Agenda item 62: International Year for Human Rights (continued):
   (a) Measures and activities undertaken in connexion with the International Year for Human Rights: report of the Secretary-General;
   (b) International Conference on Human Rights General debate and consideration of draft resolution A/C.3/L.1623/Rev.1 (continued)

Chairman: Mr. Erik NETTEL (Austria).

AGENDA ITEM 62

   (a) Measures and activities undertaken in connexion with the International Year for Human Rights: report of the Secretary-General;
   (b) International Conference on Human Rights

GENERAL DEBATE AND CONSIDERATION OF DRAFT RESOLUTION A/C.3/L.1623/REV.1 (continued)

1. Mr. ARTAZA (Chile) said he hoped that the draft resolution (A/C.3/L.1623/Rev.1), of which his delegation was a sponsor, would be adopted by acclamation. As was stated in the draft resolution, the International Conference on Human Rights had made an important constructive contribution to the cause of human rights. However, its results should be translated into effective action, as was also stated in the draft.

2. Many resolutions had been adopted on the subject of the observance and promotion of human rights, but it was disconcerting to have to admit that frequent, painful and widespread violations of human rights occurred, as President Frei had recognized in a message to the nation on the occasion of the celebration of the International Year for Human Rights.

3. While violations of human rights were pointed out with alacrity and nobility and condemning resolutions were easily adopted, no effective supranational machinery had been created which would have broad independent and technical powers of investigation and would enable the international community as a whole to protect such rights and to prevent and punish violations of them. The political nature of States, which were still based on the concept of absolute sovereignty, precluded the existence of proper international machinery to give effect to the resolutions so frequently adopted by the United Nations. Without such machinery, all resolutions, however idealistic and well drafted and amended they might be, would be no more than words or—what was even more dangerous—tools in the hands of those who sought only to defend State interests and not in any real sense the integrity of the human person.

4. Moreover, conditions of economic and social justice must be created, since the true dimension of human rights was to be found in the progress made in both fields. In that connexion, however, it was also necessary to recognize that the international community was daily moving further away from that ideal. The differences between rich and poor countries were becoming more and more pronounced, and poverty seemed to be casting a lengthening shadow. International trade, unfavourable terms of trade, difficulties of access for the products of the developing countries to the great world markets, which were activated and sometimes controlled by the rich countries for their exclusive benefit, were reasons for the existence of that phenomenon, which was the most outstanding obstacle to the effective observance of economic and social rights.

5. Such a world, in which justice was largely lacking, could not be the abode of human rights. The international community as a whole must put an end to that state of affairs.

6. However, the task did not end there. The existence of privileged minorities, of unjust patterns of distribution of wealth, of inhuman economic systems, of political systems controlled by minorities who prevented the majorities from having democratic access to power, was also a threat to human rights.

7. He hoped that the International Year for Human Rights would achieve its primary objective, which was to show how great was the task remaining to be done in order to protect the most sacred rights of man; while that task was difficult enough in itself, it could and must be done.

Mrs. Ould Daddah (Mauritania), Vice-Chairman, took the Chair.

8. Mr. RIBEIRO (Uruguay) said that the celebration of the International Year for Human Rights and the holding of the Teheran Conference were two formal occasions which provided a splendid opportunity for taking a backward look and giving future impetus to work in the field of human rights.

9. Exhaustive consideration of the Universal Declaration of Human Rights adopted in Paris in 1948, and
the successes achieved since, could provide the most vivid summary of the topic under discussion, since few such documents had had so much influence or exerted so much pressure on a wide variety of fields. Reference to it appeared in various international instruments, such as the European Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome in 1950; the Declaration of Caracas, adopted by the Tenth Inter-American Conference, held in 1954; and the declarations of the African-Asian Conference, held at Bandung in 1955. Among the objectives of the Organization of African Unity was also the goal of promoting international co-operation, taking into account the Charter of the United Nations and the Universal Declaration of Human Rights.

10. The celebration of the International Year called for an objective review of the ardent and generous principles enunciated in 1948, in order to ascertain whether: they remained as they had been formulated or had served to define and shape a will for the constant attainment of higher goals and more tangible aims, fraught with universal content. It was an occasion for examining and evaluating what had been done, for planning what remained to be done, for finding out what obstacles there had been and for discovering the best ways of overcoming them.

