at the international level, for institutional change to be effected at the domestic level.

9. One of the most important aspects of indigenous sovereignty was the right of Indian nations to determine how their children were raised and educated and which children were members of their nations, to keep their children within the sacred circles of their families, clans and nations and to protect their land, culture and religion, for the sake of their children and future generations. As mentioned in his organization's previous statement, in Alaska Public Law 92-203 did not recognize as indigenous children born after December 1971. The Law excluded future generations from land rights in violation of articles 15 (10) and (2) of the Universal Declaration of Human Rights and article 8 of the draft convention on the rights of the child.

10. In North America, the rights of children to adequate nutrition, health care, education, including bilingual education, and provisions for children in vocational and labour laws were always in jeopardy. Children of farmworker families living in the United States were often exposed to deadly chemicals sprayed in the fields. In California, communities such as McFarland, Delano and Fowler had a much higher rate of cancer among children than the national average due to contaminated table water in those areas. Recent studies showed an alarming association between pesticide exposure and leukemia and brain cancer in children. The poisoning of the children must be stopped and the cancer cluster cities in California must be contained.

11. Mrs. KRILL (International Committee of the Red Cross) said that children urgently needed protection and assistance in wartime. Under the provisions of international humanitarian law, children were entitled to general protection. In the 1949 Geneva Conventions and the 1977 Additional Protocols, 25 articles afforded children special protection. That being the case, one might wonder why a provision on children in armed conflict should be introduced into the draft convention.

12. The presence of far too many adolescents on the world's battlefields had led many States to call for the minimum age of combatants to be raised from 15 to 18 years, and the ICRC had repeatedly expressed its support for such a measure while stressing that none of the advances made over the years should be reversed. Unfortunately, one could only conclude that article 38 of the draft convention did not constitute a development of internatioal humanitarian law but instead weakened it. First, Additional Protocol II of 1977 relating to non-armed conflicts offered better protection for the child than article 38, paragraph 2, because it prohibited both direct and indirect participation by children under 15 years of age. Second, the wording "all feasible measures" in article 38, paragraph 4, created a serious risk of weakening international humanitarian law. Many provisions in the Conventions and Protocols designed to protect civilians in general and children in particular laid down absolute obligations and thus provided more effective protection than anything covered by the words "feasible measures".

13. The International Committee of the Red Cross believed that a simple undertaking to respect and ensure respect for the rules of international humanitarian law, such as that already contained in article 38, paragraph 1, was the most reasonable solution. It had the twofold advantage of removing any ambiguity and avoiding the creation of two standards of conduct. It also eliminated the risk of overlooking the more than 25 specific provisions for the protection of children in armed conflict that already existed in international humanitarian law.

14. Mr. NYAMEKYE (Deputy Director, United Nations Centre for Human Rights), drew attention to the adminstrative and programme budget implications of draft resolution E/CN.4/1989/L.88, stressing that his comments were without prejudice to decisions to be taken by the General Assembly on the financing of the convention.

15. If the recommendations contained in the draft resolution were adopted, the following activities would have to be envisaged following the entry into force of the convention: (a) meeting of States parties, the first six months after entry into force of the convention and thereafter every two years; (b) annual sessions of the Committee on the Rights of the Child; (c) processing of reports submitted to the Committee.

16. The first meeting of States parties to elect the members of the Committee on the Rights of the Child would be convened by the Secretary-General at United Nations Headquarters in 1991. In accordance with new article 43 of the draft convention, subsequent meetings of the State parties would be convened by the Secretary-General every two years. Subject to the entry into force of the Convention and the election of the Committee members, the Secretary-General would convene the first regular session of the Committee in Geneva for a three-week period during the first half of 1991. At its first regular session, the Committee would be expected in particular to consider and adopt its rules of procedure, to draft approved guidelines for the submission of reports and to take decisions on matters relating to the organization of its future work and preparation of its annual report to the General Assembly.

17. If accepted by the General Assembly, article 43, paragraph 11, would provide for members of the Committee to receive emoluments from United Nations resources on the terms and conditions to be decided by the General Assembly.

18. Under article 44, States parties would undertake to submit reports through the Secretary-General, within two years of the entry into force of the convention and thereafter every five years. Article 45 also provided, subject to the decision of the Committee, for other reports to be submitted. In accordance with article 44, the Committee would submit a report on its activities every two years to the General Assembly, through the Economic and Social Council.

19. Under the terms of article 43, the Secretary-General would provide the necessary staff and facilities for the effective performance of the functions of the Committee.

20. The estimated costs of the first meeting of States parties to the Convention to be held in New York in 1991 were $US 108,800, and for the first session of the Committee on the Rights of the Child to be held in Geneva in the first half of 1991, $US 1,058,400.

21. Additional staffing would depend on the programme of work adopted by the Committee and the extent to which the latter would require substantive and technical assistance from the staff of the Centre for Human Rights. It was estimated, however, that initially at least two professionals and one General Service staff member would be required to deal with the preparatory work and servicing of meetings of the States parties to the convention and the sessions of the Committee on the Rights of the Child. The extra staff costs,

calculated on the basis of 12 work-months, were estimated at $US 98,200 for one P-4 level post, $US 66,600 for one P-2 level post and $US 55,100 for one General Service post.

22. The requirements he had just mentioned included $274,900 under section 23 (Human Rights) and conference servicing requirements under section 29 (Conference Services), estimated at $1,167,200 for 1991.

23. The CHAIRMAN said that the Ukrainian Soviet Socialist Republic, Bolivia, Spain, Nicaragua, Yemen, Peru, Kenya, Democratic Yemen, Cuba, Czechoslovakia, Somalia and Gambia wished to become co-sponsors of draft resolution E/CN.4/1989/L.88.

24. He invited the members of the Commission to make statements in explanation of vote before the vote.

25. Mr. JOHNSON (United States of America) said that he was pleased to affirm his delegation's support for the draft resolution as it stood, and for the adoption by consensus of the draft Convention which was the outcome of many years of hard work by members of the Commission, observers and non-governmental organizations.

26. Since his Government had been active at every stage of the process, he could agree with those speakers who had noted an evolution since its inception in 1978. Like other delegations, his had felt the draft Convention to be a symbolic exercise in conjunction with the International Year of the Child rather than a broad-based perceived need. His delegation noted that the final version of the text included many important topics not addressed in the original draft and corrected its tendency to read more like a declaration than a convention. Further, the Working Group had over the years corrected the systematic bias in the original draft in favour of assuming centralized-governmental control over matters concerning children and the corresponding disregard of the private sector. In that connection, it had ensured that the draft convention recognized parents' rights vis-à-vis government intervention as well as the civil and political rights of the children themselves.

27. There had been positive changes in the composition of the Working Group over the years and progress in the Group's ability to strike a balance between legal, technical and diplomatic expertise.

28. Despite its willingness to join the consensus, his delegation was, however disappointed with certain of the Convention's provisions, which it had already specified in the Working Group. With regard to article 38, his Government considered that the General Assembly and the Commission were not appropriate forums for revising existing international humanitarian law. If the reasonable suggestion made by the representative of the International Committee of the Red Cross had been taken up at the outset, many difficulties might have been avoided.

29. In conclusion, he expressed appreciation to the delegation of Poland for its initiative and its sustained interest and involvement in the draft convention over a 10-year period, to the Chairman of the Working Group for his dedication, determination and unlimited patience, and to the Centre for Human Rights for its excellent handling of the large volume of documentation connected with the draft resolution.

30. Mr. FUJITA (Japan) said his delegation appreciated the efforts of the Working Group and was ready to join the consensus in adopting the draft resolution. However, it would like to make some reservations or state its understanding on a number of articles in the draft convention.

31. In respect of articles 9 and 10, his delegation drew attention to the Chairman's declaration in paragraph 203 of the report of the Working Group (E/CN.4/1989/48) to the effect that article 6 of the Convention (present article 9) was intended to apply to separations that arose in domestic situations and also that article 6 bis was not intended to affect the general right of States to establish and regulate their respective immigration laws in accordance with their international obligations. His delegation was ready to accept articles 9 and 10 provided that the Chairman's declaration was maintained.

32. In addition, it was his delegation's understanding that "their own countries" in article 10, paragraph 2, meant the countries of which they were nationals.

33. With regard to article 21, article 788 of the Japanese Civil Code provided that "in order to adopt a child, the permission of the Family Court must be obtained, excepting the case where a person adopts any of his or her lineal descendants or those of the spouse". In that exceptional case, article 21 of the Convention was inconsistent with the Civil Code, and his delegation would therefore like to reserve its position.

34. His delegation understood that article 22 was not intended to request States to take measures in addition to the present procedures concerning the recognition of refugees in accordance with their international obligations and their national laws on refugees.

35. It was his delegation's understanding that "primary education" in paragraph 1 (a) of article 28 did not include education in kindergartens and that the reference in subparagraph 1 (b) of article 28 to free education should be interpreted as an example of the measures which State parties should take in case of need.

