SUMMARY RECORD OF THE SECOND PART */ OF THE 50th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 7 March 1988, at 3 p.m.

Chairman: Mr. Sene (Senegal)

later: Mr. Mezzalama (Italy)

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Question of human rights in Chile (continued)

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 the human rights in Cyprus (continued)

*/ The summary record of the first part of the meeting appears as document E/CN.4/1988/SR.50.

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Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.
QUESTION OF HUMAN RIGHTS IN CHILE (agenda item 5) (continued) (E/CN.4/1988/7 and 68; E/CN.4/1988/NGO/7, 9, 29 and 44; A/42/556 and Corr.1 and A/42/725)


(a) QUESTION OF HUMAN RIGHTS IN CYPRUS (continued) (E/CN.4/1988/27)

1. Mr. VREEDZAAM (Observer for Suriname) noted that the Special Rapporteur on summary or arbitrary executions gave an account, in the annex to his report (E/CN.4/1988/22) of the events that had taken place from July 1986 to August 1987 in Suriname, which he had visited on two occasions. The Government of Suriname deplored the deaths of the civilians that had occurred during the military operations as it did the deaths of the men who had given their lives to save the nation. Since the Special Rapporteur’s last visit, there had been many interesting developments in the situation. General elections had been held on 25 November 1987, based on a new Constitution, approved by a plebiscite on 30 September 1987. As the foreign observers had testified, those elections had been carried out freely and had provided the Government with a clear-cut mandate. The National Assembly had elected a President and a Vice-President, who had taken up their functions on 25 January 1988, and had appointed a new Cabinet on 26 January. A secret ballot was the best way for the people to indicate its opinion on the performance of a Government and to elect its leaders.

2. Respect for and enjoyment of human rights and fundamental freedoms, and the creation of democratic institutions to safeguard those rights would be of paramount importance for the Government in the years to come. Believing that all problems should be resolved through dialogue, the Government would act accordingly. In order to resolve the problem raised by the Special Rapporteur in his report, all the bodies involved would have to exercise the utmost restraint and maintain the relatively peaceful atmosphere that had already prevailed for some months in Suriname.

3. The Government had undertaken to discharge the mandate with which it had been entrusted by the electorate. It was a long-term process which required the good will and co-operation of all. In the meantime, it reaffirmed its commitment to the observance of human rights and fundamental freedoms and, more particularly, respect for the right to life, which was vital for the success of the democratic process envisaged. Suriname had also acceded to the Inter-American Convention on Human Rights and had accepted the compulsory jurisdiction of the Inter-American Court of Justice. His Government valued a good relationship with the international agencies concerned with human rights, and was ready to co-operate fully with them. It would tolerate no discrimination based on sex, race, religion, age, tribe or place of birth. Finally, in conjunction with the French authorities, it had taken measures to pave the way for the return of those Surinamese who had fled to French Guyana. It would also need international assistance, particularly that of the International Commission of the Red Cross, in resettling the returnees. It had taken note of the recommendations made by the Special Rapporteur, and hoped that the situation, which was steadily improving, would make further official visits by Mr. Wako unnecessary.
4. Mrs. FLORES (International Union of Students) said that her organization was very concerned at human rights infringements in the countries of Central America and the Caribbean, and particularly the infringement of the human rights of Salvadorian students by the armed forces and death squads. In 1987, the autonomy of the University of El Salvador had been violated on a dozen or so occasions, 5 individuals, professors and students had been murdered, at least 17 students had been kidnapped, 2 others had been injured, and another was missing. Those events reflected the critical situation in which students and teachers found themselves in El Salvador, and clearly denoted the Government's lack of political will to comply with the commitments it had made in respect of human rights and the Esquipulas II accords.

5. The University of El Salvador was currently being subjected to pressure by the Salvadorian Government, which was trying to make it abandon its critical attitude to governmental policy. Its budget had been eroded to the point where it was no longer able to operate normally, and it had been compelled to have recourse to international solidarity. The Government had not taken the necessary action to bring to justice those responsible for the damages inflicted at the time of the army's occupation of the University. It was obviously not anxious to settle the problem of primary concern to Salvadorians. It was therefore important that the Commission should study the situation in El Salvador and extend the Special Representative's mandate.