11. The Teheran Conference, in whose preparation and deliberations his country had taken part, had provided a historic opportunity to strike that delicate balance and the occasion to try to answer such transcendental questions. It had been a Conference on a major scale, at which eighty-four countries had been represented by delegations having a profound mastery of the subject-matter of the gathering, and by many organizations which had demonstrated their activity and interest in social matters.

12. The Proclamation adopted by the Conference showed that in many respects the persistence of extremely serious problems, whose ramifications could deeply affect the international Organization, was pointed out and censured. The unequivocal proof of their existence did not mean that no progress had been made. Perhaps progress had not been as fast as was necessary, but that did not mean that there had been any retrogression. Clearly, the integral reality of the world did not respond to the written word, inserted in declarations, conventions and protocols, which had been adopted unanimously or by the consensus of an overwhelming majority of Member States, but the United Nations was neither an entelechy nor nebulous adumbration, the product of a fevered activity and interest in social matters.

13. Uruguay had enthusiastically joined in celebrating the International Year for Human Rights, and had planned and carried out a number of commemorative ceremonies, but at the same time it felt with deep pride that the greater respect for human rights was due to their full exercise, as they had been spelt out in its Constitution and as they were practised in the daily life of every citizen.

14. His country had sponsored a draft resolution to make the text of draft resolution A/C.3/L.1623/Rev.1.

Mr. Nettel (Austria) resumed the Chair.

17. Mr. HELDAL (Norway) said it was very appropriate that the special activities undertaken during the International Year for Human Rights should include the dissemination of the text of the Universal Declaration of Human Rights and the highlighting of its contents, which had provided a solid foundation for instruments on specific subjects, both declarations and binding conventions, inspired champions of the cause of human rights throughout the world, and guided national efforts to frame constitutional and other provisions relating to human rights.

18. In their efforts to promote human rights, the United Nations family, regional intergovernmental organizations and national Governments should, on the one hand, establish national and international standards and, on the other, work for their effective implementation, which required a sustained information campaign. The United Nations and its specialized agencies had established a set of international standards for a wide range of human rights, revolving around the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenants on Human Rights. So far as the specialized agencies were concerned, special mention should be made of the ILO conventions concerning freedom of association, the abolition of forced labour, discrimination in respect of employment and occupation, and equal remuneration for men and women workers for work of equal value. His delegation attached great importance to the strengthening of the international machinery which was gradually being created for the effective supervision of the perfor-
Organisation could benefit considerably from a study of the arrangements evolved by the ILO, which had produced a number of tangible results. In that regard, it was encouraging that both the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenants on Human Rights contained more advanced enforcement measures than earlier United Nations conventions.

19. The Government of Norway had ratified all the ILO conventions on human rights and had signed the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenants on Human Rights and the Optional Protocol to the International Covenant on Civil and Political Rights. A national committee under the patronage of the Head of State, composed of representatives of three ministries and fifty non-governmental organizations and headed by the President of the Supreme Court, had planned and co-ordinated the activities undertaken in Norway in connexion with the International Year for Human Rights, including the dissemination of information on the subject, particularly in teacher-training colleges and educational institutions.

20. He attached particular importance to resolutions IX and XX of the International Conference on Human Rights, concerning the promotion of women's rights and the education of youth in the respect for human rights and fundamental freedoms. One of the provisions in resolution IX invited Member States to give the widest publicity to all the instruments of the United Nations and the specialized agencies concerning the status of women. In the field of human rights, as in others, a better-informed general public was a prerequisite for progress. In Norway, increasing efforts had been made in recent years to disseminate information about women's political rights and their rights and opportunities in education and employment. A nation-wide campaign carried out in 1967 had resulted in a pronounced increase in the number of women elected to the municipal councils. An Equal Pay Council, established at the beginning of the current decade in connexion with Norway's ratification of the ILO Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, informed schoolgirls of the educational and employment opportunities open to them. The same attention was being devoted to the recommendations in resolution XX of the Teheran Conference on the promotion among youth of the noblest ideals of mankind.