36. Further, it was his delegation's understanding that the term "spiritual" in article 32 did not require such policies to be against the principle of the separation of religion and politics.

37. His delegation's interpretation of article 37 was that situations such as the possibility of escape or the possibility of destruction of evidence, which were prescribed in article 81 of the Japanese Criminal Procedure Law, fell within the "exceptional circumstances" of article 37, subparagraph (c).

38. As for the "right to prompt access to legal and other appropriate assistance" of subparagraph (d), it confirmed the right to the assistance of counsel for a child placed under physical restraint and did not oblige the State to assign a counsel to defend a child unable to secure such counsel.

39. Concerning article 40, his delegation's understanding of "every child alleged as or accused of having infringed the penal law" in subparagraph 2 (b) (ii) was that such a child was deprived of his or

her freedom. In addition, the meaning of "a fair hearing" of subparagraph 2 (b) (iii) did not imply a public trial and did not necessarily require the provision of legal assistance by the State.

40. As for subparagraph 2 (b) (iv), in view of article 40 of the draft convention, in Japan that subparagraph applied only to criminal procedure in the criminal court and not to family court procedure, which purported to provide protective measures for juveniles.

41. Subparagraph 2 (b) (vi) was intended to guarantee that a defendant unable to understand the language used in court would be able to have a sufficient and proper defence and that all or part of the costs might therefore be payable by the accused if he was found guilty.

42. The CHAIRMAN said that if there was no objection, he would take it that draft resolution E/CN.4/1989/L.88 was adopted without a vote.

43. It was so decided.

THE ROLE OF YOUTH IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS, INCLUDING THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE (agenda item 15) (continued) (E/CN.4/1989/L.64 and 69)

Draft resolution E/CN.4/1989/L.64

44. Mr. OGOURTSOV (Byelorussian Soviet Socialist Republic) introduced the draft resolution. He briefly described its contents and expressed the hope that it would be adopted without a vote.

45. Mr. JOHNSON (United States of America) regretted that the Commission had not had a general debate on item 15 and the fact that members had not been able to consider all the issues involved. He generally agreed with the representative of the Byelorussian Soviet Socialist Republic that the draft resolution was a meritorious one. However, in his opinion paragraph 4 reflected a narrow approach to the subject by focusing on economic and social development only. He therefore suggested replacing the words "economic and social" by the word "overall".

46. Mr. OGOURTSOV (Byelorussian Soviet Socialist Republic), speaking on behalf of the sponsors, said he had no objection to that change.

47. Draft resolution E/CN.4/1989/L.64, as amended, was adopted without a vote.

Draft resolution E/CN.4/1989/L.69

48. Mr. PALACIOS (Spain), introducing the draft resolution, recalled that in 1987 the Commission had adopted resolution 1987/46 which spoke of conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion and recommended the introduction of various forms of alternative service and the establishment of impartial procedures for determining the validity of conscientious objection. The draft resolution was an updated version of that text and it had been the subject of intensive negotiations. In the last preambular paragraph, the sponsors had agreed to remove the words "ethical and moral". The draft

resolution was not meant in any way to jeopardize mandatory military service or to discourage patriotic feelings in young people. In view of recent events in some member countries and the measures taken, in would appear advisable to adopt the draft resolution, and he hoped that it could be adopted without a vote.

49. The CHAIRMAN said that Portugal and the United Kingdom of Great Britain and Northern Ireland had become sponsors of the draft resolution.

50. Draft resolution E/CN.4/1989/L.69 was adopted without a vote.

51. Mr. MALGINOV (Union of Soviet Socialist Republics) said that, if the draft resolution had been put to the vote, his delegation would have voted against it for reasons relating to his country's internal legislation.

52. Mr. AL-DOURI (Iraq) said that, if resolution L.69 had been put to the vote, Iraq would have voted against it for reasons relating to his country's national laws and the nature of the abnormal circumstances with which Iraq was faced.

53. Mr. HELLER (Mexico) said that in articles 15 and 31, the Constitution of Mexico made provision for compulsory military service, which encompassed technical training, literacy classes and secondary and higher education. If a vote had been taken on the draft resolution, therefore, his delegation would have abstained.

54. Mr. ROA KOURI (Cuba) said that his delegation had wished to join the consensus on the draft resolution. If a vote had been taken, however, it would have abstained for constitutional reasons.

55. Mr. CHEN Shiqui (China) stated that, if a vote had been taken on the draft resolution, his delegation would have had to abstain for reasons relating to his country's internal legislation.

56. Mr. ZODIATES (Cyprus) said that if a vote had been requested on the draft resolution, his delegation would have voted in favour. The Government of Cyprus accepted the principles concerning conscientious objection to military service as contained in previous resolutions of the Commission and resolutions of other international organizations of which Cyprus was a member and had incorporated them in a bill that had been forwarded to the House of Representatives for consideration and enactment. It was committed to the implementation of the draft resolution, regard being had to Cyprus's vital interests in view of its current circumstances.

57. Ms. ILIC (Yugoslavia) stated that, had a vote been taken on the draft resolution, her delegation would have abstained. Compulsory military service was envisaged in article 241 of her country's Constitution, not only as a duty but as a right of all citizens.

58. Mr. GOSHU (Ethiopia) said that, due to domestic legislation, had a vote been taken on the draft resolution his delegation would have abstained.

DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (agenda item 23) (continued) (E/CN.4/1989/L.67)

Draft resolution E/CN.4/1989/L.67

59. Mrs. MARTINS GOMES (Portugal), introducing the draft resolution, said that the recent sessions of the working group had been marked by an exemplary spirit of co-operation; the text provisionally adopted was only part of very substantial progress in establishing the groundwork for future agreement on the text of the draft declaration. The draft resolution requested the Commission to approve a slightly longer pre-sessional meeting for 1990. The Group was confident that the additional time would lead to a breakthrough in its work at the following session, making it possible for most or all of the draft declaration to be provisionally adopted in first reading. She hoped that the draft resolution could be adopted without a vote.

60. The CHAIRMAN drew attention to draft resolution E/CN.4/1989/L.93, containing the financial implications of draft resolution E/CN.4/1989/L.67. He said that the United Kingdom of Great Britain and Northern Ireland had become a sponsor of the draft resolution.

61. Draft resolution E/CN.4/1989/L.67 was adopted without a vote.

RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (agenda item 20) (continued) (E/CN.4/1989/L.58)

Draft resolution E/CN.4/1989/L.58

62. Ms. ILIC (Yugoslavia), introducing the draft resolution, said that it was in line with previous Commission resolutions on the subject. With regard to paragraph 3, there had been several suggestions for an open-ended working group meeting before the Commission session. However, her delegation considered that suggestion to be premature.

63. Draft resolution E/CN.4/1989/L.58 was adopted without a vote.

CONSIDERATION OF THE REPORT OF THE MISSION WHICH TOOK PLACE IN CUBA IN ACCORDANCE WITH COMMISSION DECISION 1988/106 (agenda item 11 bis) (continued) (E/CN.4/1989/L.89)

Draft resolution E/CN.4/1989/L.89

64. Mr. STEEL (United Kingdom of Great Britain and Northern Ireland) said that, with the aim of finding a consensus, the sponsors had tabled a revised version of draft resolution E/CN.4/1989/L.89. In order to give delegations time to study the revised version of the document and to avoid a contentious and confrontational debate, he requested that debate on item 11 bis should be deferred until the next meeting, in accordance with rule 51 (c) of the Commission's rules of procedure.

65. Mrs. RICO (Spain) supported the motion. Her delegation considered that the Commission's decisions on agenda item 11 bis should be by consensus.

66. Mr. ROA KOURI (Cuba) said that from the outset, his delegation had indicated to the countries of Latin America and the European Economic Community its willingness to reach a consensus decision on the report of the mission to Cuba. Cuba had entered into a gentleman's agreement with the other delegations not to submit any draft resolution while talks were still taking place. Unfortunately, the other party had violated that commitment and submitted a draft resolution. In any event, his delegation had demonstrated its spirit of co-operation by agreeing to suggestions made by the countries of the European Economic Community, and it therefore believed that draft resolution E/CN.4/1989/L.90 contained all the necessary elements for a consensus. However, it would not oppose the proposal by the representative of the United Kingdom.

67. The CHAIRMAN said that if there was no objection, he would take it that the Commission agreed to defer consideration of agenda item 11 bis until the following meeting.

68. It was so decided.

QUESTION OF HUMAN RIGHTS IN CHILE (agenda item 5) (continued)
(E/CN.4/1989/L.60)

Draft resolution E/CN.4/1989/L.60

69. Mr. HELLER (Mexico), introducing the draft resolution, said that 15 years after the violent interruption of a democratic political process, events had occurred in Chile that deserved recognition by the international community. He hoped that the Commission would adopt the draft resolution.