6. Turning to the human rights situation in Colombia, she said that the widespread situation of repression that tended to stifle the freedom to criticize and think dogged Colombian youth, and that the methods used were all too familiar, including threats, killings and enforced disappearances. She read out the names of the many students and teachers of the University of Antioquia who had been assassinated or who had disappeared, as well as the names of victims of crimes of violence. A large number of students and teachers, including several members of the Standing Committee on Human Rights of Antioquia, had also been compelled to leave Colombia for reasons of security.

7. The seriousness of the situation was compounded by the fact that the few inquiries that had been carried out established the responsibility of certain officers and non-commissioned officers in the Colombian police and army. Unfortunately, even when the Office of the Prosecutor proved the role played in the disappearances by members of the police, they were cleared of any suspicion by the military courts.

8. Referring to the case of a young sociologist illegally arrested by an army control at Antioquia and tortured for 12 hours, she wondered why the Colombian Government had confirmed to the Working Group on Enforced or Involuntary Disappearances that the corpse discovered close to the scene of the kidnapping was that of the young sociologist, since it had been impossible to identify.

9. The Zambrano decision, approved by the Council of State on 5 February 1988, had acknowledged that the Colombian Ministry of Defence had been guilty of torture and killing in the case of crimes committed by the armed forces. Yet, once again, the guilty had been cleared of any suspicion by the military courts.
10. **Mr. COSTA** (Liberation) said that he was Timorese and had managed to escape from his country in October 1987 in order to give testimony abroad on the human rights violations perpetrated by the Indonesian military in East Timor. He recounted the circumstances of the occupation of East Timor, and described the torture, executions, arrests and massacres carried out by the Indonesian forces since they had invaded the country on 7 December 1975. He had been arrested several times, including once on 18 August 1983, on suspicion of collaborating with Fretilin, and subjected to torture for two weeks before being thrown into prison, where the deplorable conditions of detention had improved only on the eve of the visits made by ICRC delegates or foreigners. Several prisoners had disappeared at that time. Ordinary law prisoners had been more privileged than political prisoners. Many political prisoners had been made to sign false confessions which were then used to stage sham trials. The lawyers, appointed by the court, had had no contact with the prisoners, and had worked closely with the prosecutor and the judge to produce verdicts and sentences already decided upon by the military. Together with 49 others, he had refused to sign false confessions and had never been tried. After 20 months in prison, they had been released, but had had to report every week to the Indonesian military command. On his return to his home in Baucau, he had seen many people being arrested on 17 August 1985 by the Indonesian military as a reprisal for the attacks carried out by guerrillas in Queleticai and Baucau. Those people had been interrogated and tortured by Red Berets, and some of them had been sent to prison at Dili. In January 1988, as a result of his escape, two people who had worked with him in a co-operative, as well as his cousin, a student in Jakarta, had been arrested and interrogated.

11. As long as East Timor was occupied by the Indonesian army, there would be no peace, because fear, torture, interrogation, massacre, rape, imprisonment and arbitrary execution were the daily lot of the people of East Timor.

12. One day in 1983, when he was being tortured, he had sworn that the time would come when he would escape from East Timor to tell the United Nations about his experiences and the sufferings of his people. His dream had come true. He thanked the Commission for allowing him to speak, but begged it to take action to protect his family from any reprisals it might incur on the part of the Indonesians.

Mr. Mezzalama (Italy) took the Chair.

13. **Mr. TORNER** (Pax Romana) said that his statement under agenda items 5 and 12 would focus on the subjects of militarization and impunity. The militarization of society had three consequences: it inhibited economic and social development, by diverting economic resources; it stirred up tension and encouraged human rights infringements; and it constituted a constant threat to peace. In some countries, the subordination of the Executive and the Judiciary to military logic had serious repercussions on human rights.