21. His delegation believed that the draft resolution before the Committee (A/C.3/L.1623/Rev.1) was a balanced text and contained proposals which should be acceptable to all delegations. He therefore hoped that it would be adopted unanimously.

22. Dame Mabel MILLER (Australia) said that the adoption of the Universal Declaration of Human Rights twenty years previously had been a landmark, in that it had represented the adoption for the first time of a detailed set of principles and objectives relating to the rights of the individual human being. The United Nations Charter, and particularly the Preamble and Articles 1 and 55, imposed upon States the obligation to adopt policies which promoted and encouraged respect for human rights and fundamental freedoms and to protect individuals against discrimination on grounds of race, sex, language or religion. Similarly, although without binding force, the Universal Declaration set ideal standards to be aimed at by States and individuals in the sphere of human rights.

23. Although many countries had made commendable efforts during the current International Year for Human Rights to achieve a greater recognition of the importance of respect for human rights, one must acknowledge that widespread violations of human rights and fundamental freedoms continued to occur in various parts of the world. No form of society and no country could properly claim that it had nothing with which to reproach itself.

24. The Australian Government was seeking to develop and encourage positive promotion of human rights within the country and was opposed to all forms of discrimination. It realized that respect for human rights and the elimination of discrimination were not simply a question of legislation. They also required a process of education, the creation of a climate of confidence among different groups and the execution of economic and social programmes to facilitate the adjustment of differences and tensions.

25. In that connexion, her Government had adopted specific measures in connexion with the celebration of the International Year for Human Rights. It was reviewing those United Nations instruments on human rights to which Australia was not a party; as a result of the review, the Australian Government had withdrawn its reservations to a number of articles in the Convention Relating to the Status of Refugees and had decided to sign and ratify the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. In addition, information media had been asked to cooperate in the observance of the International Year and a national committee had been established which, with the help of a government grant, was distributing copies of the Universal Declaration of Human Rights to all students in Australian secondary schools and copies of other United Nations documents on human rights to all schools and interested non-governmental organizations. A conference on human rights would be held at the beginning of 1969 and its conclusions would be submitted to the Government.

26. Although the International Conference on Human Rights had achieved worth while practical results, notably the unanimous adoption of the Proclamation of Teheran, her delegation would have preferred the Conference to have dealt more thoroughly with ways of ensuring observance of human rights and with effective implementation procedures for United Nations conventions in the field of human rights. Nevertheless, it would support the draft resolution on the International Year for Human Rights in document A/C.3/L.1623/Rev.1.

27. It was difficult to speak about human rights and the obligations imposed by the Charter in that regard without referring to a violation of those obligations which had a long and tragic history, namely, discrimination against the Jewish people. Although it would have been natural to expect that the Nazi persecutions of the Second World War would be followed by a compensatory movement in the post-war era, more
such attacks on human dignity had occurred. The International Year for Human Rights had witnessed a renewed campaign in the Soviet Union aimed at reviving the old clichés of anti-Semitism, such as the allegation of an international Jewish conspiracy. In order to avoid charges of racial discrimination, the Soviet information media were cloaking their anti-Semitic propaganda by using the term "Zionism". Nevertheless, it was obvious that the so-called anti-Zionist propaganda possessed many of the age-old attributes of anti-Semitism and that it would inevitably have an insidious effect on the attitude of the Soviet people towards their Jewish fellow citizens.

28. The International Year for Human Rights had also seen a renewed outburst of anti-Semitism in Poland, where the small Jewish community had been made the scapegoat for the disturbances which had occurred in that country early in the year. Official Polish news organs had condemned the Jews for revisionism and Zionism and had made the accusation that their participation in the supreme organs of power was excessive. Less than 30,000 people could not possibly pose a threat to a nation of over 30 million. Her delegation urged the USSR and Poland to adopt a policy of religious tolerance and non-discrimination towards the Jewish community, in accordance with the letter and spirit of the United Nations Charter.