70. Mr. PACE (Secretary of the Commission) read out a number of amendments to the draft resolution. At the end of the fourth preambular paragraph the words "in particular in its resolution 1988/16 of 1 September 1988" should be deleted. In operative paragraph 3, the words "with satisfaction" would be inserted after the words "Takes note" and the words "which was carried out in an atmosphere of freedom" should be inserted after the date. In operative paragraph 4, the words "Urges the Government of Chile to honour the requests from all political and social sectors in the country and to adopt the necessary measures for the restoration" should be replaced by "Takes note of the partial response of the Government of Chile to the demands of various political and social elements in the country and urges the Chilean Government to work for the re-establishment ...". In operative paragraph 7 (c), the words "in all cases" should be added after the word "defence". In operative paragraph 7 (d), the words "to restore the full range of" should replace the words "fully to restore". In the same subparagraph, the words "labour rights" should be inserted after "particularly".

71. Mr. CALDERON VARGAS (Observer for Chile) said that his Government totally rejected both the substance and form of draft resolution E/CN.4/1989/L.60, which reflected an approach based on selectivity and a double standard. The political feelings on which it was based undermined its objectivity in many ways. For example, it considered the referendum held on 5 October 1988 and the various measures adopted by the Government to be positive developments, but went on to request changes in the legal framework in force, the very framework that had made those developments possible, on the pretext that the

human rights situation had not changed. The draft resolution went even further than the Chilean opposition itself, which, with the exception of the far left, was participating actively in the current political process.

72. The draft resolution welcomed Chile's co-operation with the Special Rapporteur but simply noted his reports "with interest" and appeared to consider them as one factor among many and less important than "certain reports prepared by various non-governmental organizations". It might be wondered why the Special Rapporteur was maintained in his post. Furthermore, to urge a country to hold free elections in an open electoral process when that country had already been praised and recognized for having done so was unnecessary, offensive and demagogic.

73. It was a misrepresentation of the Special Rapporteur's report to give absolute value to what were mere presumptions, in view of the fact that his Government had provided the Special Rapporteur and the Centre for Human Rights with replies concerning all the cases mentioned in the report. A further contradiction was the fact that the draft resolution recommended that his Government should "promote reforms of the institutional framework" in force, while one paragraph earlier it had urged it "to continue adopting measures to permit the restoration of human rights in Chile ...".

74. He wished to emphasize that the rights to freedom of association, collective bargaining and the right to strike were fully in force in Chile. No reports from the competent United Nations body in those areas appeared to have been requested, which was one more indication of lack of seriousness. The Special Rapporteur said nothing on that subject, and neither did the draft on terrorism - the greatest obstacle to the re-establishment of democracy, according to the Special Rapporteur - beyond a vague reference, whereas it was well known that terrorism occurred in Chile and was openly claimed by its perpetrators.

75. The objectivity of the Commission was being put to a severe test with regard to the treatment given to two member States, Chile and Cuba. As everyone knew, one Government had emphatically stated that it did not plan to hold free elections, and what was more, the successor of the current head of State was already known. That was difficult to reconcile with article 21, paragraph 3 of the Universal Declaration of Human Rights. The other, following a referendum, would be holding free elections by secret ballot in the coming year. However, the best indication of how the Universal Declaration of Human Rights was respected by Cuba was the statement in the Commission by the head of that country's delegation on 28 February 1989 which his delegation would provide to any member who wished to compare it with the Universal Declaration. As far as his delegation was concerned, his country had been part of a deal aimed at ensuring that Cuba did not emerge too badly from the exercise.

76. He had once more reached the conclusion, and he would inform his Government to that effect, that an attitude of co-operation with the United Nations was useless, since however his country behaved, the resulting resolution would always be based ultimately on political factors and not on justice and the cause of human rights. The Special Rapporteur and the Centre for Human Rights had done honest and useful work, but the same could not be said of the majority of the members of the Commission.

77. Mr. NYAMEKYE (Deputy Director, United Nations Centre for Human Rights) drew attention to the administrative and programme budget implications of the draft resolution L.60, which appeared in document E/CN.4/1989/L.100.

78. A vote was taken by roll-call on paragraph 7 of draft resolution E/CN.4/1989/L.60.

79. Bulgaria, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Belgium, Botswana, Bulgaria, Canada, Cuba, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Italy, Mexico, Panama, Peru, Philippines, Portugal, Rwanda, Sao Tome and Principe, Senegal, Spain, Sri Lanka, Swaziland, Sweden, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: None.

Abstaining: Bangladesh, Brazil, China, Colombia, Iraq, Japan, Morocco, Nigeria, Pakistan, Somalia, United States of America.

80. Paragraph 7 of draft resolution E/CN.4/1989/L.60 was adopted by 32 votes to none, with 11 abstentions.

81. Draft resolution E/CN.4/1989/L.60 as a whole was adopted without a vote.

82. Ms. PATTERSON (United States of America), speaking in explanation of vote, said that her delegation's vote reflected its belief that the draft resolution had endeavoured to acknowledge the important steps taken by the Chilean Government in 1988 to improve the climate for an eventual return to democracy, while noting that human rights violations persisted. It rightly mentioned violence from the political extremes and adhered more faithfully to the report of the Special Rapporteur than previous texts.

83. However, her delegation had decided to abstain on paragraph 7 because it contained hypothetical language proposing steps that might be an infringement of the ability of a future democratically-elected Government to make its own decision. That abstention in no way lessened her delegations's consistent support for a vigorous and full defence of human rights, an independent and impartial judiciary and full observance of workers' rights in Chile and elsewhere. The United States would continue to support Chile's transition to democracy.

84. Mr. KAMINAGA (Japan) said that, although his delegation had voted in favour of the draft resolution as a whole, its abstention on paragraph 7 indicated its view that Chile was at an important stage in its democratization process and its hope that the Government would make further active efforts to improve the human rights situation in the country.

85. Mr. DESPOUY (Argentina) said that his delegation had voted in favour of paragraph 7. When the voting had begun, his delegation was still engaged in consultations with the Argentine authorities. As it had not been a sponsor of

the draft resolution, it had not taken part in drafting or amending the text. It therefore associated itself with the position and reservations of the delegations that had abstained in the vote. His delegation wished to reiterate its confidence that the Chilean democratic process would evolve favourably and lead to a democratic system.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS;

(b) STUDY OF SITUATIONS WHICH APPEAR TO REVEAL A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS AS PROVIDED IN COMMISSION RESOLUTION 8 (XXIII) AND ECONOMIC AND SOCIAL COUNCIL RESOLUTIONS 1235 (XLII) AND 1503 (XLVIII): REPORT OF THE WORKING GROUP ESTABLISHED BY THE COMMISSION AT ITS FORTY-FOURTH SESSION (agenda item 12) (continued) (E/CN.4/1989/L.63, L.75, L.76, L.80, L.81, L.82, L.84, L.85, L.86, L.87)

Draft resolution E/CN.4/1989/L.63

86. The CHAIRMAN said that Somalia had become a sponsor of the draft resolution.

87. Draft resolution E/CN.4/1989/L.63 was adopted without a vote.

Draft resolution E/CN.4/1989/L.75

88. The CHAIRMAN said that Togo had become a sponsor of the draft resolution.

89. Draft resolution E/CN.4/1989/L.75 was adopted without a vote.

Draft resolution E/CN.4/1989/L.76

90. The CHAIRMAN noted that some delegations had requested that consideration of draft resolution L.76 should be postponed until the following meeting. If there were no objections, he would take it that the Commission agreed to that course.

91. It was so decided.

Draft resolution E/CN.4/1989/L.80

92. Mr. BENHIMA (Morocco), introducing the draft resolution, said that it ressembled earlier resolutions adopted on the situation of human rights in southern Lebanon but took recent developments into account. In view of the continuing occupation and violations of human rights in southern Lebanon, the sponsors hoped that members would adopt the draft resolution by consensus.

93. The CHAIRMAN said that Afghanistan and Czechoslovakia had become sponsors of the draft resolution.

94. Mr. EL-HAJJE (Observer for Lebanon) noted that in the French text of the draft, "Liban méridional" should be replaced by "Sud-Liban".

95. Mr. NAHAS (United States of America), speaking in explanation of vote before the vote, said that the United States sympathized with the residents of all of Lebanon and agreed that their human rights were being violated. His delegation continued to support Security Council resolution 425 (1978), but felt that the draft resolution under consideration was unbalanced in that it failed to acknowledge the presence of foreign forces other than Israeli in Lebanon or the responsibility of Lebanese factions under foreign control for the country's internal turmoil. Consequently, the United States felt obliged to vote against the selective approach adopted in the draft resolution.