14. In the case of Colombia, attention had already been drawn to the use of threats, black lists, torture, systematic killing and enforced disappearance. Those violations could not be blamed solely on the mafia of drug traffickers or on the various subversive groups in the country. Pax Romana had received many complaints concerning the close links between the drug mafia and certain members of the Colombian army including the unimpeded
movement throughout Colombia of the most notorious members of the mafia, persons sought out and warned by telephone of visits by the army, weapons officially reserved for the army in the possession of several of the 140 paramilitary groups operating in the country, as the Minister of the Interior had himself admitted. The relations between certain sectors of the army and the paramilitary groups shed new light on the Government's policy, that policy showed a gradual tendency to increase the resources allocated for military operations which frequently turned into exercises in repression. The murders that had occurred in recent months were part and parcel of that momentum. The Chairman of the Committee for the Defence of Human Rights of Colombia had stated that a member of the opposition had been killed for identifying officers in the armed forces involved in murders and enforced disappearances. A few days before his death, the Attorney-General, Mr. Mauro Hoyos, had called for an investigation of several officers.

15. Attention should also be drawn to the close links between the paramilitary groups and the landowners, who used those private armies to maintain their control of the rural population primarily affected by the massacres in a country where agricultural reform was continually being put off. According to Radio Vatican, on the night of 5 March, in the department of Antioquia, members of the paramilitary group known as the Movimiento Estudiantil Nacional Socialista had surrounded huts in which farm workers were sleeping and had executed 21 people. The Minister of Defence himself had defended the existence of the paramilitary groups on the grounds that the State was unable to guarantee the security of citizens.

16. The situation in Colombia was an affront to democracy. Five hundred members of the Union Patriótica opposition party had been murdered, including many senators and deputies. What meaning had democracy when the members of opposition parties were being exterminated?

17. In that regard, he underscored the impunity curiously enjoyed by the guilty. The surrender of the Legislative Judiciary to the momentum of terror, whether through complicity or helplessness, was indefensible. In the current climate of violence, the adoption of further repressive measures against the civilian population was equally indefensible. Why, after the murder of the Attorney General by the mafia, was the Government taking anti-terrorism measures which led to further violations of the rights of the civilian population? That was why Pax Romana requested the Commission to appoint a special rapporteur on the situation of human rights in Colombia and to have the consideration of that question as a separate agenda item at its next session.

18. Regrettably, the case of Colombia was similar to that of several other Latin American countries. The statement by the Special Representative on the situation of human rights in El Salvador to the effect that the army did not make a systematic practice of torture, detention or enforced disappearance had surprised Pax Romana, which was in possession of reliable information on the widespread use of torture, murder and even bombing raids against the civilian population. The infringements of human rights by the army were causing many casualties among young people. Citing only one of the many cases, taken from the "Letter to the Churches of El Salvador" of the Central American University, he said that five young people aged about 20 had been arrested, on 20 May 1987, and found dead the following day. According to the Archdiocese
Legal Aid Office, the murder of the five young people had been a serious violation of human rights by the army for which there was no excuse, since at the time of their arrest, they had not been carrying arms and had the same rights as any other civilian. Since they had been arrested on the eve of their murder by the army, one must assume that they had been prisoners of the army at the time of their death.

19. The links between the death squads and the Salvadoran army were well known. There again, members of the military and paramilitary who were guilty of violations enjoyed an impunity which suggested the submission or the complicity of the Executive and Judiciary. It was no secret that the Colombian and Salvadoran armies received substantial economic and technical assistance from the Government of the United States. That was why Pax Romana requested the Commission to extend the mandate of the Special Representative. Moreover, the method of collecting information should be modified to ensure that the Commission had a credible version of events; sources independent of the Government, such as non-governmental organizations, should be mobilized.

20. The people of Guatemala also endured large-scale violations of their human rights by the army, which even carried out bombing raids on the civilian population, as during the "Fin de Año" offensive, conducted in the north of El Quiché, which had resulted in the flight of the civilian population. The zone was strictly controlled by the army and forcibly recruited civilian patrols. Despite the efforts of the Government, to which the Esquipulas II Agreements testified, the impunity of those responsible was making the separation of military, judicial and political powers ever more tenuous.