29. She also stressed the valuable work of non-governmental organizations in the field of human rights. The private citizen, acting either individually or collectively, could play a most important role in protecting the individual against violations of his rights and the abuse of power. Through civic education, conferences, seminars and the distribution of publications, non-governmental organizations could make an important contribution to giving people a fuller understanding of what was being done at the international level in the field of human rights and of the individual citizen's constitutional and legal rights. They could also influence the information media and work for the elimination of prejudices against minority groups, which were often the basic cause of denials of human rights.

30. She expressed the hope that in future years the United Nations would pay greater attention to the practical problems relating to the effective implementation of the principles enshrined in the Charter, the Universal Declaration, the International Covenants and the principal United Nations human rights conventions.

31. Mr. BAHNEV (Bulgaria) expressed surprise at the contradictory stand taken by the United States representative at the 1622nd meeting; he hoped that the United States delegation would adopt a more constructive attitude in the future. Despite the appeals of a number of delegations, the United States representative had digressed from the item under consideration and had interrupted the Committee's work by introducing a topic relating to the cold war. Under the pretext of defending the implementation of human rights and fundamental freedoms, she had introduced a subject which fell within the internal jurisdiction of a State, instrument through which it could realize its aspirations and that the cold war impeded international cooperation and the full exercise of human rights. If that was so, the United States delegation had sacrificed that criterion in order to make a petty propaganda point. Its attempts to limit the question of the implementation of human rights to one specific nation was contrary not only to the Charter and United Nations decisions in that field but also to the policy of the United States Congress with regard to international law. The United States delegation had perhaps been obliged to take that contradictory stand because of the discrepancy between the real situation in its country and the statements made about it; those statements referred, however, not to the basic facts but to the measures which had been taken.

32. As other delegations had pointed out, the United States representative had said nothing about the violations of human rights in the Middle East, which constituted a threat to international peace and security and clearly came within the Committee's jurisdiction. The situation in that area, which had led to three wars in the past twenty years, resulted from the refusal to recognize the right of self-determination of the people of Palestine, who had been transformed into a refugee people by the destruction of their homes and villages.

33. His delegation urged the United States delegation to abandon such irreconcilable contradictions in order to save time and enable the Committee to do constructive work.

34. The International Year for Human Rights had been proclaimed in Bulgaria on 7 December 1967; and the importance of the Universal Declaration of Human Rights had been stressed on that occasion. In connexion with the International Year, a national commission, composed of representatives of public organizations and the Ministry of Justice and headed by the Vice-President of the Presidium of the National Assembly, had been established, and the relevant national legislation had been reviewed in the light of the International Covenants on Human Rights. His delegation hoped that those Covenants—which Bulgaria had signed on 8 October 1968—would in future, together with the Universal Declaration of Human Rights, influence the constitutions and legislation of many other countries. He recalled that Bulgaria had been the first country to ratify the International Declaration on the Elimination of All Forms of Racial Discrimination. It was, moreover, considering the possibility of ratifying all the international human rights instruments.

35. Referring to draft resolution A/C.3/1623/Rev.1, he expressed approval of the wording of the last preambular paragraph. On the other hand, although recognizing that the Teheran Conference had made an important constructive contribution to the cause of human rights, he did not feel that it could be placed on the same footing as the Universal Declaration of Human Rights or be described as a "solid foundation" for further action by the United Nations, as was done in operative paragraph 1. Furthermore, in operative paragraph 3, it was not appropriate to describe the Proclamation as a "historic reaffirmation" of the principle.
necessary to reiterate them in a new instrument. In operative paragraph 5, moreover, no mention was made of the resolutions adopted by the Conference. As his delegation had played an active part in the formulation of those resolutions, it felt that they should be given as much publicity as the Proclamation. One of them, for example, referred to the signing of international instruments on human rights, a subject to which Bulgaria attached particular importance. He therefore considered that the Division of Human Rights should study the question and find some way of putting an end to the illogical United Nations practice which prevented some States from becoming parties to international instruments relating to human rights. He hoped that the sponsors of the draft resolution would consider his suggestions.

37. Mr. PROHASKA (Austria) recalled that the question of human rights had not been considered at the international level until 1945, when the Charter of the United Nations had been drafted. The Charter had introduced for the first time the idea that respect for human rights was a factor of world peace and stability. The Universal Declaration of Human Rights, adopted three years later, had taken up and amplified that important idea.