96. A vote was taken by roll-call on draft resolution E/CN.4/1989/L.80.

97. Panama, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Bangladesh, Botswana, Brazil, Bulgaria, China, Colombia, Cuba, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Morocco, Nigeria, Pakistan, Panama, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Swaziland, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Against: United States of America

Abstaining: Belgium, Canada, France, Germany, Federal Republic of, Italy, Japan, Peru, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Irreland, Venezuela

98. Draft resolution E/CN.4/1989/L.80 was adopted by 30 votes to 1, with 12 abstentions.

99. Mr. STEEL (United Kingdom of Great Britain and Northern Ireland), speaking in explanation of vote, said that deplorably, human rights abuses were common in many parts of Lebanon and were committed by many different groups. Southern Lebanon and the so-called Israeli security zone should not be the only area of concern. That having been said, the United Kingdom continued to call for the complete withdrawal of all Israeli troops from Lebanon, in Israel's own interest. While those forces remained, any security precautions taken must be in accordance with humanitarian law. Specifically, his Government was concerned that the International Committee of the Red Cross was not allowed access to Lebanese prisoners in the Israeli-controlled security zone and by allegations of torture. Israel and the southern Lebanon army must investigate those allegations and rectify any improprieties.

100. Mr. CERDA (Argentina) said that, although his delegation had voted in favour of the draft resolution, it continued to have difficulties with much of the language used in the text, which it hoped would be rectified in future versions.

101. Mr. ALVAREZ VITA (Peru) expressed his delegation's hope that the serious problems affecting the enjoyment of human rights in southern Lebanon would be resolved as soon as possible. However, his delegation had had to abstain in the vote on the draft resolution because the terminology used in the text contained imbalances which his delegation could not accept.

102. Mr. HELLER (Mexico) said that the third preambular paragraph of the draft resolution did not appear to reflect the real substance of General Assembly and Security Council resolutions on the determination of acts of aggression. His delegation had none the less voted in favour of the draft resolution in view of the acts of human rights infringements committed in southern Lebanon.

103. Mr. TANIGUCHI (Japan) said that his delegation had abstained in the vote because it believed the text of the draft resolution was not well-balanced, particularly in respect of paragraph 3. He would, however, like to express his delegation's sincere hope that all parties to the conflict would make an effort to improve the situation as soon as possible.

104. Mr. GOMPERTZ (France) regretted that his delegation had had to abstain in the vote because of some of the language used in the text. However, it hoped to be able to support a draft resolution on the question at the next ssession.

Draft resolution E/CN.4/1989/L.81

105. The CHAIRMAN noted that Italy, Spain and Greece had become sponsors of the draft resolution. He drew attention to draft resolution E/CN.4/1989/L.96, which contained the financial implications of draft resolution E/CN.4/1989/L.81.

106. Mr. NASSERI (Observer for the Islamic Republic of Iran) said that the 1989 "traditional resolution" of the Commission concerning his country was longer than in previous years, and correspondingly redundant, subjective, unbalanced, and above all, lacking in the spirit of understanding and international co-operation that lay at the heart of human rights activities in the United Nations.

107. A closer look at the draft resolution and an objective review of the grave situation of his country over the previous seven years, and which had only changed recently, showed that the resolution lacked sufficient elements for constructive dialogue. That was unfortunate, since his delegation's constructive initiative in the Third Committee at the forty-third session of the General Assembly in introducing a consensus resolution, had paved the way for dialogue through full co-operation with the Special Representative of the Commission. That process had been nearing fruition - and obtaining the consent of his capital had not been an easy task - when the unjustifiable intransigence of some of the sponsors of the "traditional resolution" of the Commission had destroyed the entire effort: the draft resolution was regressive compared with that acted on in the General Assembly. He wondered whether some of the sponsors of the draft resolution believed they were simply playing a part in an annual ceremony, and if so, whether they had any hope of resolving the problem. Despite the Special Representative's sound understanding of the conceptual differences involved and belief in the possibility of a modus operandi being reached, inflexibility on the part of the sponsors would merely elicit inflexibility from the Iranian Government.

108. The political motivations underlying Commission resolutions on the Islamic Republic of Iran were obvious. For example, the Special Representative's report (E/CN.4/1989/26) referred to military incursions of an irregular army in July 1988 that had killed 40,000 members

of the Iranian armed forces. Apart from that ridiculous claim put forward by terrorist mercenary organizations to keep their sympathizers happy - the military incursion had in fact been crushed by his country's armed forces - countries that claimed to support human rights, including some of the sponsors of the draft resolution had remained silent in the face of those and other terrorist activities inside and outside his country's borders since 1981.

109. A comparison of draft resolutions concerning his own country and other countries gave rise to the question of why realities were admitted in some societies and included in draft resolutions but not in others. The answer was politics, pure and simple. Moreover, when draft resolution E/CN.4/1989/L.60 had referred to acts of violence from all sources in Chile, the representative of one member of the Security Council had called at an earlier meeting for a balance in that draft resolution, whereas balance did not seem to be necessary in other texts. The Commission's guiding principle must either be balance or a specific political orientation or bilateral relations. Countries could not consider the fight against terrorism a hallmark of their own policy while calling for support of terrorist groups in the case of the Islamic Republic of Iran.

110. In conclusion, his delegation rejected the draft resolution but was prepared to continue its co-operation with the Special Representative while waiting for the other side to show goodwill.

111. A vote was taken by roll-call on draft resolution E/CN.4/1989/L.81.

112. Sri Lanka, having been chosen by lot by the Chairman, was called upon to vote first.

In favour: Belgium, Botswana, Canada, Colombia, France, Germany, Federal Republic of, Iraq, Italy, Japan, Mexico, Peru, Philippines, Portugal, Rwanda, Spain, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuala.

Against: Bangladesh, Cuba, Ethiopia, Pakistan, Somalia, Sri Lanka.

Abstaining: Argentina, Brazil, Cyprus, Gambia, India, Morocco, Nigeria, Panama, Sao Tome and Principe, Senegal, Swaziland, Yugoslavia.

113. Draft resolution E/CN.4/1989/L.81 was adopted by 20 votes to 6, with 12 abstentions.

114. Mr. BRANCO (Sao Tome and Principe), speaking in explanation of vote, said that, despite his delegation's inability to vote in favour of the draft resolution, he wished to state his country's concern over allegations of human rights violations in the Islamic Republic of Iran. For the information of the representative of that country he considered the exercise at hand not at all to be a ceremonial one, but a complex exercise calling for difficult and sometimes painful decisions.

Draft resolution E/CN.4/1989/L.82

115. The CHAIRMAN said that Spain, Greece, Italy and Ireland had become sponsors of draft resolution E/CN.4/1989/L.82.

116. Mr. AL-DOURI (Iraq) said that his delegation would not have wished the situation of human rights in Iraq to be raised again after the positive dialogue that had taken place in the context of the confidential as well as public procedures, especially as Iraq was determined further to enhance its human rights standard after the cease-fire and return to normal life.

117. The Commission had adopted a resolution on 22 February 1989 to discontinue consideration of the question of human rights in Iraq in the context of Economic and Social Council resolution 1503 (XLVIII). The logical implication of that resolution was to discontinue consideration of the same matter in the context of agenda item 12. Circumventing that resolution would have a negative effect on the credibility of the Commission and its future work. Moreover, there were evident political motivations behind the submission of the draft resolution. As many delegates had warned, politicizing the work of the Commission would have an adverse effect on the cause of human rights.

118. Therefore, in order to avoid complicating the work of the Commission with issues already settled and voted upon and creating a precedent which would lead to contradictory situations, his delegation believed that the draft resolution should not be discussed. Consequently, in accordance with rule 65, paragraph 2, of the rules of procedure, his delegation requested that no action should be taken on it.

119. Mr. HILGER (Federal Republic of Germany) pointed out that the decision to discontinue consideration of the situation in Iraq in the context of the 1503 procedure had been taken in respect of individual communications, whereas the sponsors had submitted draft resolution E/CN.4/1989/L.82 on the basis of recent information and their general concern about the human rights situation in Iraq. He appealed to members to oppose the Iraqi motion and allow the Commission to vote on the merits of the resolution.

120. Mr. HARUN-UR-RASHID (Bangladesh) said that the points raised by the representative of Iraq deserved serious consideration. The Commission had already decided by a majority vote to discontinue its consideration of the question relating to Iraq. His delegation believed that the Commission, having taken a decision, was bound by it. To reconsider that question during the same session would be tantamount to negating its own decision, would create an unfortunate precedent and might adversely affect the ever-increasing influence and role of the Commission.

121. Mr. ROMARE (Sweden) said that the right of members to move for no action on a proposal before the Commission should be used with discretion and not to thwart the Commission in its effort to deal with important human rights issues. In the present case, the no action procedure was an unfair practice detrimental to the spirit of co-operation that should guide the Commission in its work. He appealed to members to vote against the motion.

122. Mr. BENHIMA (Morocco) supported the motion of the representative of Iraq. Without judging a decision of the Commission, he wondered how the Commission could continue to judge Iraq for sins for which it had already absolved it under the 1503 procedure.