21. In Honduras, the police simply formed part of the army, and its members were subject to military regulations. The civil courts found it difficult to award sentences in the case of massacres by the police. On 4 July 1987, in the course of a check carried out in the streets, the judge Reyes Sarmiento had been shot dead by the members of the police, and the civil courts had been compelled to hand over the perpetrators of the crime to the military courts.

22. As a further example of a society imbued with militarism, where its impunity allowed the army to operate without any legal control, Pax Romana wished to refer to Peru, where no charges had been made following a massacre of 249 political prisoners.

23. The Commission ought to investigate all those events, and particularly the impunity of the persons responsible. Legal impunity, whether de jure or de facto, jeopardized any possibility of restoring a genuine democracy, as the law curiously known as the "clean slate" and implemented in Argentina showed. Many highly militarized societies were learning that lesson in various continents, as Pax Romana had pointed out under other agenda items. Impunity was an injustice that endangered peace and respect for human rights in Latin America and the rest of the world.

24. Mr. YUNGE (International Union of Young Christian Democrats) said that the report by Mr. Volio Jiménez and the events reported by human rights defence organizations showed that the Chilean Government was continuing to infringe the fundamental rights of the Chilean population to a point that was unacceptable for the international community, in view of the obligations
imposed by international law on that Government. One needed only to mention the torture, imprisonment of the opposition, deaths in conditions which brought the authorities under suspicion, the continuing arbitrary exile of certain individuals, and the restrictive conditions placed on admission to Chile for certain foreigners. Chilean youth was especially affected by the Government's actions against human rights. The democratic stands taken by the young clearly pointed to the failure of authoritarianism, and accounted for the dictatorship's harsh treatment of the rising generations, which had claimed many lives, including that of a student leader, Marco Martinez, murdered in circumstances that remained unclear. Such problems were not new, and merely reflected a situation which dated back to the take-over by General Pinochet.

25. He wished, however, to draw particular attention to the following in view of their seriousness: the disappearance of five persons at the beginning of September 1987 which remained unexplained despite actions brought in the courts; the activities of certain secret groups having ties with the Government, carried out against various social, religious and political circles and sections of the media, in the form of death threats, criminal attacks and searches of premises; the failure of the courts to comply with their obligation to protect the rights of citizens; the role played by the military courts controlled by the Government and used as an instrument of repression.

26. The persistence of large-scale, continuing and institutionalized violations of human rights confirmed yet again the urgent need for a political change in Chile. Only such a change would be capable of breaking the chain of violence and fear. His organization totally rejected State terrorism and the activities of political groups whose use of violence ultimately served the interests of General Pinochet. Political change was vital to restore the rule of law as well as the full exercise of human rights and public freedoms.

27. The International Union of Young Christian Democrats denounced General Pinochet's attempts to avert a popular verdict resulting from free and fair elections. The agreement of the opposition parties to take part in the plebiscite provided that certain requirements concerning integrity were met was the premise for a non-violent political and social campaign representing the most important political consensus in recent years. The official reaction to that programme was indicative of the confusion of the régime confronted with an opposition that sought peaceful solutions. General Pinochet needed to be beaten on the occasion of the plebiscite so that talks could begin between the civilian population and the armed forces. That was the view of the Christian Democrats and the overwhelming majority of the Chilean people.

28. In the light of those considerations, the International Union of Young Christian Democrats would like to see a categorical condemnation of General Pinochet's régime. It would also like the Commission to retain consideration of the situation of human rights in Chile as item 5 of its agenda, to extend the Special Rapporteur's mandate, to instruct him to follow the referendum very closely, and particularly the conditions in which the political forces exercised their freedom of expression and acceded to the communication media, to suggest that he should visit Chile to observe the holding of the plebiscite at first hand, to demand that the Chilean Government
should take the necessary action to shed light on the fate of the five missing persons and on other unexplained cases. National sovereignty would recover its rights in Chile as a result of the efforts of the Chilean people and the support of the international community. Latin America needed the assistance of a free Chile in order to ensure that justice and freedom prevailed throughout the continent. The participation of Chilean youth in that undertaking guaranteed Chile a democratic future and full respect for human rights.