38. The fact that the Declaration expressed in the name of the States which had adopted it a common conception of human rights and fundamental freedom made its value incontestable. However, much doubt had been expressed about the value of a declaration which did not provide for the technical and legal machinery for its implementation. In order to dissipate that doubt, it sufficed to recall the thirty international legal instruments on human rights which had been adopted since 1948, for they provided eloquent testimony of the great progress made since then in defining and guaranteeing the inalienable rights of the human person. Those instruments had made people aware that human rights formed an essential part of the legal structure of every modern State, and were the cornerstone of every democratic régime, regardless of its political outlook. Many provisions embodied in those instruments had been incorporated in the constitution and laws of many countries.

39. The achievements which had been realized at the regional level were equally important. He drew attention to the human rights instruments adopted within the framework of the Council of Europe and in particular to the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which Austria attached special importance. In the preamble to that Convention, the Governments of European countries with a common heritage of political traditions, ideals and freedom, being resolved to ensure respect for the rights stated in the Declaration, had reaffirmed their profound belief in those rights and in the fundamental freedoms which were the foundation of justice and peace in the world. A European Commission of Human Rights and a Court of Human Rights had been set up to ensure that States honoured their obligations. The greatest achievement of the Convention was to have made it possible for any individual to have direct access to an international body. In his delegation's view, that innovation was of paramount importance in legal history.

40. Another practical achievement worth mentioning was the fact that several countries which were parties to the Convention had been obliged to amend their constitutions and laws as a result of complaints submitted by individuals; Austria, for example, had twice amended its Code of Criminal Procedure. Thus, the operation of some international State institutions had been placed under the supervision of the Commission or the Court of Human Rights.

41. Turning to the International Conference on Human Rights that had been held at Teheran, he paid a tribute to the Government and people of Iran for their generous hospitality and co-operation. The Conference, which had been the first international gathering dedicated exclusively to the rights of man, had been the highlight of the International Year for Human Rights. In his view, its most important achievement had been the unanimously adopted Proclamation of Teheran, which constituted a reaffirmation of the Universal Declaration.

42. Among the many resolutions adopted by the Conference, Austria attached particular importance to the Declaration XI relating to human rights and scientific and technological developments. The Austrian delegation to the Consultative Assembly of the Council of Europe had taken a similar initiative some years previously. The human rights problems arising from those developments should be studied, identified and solved with a view to the fuller enjoyment of human rights and fundamental freedoms. He therefore considered it appropriate that any resolution on that subject adopted by the General Assembly should take account of the work and studies already undertaken by the Council of Europe.

43. Despite the many achievements of the past twenty years, discrimination, violence and persecution still existed. His Government trusted that the rejection of all violations of human rights wherever they occurred would enable the tireless efforts of all those who aimed at the implementation of human rights to lead eventually to what the Universal Declaration described as a world in which human beings, free from fear and want, would enjoy freedom of speech and belief.

44. Mr. RESICH (Poland) said that he had hoped all delegations would make a positive contribution to the Committee's deliberations. For that reason he found it regrettable that the representative of Israel should introduce a discordant element into the proceedings by making totally unfounded allegations. Those allegations had their origin in the policy of aggression pursued by Israel, which was trying in every way to divert the world's attention from the tragic situation in the Middle East. He wondered how long Israel would go on slandering the countries which had condemned its aggressive policy in the occupied territories and the discrimination which it practised against the Arab population. He wished to reiterate categorically that in his country there was no anti-Semitism or other form of discrimination, either de facto or de jure.

45. He also expressed regret that other representatives had made unfounded remarks regarding his country which only demonstrated their ignorance of the true situation. The United States delegation had taken advantage of its right of reply to raise matters
that were irrelevant, a procedure which was out of order in the United Nations. On the other hand, that delegation had forgotten to mention the discrimination practised in its own country against the Negro population, or the profanation of synagogues, something which the representative of Israel had likewise seen fit to overlook.

46. The statement of the Australian representative constituted an inadmissible intervention in the internal affairs of Poland. The Australian delegation, too, had thought it unnecessary to speak of the discrimination practised in its country against the indigenous population or of the denial of the right of self-determination to the Trust Territories under Australian administration.