123. Mr. STRUYE DE SWIELANDE (Belgium) said that, first, it was precisely because examination of the situation in Iraq in the 1503 context had been terminated that it had been possible to submit a proposal on that situation in the framework of the public procedure; the opposite would have been unthinkable. Second, the decision taken in the context of the confidential procedure had been on the basis of communications to the Working Group, which were necessarily limited: the Commission had knowledge from sources other than the communications of elements that must be taken into consideration. Third, for years many delegations had been accusing the sponsors of the draft resolutions on the Islamic Republic of Iran of having an unbalanced approach to the human rights situation in that region. For that reason alone, draft resolution E/CN.4/1989/L.82 should be taken into account. Fourth, the Commission had dealt with a similar case in the past; a precedent therefore existed. For all those reasons, the motion should be rejected.

124. At the request of Iraq, a vote was taken by roll-call on the motion to take no action in respect of draft resolution E/CN.4/1989/L.82.

125. China, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Bangladesh, Botswana, Brazil, China, Cuba, Cyprus, Ethiopia, India, Iraq, Morocco, Pakistan, Philippines, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Yugoslavia.

Against: Belgium, Canada, France, Germany, Federal Republic of, Italy, Japan, Peru, Portugal, Spain, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Colombia, Gambia, Mexico, Nigeria, Panama, Rwanda, Swaziland, Venezuela.

126. The proposal of the representative of Iraq was adopted by 17 votes to 13, with 9 abstentions.

Draft decision E/CN.4/1989/L.84

127. Draft decision E/CN.4/1989/L.84 was adopted without a vote.

Draft resolution E/CN.4/1989/L.85

128. Mr. COTTAFAVI (Italy), introducing draft resolution E/CN.4/1989/L.85 said that it was based on the report of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan (E/CN.4/1989/24). The sponsors supported the Special Rapporteur's view that even if the present state of affairs was considered as an emergency situation within the meaning of article 4 of the International Covenant on Civil and Political Rights, a minimum of human rights must be respected by all the parties involved in the

conflict. The draft resolution addressed the situation impartially and objectively, with the sole purpose of helping to improve the situation and reduce human suffering. He hoped it would be adopted without a vote.

129. The CHAIRMAN drew attention to draft resolution E/CN.4/1989/L.98, which contained the administrative and programme budget implications of draft resolution E/CN.4/1989/L.85.

130. Mr. KHERAD (Observer for Afghanistan) said that only a few days before, the Vice-President of the Republic of Afghanistan had addressed the Commission and provided precise information on the human rights situation in that country. The fact that Afghanistan had already invited the Special Rapporteur to visit the country and had provided him with assistance in discharging his mandate attested to the will to co-operate with the Commission, for which the Special Rapporteur expressed appreciation in the report. His delegation repeated its readiness to co-operate with the Commission and the Special Rapporteur and provide them with all the facilities needed to perform their mandates.

131. Draft resolution E/CN.4/1989/L.85 was adopted without a vote.

Draft resolution E/CN.4/1989/L.86

132. The CHAIRMAN drew attention to draft resolution E/CN.4/1989/L.97, which contained the administrative and programme budget implications concerning draft resolution E/CN.4/1989/L.86. In the French text, the words "à Mexico" should be replaced by "en Mexique". At the same place in the English text, the words "at Mexico City" should be replaced by "in Mexico".

133. Mr. RIVAS POSADA (Colombia), introducing the draft resolution on the situation of human rights and fundamental freedoms in El Salvador, said that it was the outcome of broad consultations with interested delegations aimed at obtaining a solid basis for agreement. After briefly describing the contents of the draft resolution, he expressed the hope that it would be adopted without a vote.

134. Mr. GALLEGOS (Observer for El Salvador) thanked the delegations that had drawn attention to the efforts and achievements of his Government, despite the current situation of crisis and armed conflict. Although his Government would like to see improvements made in certain paragraphs, he would prefer the case to be dealt with under a different agenda item and wished the mandate of the Special Representative to be changed to that of an Expert, the draft resolution was on the whole balanced and accurately reflected the current situation in his country.

135. Draft resolution E/CN.4/1989/L.86 was adopted without a vote.

Draft resolution E/CN.4/1989/L.87

136. Mrs. MARTINS GOMES (Portugal), introducing the draft resolution, recalled that between 1984 and 1988 the Commission had considered the situation of human rights in Albania in the context of Economic and Social Council resolution 1503 (XLVIII). In 1988, noting that efforts to secure the co-operation of the Government of Albania had been unsuccessful, the Commission had adopted resolution 1988/17 in which it had decided to take up

consideration of the matter under the public procedure provided for in Council resolution 1235 (XLII). Since the Government's attitude remained unchanged, the objective of the draft resolution was to urge it to extend co-operation to the Commission. The sponsors had been motivated by the need to clarify the situation and she hoped that the draft resolution would be adopted without a vote.

137. Mr. DESPOUY (Argentina) noted that the Commission's resolution at the previous session concerning Albania had not been endorsed by the Economic and Social Council, which had not authorized publication of the confidential documentation. Tacitly or explicitly, therefore, the resolution should be submitted to the Economic and Social Council.

138. Mrs. MARTINS GOMES (Portugal) recalled that resolution 1988/17 had contained three main points, namely discontinuation of the 1503 procedure, disclosure of the materials that had given rise to that procedure and rendering of the debate public. The only proposal that had been submitted to the Economic and Social Council concerned disclosure of the confidential material. With regard to the other two points, she did not believe that the Commission required the approval of the Economic and Social Council.

139. At the request of the Ukrainian Soviet Socialist Republic, a vote was taken by roll-call on draft resolution E/CN.4/1989/L.87.

140. The Ukrainian Soviet Socialist Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Belgium, Botswana, Brazil, Canada, Colombia, Cyprus, France, Gambia, Germany, Federal Republic of, Morocco, Peru, Philippines, Portugal, Rwanda, Sao Tome and Principe, Senegal, Spain, Swaziland, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: China, Cuba, Pakistan.

Abstaining: Argentina, Bangladesh, Ethiopia, India, Iraq, Italy, Japan, Mexico, Nigeria, Panama, Somalia, Sri Lanka, Yugoslavia.

141. Draft resolution E/CN.4/1989/L.87 was adopted by 23 votes to 3, with 13 abstentions.

142. Mr. GOMPERTZ (France), speaking in explanation of vote, said that in voting in favour of the draft resolution, his delegation wished to indicate its particular interest in seeing Albania, with which France had long had friendly relations, reaffirm its will to develop its co-operation with the international community and its hope that Albania's dialogue with the Commission, which began at the present session would lead to relations of mutual trust.

143. Mr. MAGLIANO (Italy) said that his delegation had once again abstained in the vote on the situation of human rights in Albania as a further gesture aimed at encouraging Albania to open up its policy. Although contacts so far between the Commission and Albania did not seem to represent a satisfactory basis for a fruitful relationship, recent developments in the relations

between Albania and the international community appeared to be moving in a positive direction. His delegation also hoped for a more co-operative approach by Albania to the Special Rapporteur appointed to monitor compliance with the 1981 Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

144. Mr. ALFONSO MARTINEZ (Cuba) said that his delegation had voted against the draft resolution for two reasons. First, it supported the procedural reason raised by the representative of Argentina. The major reason, however, concerned the contents of paragraph 2. To call upon a Government to provide specific information on questions relating to the internal legal and constitutional order of a country went beyond the Commission's frame of reference. He was convinced that such resolutions were leading the Commission into very dangerous paths.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 21) (continued) (E/CN.4/1989/L.56, 73, 74, 83/Rev.1 and 91; draft resolution IV contained in chapter I, section A, of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/1989/3-E/CN.4/Sub.2/1989/45))

Draft resolution E/CN.4/1989/L.56

145. Mr. DESPOUY (Argentina), introducing the draft resolution relating to the situation in Equatorial Guinea on behalf of Sweden, Canada, Peru, Bolivia, Costa Rica and his own country, said that the text was similar to the resolution adopted in 1988. Because of health problems, the Expert had not been able to visit Equatorial Guinea as expected in December 1988, and had therefore been unable to submit a report to the Commission.

146. Draft resolution E/CN.4/1989/L.56 was adopted without a vote.

Draft resolution E/CN.4/1989/L.73

147. Mr. SCHWANDT (Federal Republic of Germany), introducing the draft resolution, said that it was in essence an updated version of draft resolution E/CN.4/1988/53, which had been adopted without a vote. He pointed out the changes in the text and expressed confidence that it would be adopted without a vote.

148. Draft resolution E/CN.4/1989/L.73 was adopted without a vote.

Draft resolution E/CN.4/1989/L.74

149. Mr. SCHWANDT (Federal Republic of Germany), introducing the draft resolution, said that in the second line of paragraph 10, the words "International Covenants on Human Rights" should be followed by a comma and the words "the Committee on the Elimination of Racial Discrimination and the Committee against Torture,". He hoped that the draft resolution could be adopted without a vote.