29. Father BLANDON (World Student Christian Federation) said that, as the Catholic priest of the parish of Waslala in Nicaragua, he had been kidnapped and ambushed on two occasions. He wished to inform the Commission about the most recent experience. Following the signing of the Esquipulas II Peace Agreement, in August 1987, it had been decided, after consulting the Bishop of the diocese, to publicize the peace proposal in the 60 Christian villages forming the parish of Waslala. He had himself read out the proposal at a number of religious ceremonies, so that the faithful would be aware that the Church was involved in the quest for peace, particularly since many peasants from the parish had been kidnapped, tortured or harassed by groups of Contras. At the end of September 1987, he had on several occasions talked to groups of Contras who had maintained that the peace proposal was Sandinist and communist in motivation. He had explained to them that the proposal by President Arias has been endorsed by the five Presidents of Central America, and that an international verification commission would be formed to monitor compliance with the proposal in all the countries of the region. The Contras, who had objected to the peace plan, had threatened him with death if he continued to publicize it. On 9 October, he and Rev. Tiffer, the evangelical pastor, members of the Waslala local peace committee, had been summoned to meet the Contras who had expressed an interest in the amnesty law. Once there, they realized that they had been tricked by the invitation to hold a dialogue, and that the Contras had merely intended to keep them as prisoners or assassinate them, so as to paralyse the local peace committees. They had been interrogated as though they were wrongdoers, threatened with death, accused of reporting all the human rights infringements and murders carried out by the Contras in the Waslala region, forced to wear military uniform, at the risk of their lives if there had been fighting, and made to walk for as much as eight hours a day, sometimes without food. The words of the gospel "Blessed are the peacemakers" and the injunction to love one's neighbour had comforted them. After considerable pressure at the national and international level upon the State Department of the United States, the commander of the Contras had received an order from the United States and the former colonel of the Somozan guard to release them.

30. The Rev. Tiffer and himself were not the only victims of the war of oppression financed and directed by the United States. It was a relatively simple matter to arrange for the release of two clergymen, but many peasants were in the hands of the Contras and were being made to fight on their side. In the parish of Waslala, 57 people had been kidnapped in 1987. The killing continued. The Contras were extremely hostile towards the Catechists and church workers of Waslala, threatening them with disappearance if they continued with their projects which included sewing classes, soya cultivation, adult education, health programmes, etc. Peasants who produced sufficient crops to offer them for sale were harassed by the Contras, who prevented them from coming down from the mountains to sell their produce. That infringement
of the freedom of movement kept the peasants in a state of poverty. The Contras also contributed to the cultural backwardness of the peasant population by preventing teachers from exercising their profession. Some 42 schools in the region of Waslala had been closed for that reason, with an ensuing increase in illiteracy. The same situation prevailed in the health sector. The Church was training health workers who, however, were accused by the Contras of being Sandinistas and of innoculating children with communism. In recent years, more than 268 people, mostly children who had not been able to be vaccinated, had died as a result of disease in 3 of the 60 villages in the parish. The war against health, education and all life-giving projects caused more casualties than the fighting.

31. He attested to the fact that the Government of the United States was guilty of large-scale violations of human rights in Nicaragua by financing and waging an unjust, illegal and immoral war of aggression. Despite the death, pain, suffering and conflict engendered by the war of aggression, the peasant population maintained its confidence in peace, because it was deeply religious and believed that Jesus Christ wished it to live in brotherhood and peace. He hoped that the spirit of God would inspire the Commission and be with it to enable it to continue to work for peace and respect for human rights in the world.

32. Mrs. SALAZAR (World Student Christian Federation) said that her organization had read with great interest the reports of the expert (E/CN.4/1988/42) and of the Working Group on Enforced and Involuntary Disappearances on the visit by two of its members to Guatemala (E/CN.4/1988/19/Add.1). The latter document concluded that human rights violations in that country continued unabated and that there was an increasing number of enforced or involuntary disappearances and extra judicial executions. She regretted that the two reports touched only briefly upon the situation in the rural regions.