47. Mr. SAYEGH (Kuwait), speaking in exercise of the right of reply, referred to the observations made by the United States representative at the 1623rd meeting. He expressed the hope that, when the problem of the Arab population of the territories occupied by Israel was taken up in connexion with draft resolution A/C.3/L.1626 and Add.1, that representative would again have in mind the principle of self-determination of peoples to which she had referred when mentioning the situation in Czechoslovakia.

48. The United States representative had also said that her country's stand on the problem of the Arab refugees had been set forth earlier in the Special Political Committee. His delegation was studying that statement with great care in order to be able to make an appropriate reply.

49. The United States representative's reference to President Johnson's five points was totally irrelevant as far as the human rights aspect of the situation in the Middle East was concerned; besides, the Kuwaiti delegation had at no time raised that question.

50. Also, any insinuations concerning alleged discrimination against Jews in Kuwait were entirely unfounded, for Kuwait had no Jewish population.

51. He objected to the Australian representative's identification of Judaism with Zionism and of anti-Semitism with anti-Zionism, for if that was the case, the horror which anti-Semitism inspired throughout the world would enable a State which proclaimed itself Jewish, as did Israel, to be virtually immune from criticism of any action that it might take. What was more, such a State could request assistance from the international community even for the purpose of carrying out policies which were wrong, since the denial of aid could be interpreted as anti-Semitism.

52. Mrs. ESHEL (Israel), speaking in exercise of the right of reply, said that she had never denied that Poland had legislation condemning anti-Semitic practices; what she had said was that despite the existence of such legislation, anti-Semitism in that country was increasing. That was confirmed by the appeal addressed on 4 May 1967 by a number of Czechoslovak writers to the leaders of the Polish people asking that anti-Semitism should be brought to an end. It was likewise confirmed by the statement made during the current year by the President of the Czechoslovak by a letter from the renowned pianist Artur Rubinstein, published in The New York Times on 28 April 1968, which had condemned the shocking recrudescence of anti-Semitism in Poland.

53. She would reply fully to the slanderous statements regarding her country's conduct towards the Arab population of the territories occupied by Israel when the Committee took up draft resolution A/C.3/L.1626 and Add.1.

54. Mr. BAROODY (Saudi Arabia), speaking in exercise of the right of reply, said that he regretted having to respond to statements made by a delegation which represented a usurper State, such as Israel was. However, he was obliged to do so because the statements made by the representative of Israel showed that she was under the delusion that Judaism was a nationality, forgetting that 14 million Jews were living outside Israel and were loyal citizens of various States. Despite the frequent accusations that there was a concerted world movement against the Jews, many of them held high positions in or were respected citizens of numerous countries.

55. While it was true that history recorded instances of anti-Semitic discrimination centuries before Hitler, those manifestations had always been limited to Europe and had not occurred in Africa or Asia, where Jews and Moslems had lived together as brothers in religion, sharing the concept of monotheism. Moreover, one could hardly speak of anti-Semitism among the Arabs, since they themselves constituted the great majority of the Semitic race. Zionism, which was of more recent origin, was a political movement that had first appeared in eastern Europe and had made use of Judaism to gain political ends. In terms of ethnology and culture, as opposed to religion, the Jews of eastern Europe were not Semites at all. The anti-Semitism practised against them had always been inspired by political considerations or the natural distrust aroused by a different community.

56. Moreover, the attitude toward Jews had not always been one of discrimination; in certain countries and at certain times in history the Jews had not only been welcomed and respected but had even enjoyed privileges and held high positions. Judaism, however, was a religion and not a nationality, and it should not be confused with Zionism, which had used religion as a shield behind which to pursue political ends.

57. In the twentieth century, a nationality could not be created on the basis of religion, any more than a justification could be found for the establishment of an artificial State in Palestine at the expense of the indigenous population, which had been expelled from its own land by intimidation and threats. That outrage had been the work of world Zionism, supported by certain Powers which were turning the situation to their own advantage. Thus, the Middle East had been converted into a chess-board of the Great Powers, and people whose only desire was to recover what had belonged to them from time immemorial were called terrorists.

58. Mr. RESICH (Poland), again speaking in exercise