150. The CHAIRMAN noted that the Philippines had become a sponsor of the draft resolution.

151. Draft resolution E/CN.4/1989/L.74 was adopted.

Draft resolution E/CN.4/1989/L.83/Rev.1

152. Mrs. MOREL (France), introducing draft resolution E/CN.4/1989/L.83/Rev.1 concerning advisory assistance to Haiti in the area of human rights, said that the text was the result of extensive consultations, in particular with the delegation of Haiti. The text reflected the Commission's concerns and desire to encourage the new Government. The concerns related to the country's difficult economic situation and inadequate resources with which to improve the human rights situation; the desire to encourage the new Government stemmed from the fact that it had shown its determination to improve the situation by acceding to human rights instruments, renewing the electoral process and co-operating with the Commission. The advisory services to be set up by the Secretary-General in consultation with the Government of Haiti were aimed at helping the country accelerate the human rights process it had already begun. Her delegation wished to affirm its confidence in the intentions of the Haitian authorities and its hope that the draft resolution would be adopted by consensus.

153. Mr. NYAMEKYE (Deputy Director, Centre for Human Rights) noted that the administrative and programme budget implications of the draft resolution appeared in document E/CN.4/1989/L.101.

154. Mr. LEGWAILA (Botswana) noted that in paragraph 5, the revised text referred to "judicial authorities" whereas the original had simply spoken of "authorities". He would like to know the reason for that change.

155. Mr. LEPRETTE (France) replied that he would be happy to return to the original text.

156. Draft resolution E/CN.4/1989/L.83/Rev.1, as amended, was adopted without a vote.

Draft resolution E/CN.4/1989/L.91

157. The CHAIRMAN drew attention to document E/CN.4/1989/L.99, which contained the financial implications relating to draft resolution E/CN.4/1989/L.91. He noted that in the Spanish version of the draft resolution, the word "asesinatos" in the seventh preambular paragraph should be replaced by the word "muertes".

158. Mr. HELLER (Mexico), introducing the draft resolution, said that in the Spanish text, the words "al Grupo de Trabajo" should be deleted from paragraph 3, line 4, and in paragraph 9 the word "sobre" in the last line should be replaced by the words "tomando en cuenta". The draft resolution was the result of consultations with various interested delegations. His delegation was confident that the Commission would support the resolution, which was designed to strengthen co-operation with President Cerezo's Government and help to achieve full enjoyment of human rights in Guatemala.

159. The CHAIRMAN said that Uruguay and the Netherlands had become sponsors of the draft resolution.

160. Draft resolution E/CN.4/1989/L.91 was adopted.

Draft resolution IV of chapter I, section A of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

161. Mr. SCHWANDT (Federal Republic of Germany) pointed out that the Commission had explored in considerable detail the question of advisory services when it had adopted draft resolutions E/CN.4/1989/L.73 and E/CN.4/1989/L.74. It did not appear necessary to adopt a further resolution, and he therefore proposed that Sub-Commission draft resolution IV should not be put to a vote.

162. The CHAIRMAN said that if there was no objection, he would take it that the Commission agreed to adopt the proposal of the representative of the Federal Republic of Germany.

163. It was so decided.

IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF (agenda item 22) (continued) (E/CN.4/1989/44)

164. Mr. LEPRETTE (France) noted that since the previous session of the Commission, the Special Rapporteur had continued his efforts to establish a dialogue with certain Governments. As indicated in the Special Rapporteur's report (E/CN.4/1989/44), most of those Governments had responded to his request for clarifications; the Special Rapporteur had also been able to meet with religious authorities and non-governmental organizations. Those results attested to the Special Rapporteur's effective contribution to promoting the values of religious tolerance and freedom.

165. In view of the spirit of co-operation and openness shown by many Governments, his delegation believed it necessary for the Commission to continue its efforts to disseminate information and encourage reflection, with a view to the preparation of a new international instrument.

166. As a country that defended all liberties, France could not but express its deep concern over the threats recently made against the life of an author. Religious convictions could not be defended by threats or incitement to murder. Like the 12 member States of the European Community, his delegation hoped that the universal values of tolerance, freedom and respect for international law would prevail.

167. Mr. WADLOW (International Fellowship of Reconciliation) said that the 1981 Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief had led to three major advances, namely, the modification of national legislations to respect international norms; greater openness on the part of Governments to state their positions in detail and facilitating bilateral negotiations between States concerned. However, additional steps were needed to help States create conditions that would meet world standards. Those that were unable or unwilling to enter into communication with special rapporteurs of the Commission were committing a serious breach of the rules on which the United Nations was based. Appeals should be made to the Governments of Albania, Burundi, Iran, Nepal, Nicaragua, Sudan and Viet Nam to observe that minimum correctness.

168. Beyond the exchange of communications between States and special rapporteurs, help could be provided to Governments by the United Nations when national and local efforts were manifestly inadequate. Each year since 1985, his organization had raised under agenda item 22 the question of the quality of life and religious liberty of the Tibetan people, requesting aid for the Chinese Government to help it to improve its policies and practices.

169. The situation of the Tibetan people was becoming increasingly tense, as noted in the Special Rapporteur's report (E/CN.4/1989/44) and in his own organization's communication at the previous session (E/CN.4/1988/NGO/58). The Chinese authorities had undertaken a policy of repression and intimidation, especially of the religious leadership. More recently it had imposed martial law, which was always a Government's admission of the failure of its normal institutions. Thus the Commission had a special responsibility to act before the situation grew even worse by mandating advisory services aimed at organizing round-table discussions where all views might be expressed, carrying out objective social and economic research and training Tibetan officials to play a larger role in decision-making. The quality of research he had in mind was similar to that of Gunnar Myrdal's 1941 study on racial relations in the United States of America, which had shown that a foreign expert could look with fresh eyes at a tense situation. The Centre for Human Rights should move in the direction of that sort of research.

170. Ms. BROCH (Minority Rights Group) said that her organization would like to take up once again the case of Tibet. Since its previous statement, under item 10, three more demonstrations had occurred in Lhasa.

171. Mr. CHEN Shiqui (China), speaking on a point of order, recalled that the question of Tibet had already been raised by the Minority Rights Organization. He wondered by what right the representative of that organization was raising the question of Tibet under the current agenda item.

172. The CHAIRMAN asked the representative of the Minority Rights Group to confine her remarks to the agenda item under review.

173. Ms. BROCH (Minority Rights Group), continuing her statement, said that the tragic recent events in Lhasa and those she had described under item 10 were the increasingly visible symptoms of the widespread dissatisfaction and resentment in Tibet. She welcomed the very recent commitment of the People's Republic of China to respect freedom of religion.

174. Mr. CHEN Shiqui (China), speaking on a point of order, noted that discussion of item 10 was concluded. If the speaker was speaking under item 22, he must point out that a resolution on that item had already been adopted. In addition, the speaker was taking the opportunity to launch an attack on China. He requested the Chairman not to allow the speaker to continue.

175. The CHAIRMAN recalled that agenda item 22 referred to religious freedom and asked the representative of the Minority Rights Group to confine herself to that subject.

176. Ms. BROCH (Minority Rights Group), continuing her statement, said that only a few years before, religion in China had been denounced and that the devastation of Tibet's monasteries and culture bore witness to a deliberate,

organized and official attempt to eliminate a system of belief. Although the vandalism had been blamed on the Cultural Revolution, 80 per cent of the destruction had occurred before 1966.

177. The changes and reforms now occurring in China and Tibet involved difficulties, and it would take time to set the new course firmly. But the new approach must be soundly based on the genuine needs of the people; if there was merely an attempt to rewrite the past, the costly lessons would be lost.

178. The Chinese authorities had indeed given some money to the more visible or politically important monasteries, but the funding granted represented a token reparation when compared to the damage done and was easily offset by the income from tourism. Since the reconstruction and refurbishing of the monasteries had been tolerated, the actual work and the main monetary and material investment had come from the Tibetan people themselves, although the authorities attempted to take all the credit.

179. In certain areas closed to tourism, the authorities left the monks to their studies and practices. The People's Republic of China was to be commended for permitting that much religious freedom and encouraged to grant the same liberty to the great monastic institutions near Lhasa. A dangerous situation had been created in which those monasteries had been turned into tourist attractions and the monks expected to act as caretakers and custodians, guides and actors in a new Disneyland of religion. The money collected had to be turned over to the authorities, who decided how much would be returned to the monastery and for what purpose it would be used. Since the first demonstration in October 1987, no more money had been made available for reconstruction.

180. Monks were forced to put in a full day's work before being allowed to study privately in the evening. If students were deprived of the necessary time to study and debate, they would not develop profound understanding, and the meaning of Buddhism would be lost when the old teachers died.

181. A Chinese Government official had said that Buddhism would die out, like all religions. Yet there were tens of thousands of monks and nuns in Tibet, and anyone who had met them would attest to the vitality and intensity of their faith and interest. At the same time, the main teachers were being forbidden to teach, several were in detention, and one lecturer at the university had been sentenced to over 10 years in jail. The monasteries were being invaded by re-education units that berated, admonished and threatened the monks.