33. During the last year, she had received alarming reports of the continuing de facto control exercised by the Guatemalan army over the rural regions, the maintenance of the civil defence patrols and the model villages, and the forceable resettlement of the civilian population in the combat areas. According to one report drawn up by a delegation whose membership included two members of the European Parliament and which had visited Guatemala from 24 to 29 February 1988, participation in the civil defence patrols was compulsory. The activities of the patrols reinforced the methods of combating the insurrection devised by the military dictatorships which had preceded the present Government, and their main purpose was to make it easier for the army to control the civilian population.

34. Since October 1987, the Guatemalan army had been stepping up its military operations in the combat zones, as part of the "Fin de Año" campaign. Although Guatemala had signed the 1949 Geneva Conventions and the 1977 Additional Protocols, the civilian population in the combat zones was the main target of that military campaign. Moreover, those operations had begun immediately following the signing of the Esquipulas II Agreements, and the intensification of the domestic armed conflict coincided with the first official contacts between the representatives of the Guatemalan Government and the Unidad Revolucionaria Nacional Guatemalteca.
35. Her organization endorsed the appeal made by various sections of Guatemalan society for a national dialogue as open as possible, as advocated by Mgr. Quezada Toruno, the Chairman of the National Reconciliation Commission of Guatemala and the Guatemalan Episcopal Conference, with the participation of all sectors of society to allow the social reforms, which Guatemala needed in order to live truly in peace, to be carried out as soon as possible, in the context of a democratic process. It also endorsed the expert's proposal concerning the provision of advisory services on human rights questions to the Guatemalan Government. But it was equally vital that the Commission should continue to follow the human rights situation in Guatemala closely.

36. Mr. LITTMAN (World Union for Progressive Judaism) first of all welcomed the broadening of the Soviet policy of glasnost, and renewed the appeal made at the 22nd meeting by another representative of the World Union for Progressive Judaism, who had pointed out that there were still many Jews awaiting a favourable outcome to their applications for an exit visit, submitted years earlier. He has also said that the Soviet Union should seriously consider bilateral exit visa agreements with other States, as envisaged in its own regulations. Some 300 families had been waiting for exit visas for more than 10 years, and he would obviously welcome a frank discussion on the subject with Mr. Kouznetsov, the Head of the Department of Visas and Registration of the Soviet Ministry for Internal Affairs, whose presence in the Commission a few days earlier had been one of the highlights of the current session.

37. He also recalled the names of three former prisoners of Zion, Evgeni Lein, Raoul Zelichenok and Kim Fridman, whose situation was causing particular concern. He wished to stress once again the cases of Yuly Kosharovski and the Ziman couple. The eldest daughter of Tanya and Uri Ziman had been allowed to emigrate with her husband nine months ago, and as her father was thought to have a brain tumor, the Soviet Union should in conformity with the Helsinki Accords, deal in a positive and humanitarian spirit with the application he had made to be united with his daughter.

38. Western public opinion was looking to the Soviet Union with great expectations and a greater understanding than ever before. It hoped that the ethos on which the spirit of glasnost and perestroika drew would carry the day so that the 280 million inhabitants of a country that covered a quarter of the earth's surface might soon participate fully and freely in the universal ideals enshrined in the International Bill of Rights, towards the edification of which the Soviet Union had contributed.

39. The World Union for Progressive Judaism was obliged, for the last time at the current session, to shed light on the real situation of the 20,000 or so Jews remaining in Arab countries, as against a million in the past, to contrast their situation with the Utopian picture that emerged from the sometimes incoherent replies by the representatives of Egypt, Morocco, Lebanon and those two paragons of Arab democracy, Libya and Syria.

40. He had recently received information concerning the Jewish hostages in Lebanon. First, one should not forget the nine innocent victims whose names he had already given, murdered by a gang of traffickers in human bodies that called itself the "Organization of the Oppressed on Earth". With each assassination of a defenceless hostage, that group announced that it had "executed the sentence of Allah". Such a statement must be harrowing for the
hundreds of millions of Muslims for whom the Creator was a God of compassion, and not a God of slaughter by proxy. Some Jews had been in captivity since 1984 and others were missing. Of the 16 Jewish hostages, more than half had been exterminated. The community itself had declined from 10,000 souls to 100 in 1987, and at the moment was estimated at less than 80 persons. It might well be that they would be kidnapped, one by one, and killed, unless the Commission and other humanitarian organizations acted quickly to save them from physical liquidation.