182. It had been objected that the issue was a political one. In the case of a people as profoundly religious as the Tibetans, who had survived direct attacks on their religion only to watch helplessly as their faith was converted into finance, they could hardly be blamed for invoking their freedom of self-determination and General Assembly resolution 1723 (XVI) to secure the freedom of religion which escaped them.

183. The new liberal policies in China were commendable and should yield positive results. But they required genuine implementation in good faith. She urged the Chinese authorities to consider the compromise solution offered by the Tibetan's unquestioned religious and political leader, the exiled Dalai Lama.

184. Mr. CHEN Shiqui (China), speaking on a point of order, said that he did not quite understand whether the speaker had been discussing freedom of tourism or freedom of religious belief, and he wondered under which rule of procedure she had been distributing separatist literature in the Commission meeting room. The speaker did not represent the Dalai Lama but a non-governmental organization. The Commission being a governmental organization, non-governmental organizations should comply with its rules of procedure when participating in its work.

185. Mr. EYA-NCHAMA (International Movement for Fraternal Union among Races and Peoples) said that the Declaration was an important instrument for ending both ideological and religious dogmatism and putting paid to religious and ideological dictatorships that had done untold harm over the centuries. However, the implementation of the Declaration was encountering obstacles at all levels, State and non-State. The former consisted of two types: confessional and atheistic States. Confessional States did not recognize the existence of other religious denominations within their borders, while atheistic States, whose philosophy was the non-belief in God, made the implementation of the Declaration equally difficult. At non-State levels, the implementation of the Declaration was thwarted by the activities of extreme right-wing organizations and fundamentalist religions. Neo-Nazi or neo-Fascist organizations were eminently racist, and fundamentalist religions practised aggressive conversion and did not tolerate different religions or beliefs. In addition to those extreme forms, there were other and milder forms of intolerance, namely the struggle among different religions, each of which considered itself to be the only true religion.

186. A common method of denigrating other religions was to consider them as sects, with disregard for the fact that the Christian religion was once considered a sect and therefore persecuted. His organization had received considerable information about the persecution of the Church of Scientology in Italy, mentioned in the Special Rapporteur's report on page 24.

187. His organization, composed of believers and non-believers, as well as persons who actively practised their religion and others who did not, struggled against religious and ideological intolerance. It believed that the only path towards fraternal relations among peoples was that of tolerance and respect for other human beings. In its view, therefore, aggressive conversion practices were serious violations of human rights and fundamental freedoms.

188. Mr. RAIANI (International Organization for the Elimination of All Forms of Racial Discrimination) congratulated the Special Rapporteur on his report. The section on Bulgaria drew attention to the serious problem of the forced assimilation of the Muslim minority in Bulgaria, in violation of a number of international agreements, including article 27 of the International Covenant on Civil and Political Rights which Bulgaria had ratified on 21 September 1970. However, the report gave the impression that Bulgaria was making an effort to change its policy towards the Muslim minority and was seriously negotiating the problem with Turkey. It was true that Bulgaria had signed a protocol with Turkey on 23 February 1988, but so far there had been no concrete change. His organization called for a condemnation of that ongoing repression and of the attempts to annihilate the religious and cultural identity of the Muslim minority in Bulgaria.

189. Ms. BOS (Bahá'í International) said that, as the Special Rapporteur pointed out in his excellent report, the phenomenon of religious intolerance was extremely complex and difficult to combat. However, the Bahá'í International community was convinced that it could be overcome and that the world was moving inexorably toward unity and tolerance of diversity, even diversity of religion and belief.

190. The adoption in 1981 of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief had set the standard, and the principle of religious toleration was gaining acceptance. The challenge now was to promote a spirit of religious tolerance, not just among governmental leaders, but among the generality of mankind.

191. The Special Rapporteur of the Sub-Commission, Mrs. Elizabeth Odio Benito, had contributed substantially to the understanding of religious intolerance by her 1986 Study of the current dimensions of the problems of intolerance and of discrimination on grounds of religion or belief (E/CN.4/Sub.2/1987/26), concluding that of all the causes of religious intolerance, the most prevalent was ignorance and lack of understanding of the most basic elements of various religions or beliefs.

192. Thus, it would appear that education, by treating the latent causes of intolerance, was the path to the elimination of religious intolerance. However, the task was by no means simple. Intolerance of other religions, when instilled in childhood as part of one's religious beliefs, was particularly difficult to eradicate. As Mrs. Odio Benito pointed out, attitudes learned in childhood had a lasting and profound influence upon a person's whole approach to life, and it was almost impossible to set them aside. Those who followed a particular religion might actively resist any attempt to educate them about other religions.

193. Yet strong religious beliefs were not incompatible with tolerance of the religious beliefs of others. In the Bahá'í view, religious tolerance was the hallmark of a clear understanding of the purpose of religion, and the spiritual basis for religious tolerance was the recognition of the common source of all the world's great faiths.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 21) (continued)

194. Mr. MOLINA (World University Service) said that his organization fully agreed that the item on advisory services should not be used to temper the treatment of certain States that violated human rights. Countries such as Haiti and Guatemala, which continued to violate human rights systematically, should be studied by a special rapporteur or representative whose report would be submitted to the Commission under agenda item 12. Second, it believed that countries which violated human rights should not have access to advisory services. Third, advisory services should be rendered by non-governmental organizations and not only by United Nations experts. Further, not only Governments, but the bodies defending human rights within each country should benefit from advisory services.

195. The report on the situation in Haiti indicated that serious violations of all the rights of the Haitian people were indeed being committed. The best way to help defend human rights in Haiti would be to appoint a special rapporteur to study the situation in depth and submit a report to the Commission at its forty-sixth session, under agenda item 12.

196. In speaking of Guatemala, he would do so as a member of the National Revolutionary Group of Guatemala which had been defending the human rights of the Guatemalan people for seven years. It was incomprehensible that the Government of Guatemala and its representatives should refer to his group as anti-democratic, subversive and terrorist. His organization was seeking a dialogue with the different sectors of the Guatemalan population and to that end had visited Guatemala in April 1988. The fact that two of its members had been arbitrarily arrested on leaving the aircraft and that the entire group had been subjected to threats obscured the crucial fact that a direct and positive dialogue had been opened with popular and democratic organizations in Guatemala.

197. It was regrettable that the Expert on Guatemala had not attended the current session of the Commission to introduce his report (E/CN.4/1989/39), clarify parts of it and counteract the misrepresentations put about by the Government of Guatemala, particularly in respect of the practice of enforced disappearance. That practice continued in Guatemala, as had been attested by the Working Group on Enforced and Involuntary Disappearances. When it learned that the Expert would not be appearing before the Commission, his organization had sent the Expert a letter requesting further information. A member of the group had also met the Expert to provide additional information and deny any responsibility by his organization in the "El Aguacate" massacre.

198. Despite the very frequent criticism of Guatemala at the current session, he feared that if a strong resolution on that country were not adopted under agenda item 12, an even greater increase in the repression could be expected in Guatemala. He asked how many Guatemalans would have to die before the Commission exerted the necessary pressure on the Guatemalan military régime concealed behind the civilian Government.

199. Ms. PARKER (Disabled Peoples' International) said that her organization continued to be concerned about the human rights situation in Guatemala. In its statement under item 12, it had commented generally on compliance with human rights and humanitarian law in situations of armed conflict, mentioning the need to focus attention on the serious violations of the law in respect of armed conflict in Guatemala and the urgent need for international resources to assist the many war-wounded and war-disabled in that country. Since violations of the law on armed conflict were poorly addressed through advisory service mechanisms, the situation in Guatemala should be dealt with under agenda item 12.

200. The Expert made an admirable attempt to set out the human rights situation in Guatemala under the mandate of advisory services. It was analogous to addressing human rights violations in Europe in 1942 and forgetting the war. The fault was not that of the Expert, but the nature of the scrutiny of Guatemala under the agenda item. The Expert had stated that the International Committee of the Red Cross was still unable to function under a headquarters agreement; she could only ask why the Guatemalan Government was allowed so many excuses and delays.

201. Her organization also continued to be extremely concerned at the credible allegations regarding trafficking in children, especially disabled infants, sold for medical experimentation and for transplant organs. Once again, the mandate of the Expert did not permit a proper investigation into that hideous practice. She also noted that cases arising in Guatemala had been included in

the report of the Special Rapporteur on Summary and Arbitrary Executions. The Expert had obviously failed to impress upon the Government the need for timely replies to inquiries by United Nations entities. She hoped that the international community would discharge its obligations to encourage peace and dialogue between the parties in Guatemala.

202. Her organization also hoped to encourage the Sub-Commission's Special Rapporteur on Human Rights and Disability, Mr. Leandro Despouy, to join it on a mission to Guatemala to investigate the situation of human rights violations as they related to disability.

203. Mr. DUPUY (Service, Justice and Peace in Latin America) said that he was co-ordinator of the Committee against Repression in Haiti and the Director of the weekly newspaper Haiti Progrès. At its forty-fourth session, the Commission had adopted resolution 1988/51, sponsored by France, providing advisory assistance to the new civilian Government of President Leslie Manigat. However, the report of the Expert on Haiti at the current session revealed the nature of the régime of Mr. Manigat, brought to power manu militari by followers of Duvalierism following much bloodshed.

204. The consistant policy of certain major Powers, such as the United States, France, the United Kingdom and others, was to preserve at all costs the status quo in the countries they continued to dominate. Such Powers had fully supported the Duvalier régime for 30 years and Jean-Claude Duvalier had now settled in France and was enjoying the fruits of his plunder in complete impunity. He asked why the Commission, which from 1981 to 1987 had considered the situation in Haiti under the procedure established in Economic and Social Council resolution 1503 (XLVIII), had decided to change after the fall of Duvalier and to appoint an Expert in the context of advisory services. The return to a dictatorship in the form of a "Duvalierism without Duvalier" obviously warranted consideration of the situation in Haiti under agenda item 12. That hasty change of heart reflected a flagrant selectivity in the Commission's work that was geared to specific political and ideological considerations. That was why certain countries such as the United States, France, and the United Kingdom sought to portray the human rights problem in countries such as Haiti and Guatemala in an abstract light, devoid of any political context, while countries such as Cuba and Nicaragua, which had freed themselves from the major Powers and their transnationals, were increasingly regarded as the scapegoats of the Commission. The positions recently adopted by those major Powers when the Commission had considered the report of its mission to Cuba, at the invitation of the Cuban Government were cases in point.

205. The new resolution on Haiti sponsored by France and just adopted by the Commission (E/CN.4/1989/L.83/Rev.1) once again recommended providing advisory services in order to encourage the régime's democratic development. France's stubborn attempt to minimize the seriousness of the human rights situation in Haiti was even more strange considering the fact that the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-fifth session adopted resolution 1988/12 recommending the appointment of a special rapporteur to study and report on the situation of human rights and fundamental freedoms in Haiti. In his report to the Commission (E/CN.4/1989/40) the Expert himself went so far as to suggest examining the question of whether minimum standards of respect for international norms should not be required in order for a country to benefit from United Nations advisory services.

206. The major Powers, which had only the interests of their transnationals at heart, wished to stabilize the situation in Haiti as soon as possible through "elections" which they naturally regarded as democratic. With a view to pursuing the "Taiwanization" of Haiti, they sought to interfere in or to influence the country's internal affairs through the Commission, by presenting the Macoute military that had replaced Duvalier as valid representatives, capable of establishing a democracy in Haiti. In conclusion, he drew attention to a recent report by Americas Watch on the situation in Haiti which emphasized the current Government's failure to institute inquiries or prosecute those guilty of abuses since General Avril came to power.

207. Mr. SENE (Senegal) said that, while he respected the right of non-governmental organizations to speak, the aggressive language used by the previous speaker was inappropriate in a forum such as the Commission, especially when addressing States. In the case at hand, his own country had been involved in the initiative, which had been in response to the Government's stated intention to hold elections, draw up a constitution and establish a democracy. Therefore, the States behind the initiative were not at all the ones the speaker had mentioned, and he referred him to the Commission files to learn how those decisions had been taken.

208. Mr. CRUZ (International Indian Treaty Council) said that because of the steadily deteriorating human rights situation in Guatemala, the Commission must study and investigate Guatemala's human rights record under agenda item 12.

209. Paragraph 30 of the Expert's report (E/CN.4/1989/38) cited the situation of refugees, stating that returning refugees staffed civil defence patrols. However, when the Guatemalan President's wife had visited the refugee camps in Mexico in 1986, she had promised the refugees that they would not have to participate in the civil defence patrols. The Expert's report showed that those were simply more untruths told to the indigenous peoples of Guatemala.

210. As paragraph 35 of the report stated, indigenous peoples had been traditionally discriminated against and excluded without real participation in the development of the country. His delegation called upon the Guatemala Government to take urgent steps to resolve the problems of indigenous people.

211. According to the report, extra-judicial executions continued, involuntary and forced disappearances were growing in number and leaders and members of popular organizations, indigenous peoples, and representatives of humanitarian and human rights organizations continued to be threatened, intimidated, persecuted and tortured. Although Guatemala had ratified a score of international conventions on human rights and had created human rights instruments such as the Human Rights Attorney-General and the Human Rights Commission of the Congress, his organization believed that those instruments were ineffective and were established only as a formality in view of the "counter insurgent" nature of the Guatemalan army, which controlled the political, economic and social life of the country. His organization implored the Guatemalan Government to guarantee and respect the lives and culture of the indigenous peoples of Guatemala.

212. Mr. GALLARDO (World Federation of Democratic Youth) said that his organization was impressed by the volume of United Nations assistance requested and received by the Government of Guatemala in the context of its

efforts to ensure respect for human rights. However, it was disconcerted to see that such assistance was not leading to a noticeable improvement in the human rights situation. According to reliable sources, violations of the right to life had reached horrifying levels in 1988. According to information published in El Gráfico and Prensa Libre, 1,293 deaths had occurred, 800 of them at the hands of the death squads. It was deeply alarming that, of the 340 disappeared persons, 128 had been minors. Between 1986 and 1988, kidnappings and disappearances appeared to have increased by 358.4 per cent and summary executions by 64.2 per cent.

213. His organization noted with concern the increase in the number of paramilitary groups, or "death squads", which threatened the lives of members of the opposition, defenders of human rights and trade-union leaders. Such groups enjoyed complete impunity in carrying out "dirty war" operations while the army and the Government concerned themselves with the country's public image. Everyone was aware of the link between such groups and the military. The death squads were particularly active in student circles.

214. The Expert's report referred in paragraph 32 to the events known as the "El Aguacate" massacre, referring to a communiqué attributing responsibility to the National Revolutionary Group of Guatemala in the kidnapping and murder of 21 peasants. That group on 24 February had sent the Expert a letter totally denying the governmental version of the events.

215. His organization firmly supported all initiatives aimed at obtaining a just and lasting peace in Central America. Because of the internal armed conflict existing in Guatemala, which was worsening, he urged the parties to the conflict to resume the dialogue begun in Madrid, as a pre-condition for solving the Guatemalan conflict and contributing to peace in the Central American region. In conclusion, the mandate of the Expert appointed by the Secretary-General did not reflect the real concerns of the Guatemalan people and did not correspond to the situation in the country.

216. Mr. KALKE (International Association against Torture) said that, while aware of the stated intentions and efforts to improve the human rights situation in Guatemala, his organization and several others were deeply concerned over new evidence which pointed to the continuing use of torture in that country and violence against human rights workers.

217. With impunity almost certain in many countries, the task of holding those accountable for the systematic use of torture was next to impossible, as was the dismantling of military, para-military and security forces trained in the art of torture. Greater efforts to co-ordinate information and activities between the Centre for Human Rights, non-governmental organizations and States would help promote more effective use of advisory services. In addition, the strengthening of advisory services for countries with emerging or protected democracies seeking to distance themselves from para-military or military forces which had been involved in torture or death squad activity would also be of service.

218. Mr. RAIANI (International Organization for the Elimination of All Forms of Racial Discrimination) said that his organization wished to propose that the United Nations Special Advisory Services should broaden its scope of programmes specifically in the area of racial discrimination and provide technical assistance to any vulnerable group or community to enable it to

evaluate legislation and official policies that affected it. The Special Advisory Services could then make recommendations to the State involved to help them bring their policies into line with international standards.

219. The vanishing primitive societies whose traditions and values were not transmitted by the written word were among the most vulnerable minority groups in the world. Having no means of evaluating the policies of their administering States, those peoples had great need of the United Nations Special Advisory Services in order to prevent practices which violated their right to maintain their own cultures.

220. To prevent racial discrimination against indigenous societies, his organization proposed that, in co-operation with the Working Group on Indigenous Populations and in consultation with indigenous communities and experts in the field of education, the United Nations Special Advisory Services should conduct a comprehensive study on the methods of teaching aboriginal societies to develop a means of preserving their own educational traditions, which should be supplemented with a working knowledge of one of the official United Nations languages. The aboriginal societies should also be taught their international rights as indigenous populations and how to exercise and protect these rights within their own administering State and within the United Nations system. Several indigenous communities from various parts of the world had expressed the need for such assistance. Traditional native American communities were very alarmed by the high rate of suicide among Indian children, which attested to the deep socio-pathologies that existed in those communities. His organization strongly urged that the United Nations Special Advisory Services should act immediately to develop technical assistance and appropriate human rights teaching programmes for indigenous peoples.

The meeting rose at 12.10 a.m.