41. At the 34th meeting, on 24 February, the observer for Lebanon, had pleaded his country's incapacity to control the disappearance of its citizens. However, on 3 March, at the 46th meeting, in speaking of Israel he had used the term of "genocide", which could only encourage further killings of innocent civilians, Jews or non-Jews, such as the Oxfam officials. Since the two United Nations officials of Scandinavian nationality had been released after an embargo had been imposed on supplies to southern Lebanon, why was that kind of pressure not used more frequently to obtain the release of the other hostages?

42. Turning to the hostage Jewish community in the Syrian Arab Republic, he noted that, in his rights of reply, the observer for that country had used the words "Zionists" and "Zionism" about 20 times, even to reply to the representative of Amnesty International, who had referred to the systemization of torture in Syria. He recalled that the United Kingdom had broken off its relations with the Syrian Arab Republic in 1986 because of its involvement in international terrorism, and that the United States had followed that example. Who could hesitate between the statement by the French Prime Minister, Mr. Jacques Chirac, concerning the situation of the Jews in the Syrian Arab Republic, and the denials made by the observer for the Syrian Arab Republic?

43. With regard to the statements by the observer for the Libyan Arab Jamahiriya, he said that he thought it fortunate that there were no more Jews in that country, the last ones having been murdered 12 years earlier.

44. He reminded the representative of Morocco that the Jewish population in that country had been 300,000 in 1945 and was only 10,000 today. The Arab world continued to deny the wrong done to the Jews. As long as the Arab countries maintained that position and refused to recognize that half the population of Israel consisted of Jews from the Arab world, it would be very difficult to find a solution to the problem of the Middle East. Finally, if Mr. Arafat believed that a stone was a jewel, he believed that children were jewels. What was needed was honest and peace-loving men to come forward from the ranks of the Palestinian Arabs, men who wanted to bring up their children and not to throw stones, and who knew that their children and not stones were their most precious possession.

45. Mr. GAJARDO (World Federation of Democratic Youth) said that the selective murders carried out in the inglorious war being waged in Colombia had caused many victims among students, teachers, researchers, artists and academics. It was intelligence that was being killed. In 1987, 23 teachers and nearly 50 students had been summarily executed. Dr. Abad Gomez, the founder of the first public health school in Latin America and a renowned champion of human rights, and Mr. Pardo Leal, an eminent jurist and university professor, leader of an opposition political party and candidate for the
presidency of the Republic, had both been executed by paramilitary units. Antioquia University had been closed eight months earlier following the summary execution of 17 academics. Six young students had been murdered in a student hostel in Medellín. A student had been killed in the streets of Bogotá during a student demonstration in favour of the protection of human rights, the demilitarization of the universities and claims concerning university matters, setting an elitist, church- and police-ridden university against a popular, autonomous and scientific one. The horror aroused by that undeclared war had driven scientists, writers, journalists and other intellectuals into exile.

46. True, there were forms of organized crime in Colombia such as drug trafficking, but any vestiges of democratic opposition to the political system were being wiped out in an evil war by violence in which the Government officials and members of the armed forces participated. In September 1987 the Government Attorney had charged several officers with involvement in political crimes. In 1983, the Public Prosecutor's Department, had established with the support of some 20 examining magistrates, that 59 serving officers were implicated in the organization of paramilitary groups, but the military judicial authorities to which the papers had been referred had decided to take no action. In a recent decision, the Council of State, the highest administrative court in the land, had ordered the State to pay damages for the death of a young man who had been tortured after having been detained in military premises; the officers, however, had been cleared by the military courts.

47. No person detained for political crimes or human rights violations was currently being held in Colombian prisons. Yet, it was up to the State to uphold the safeguards necessary for the respect of human rights by punishing, first of all, those criminals, such as public officials, whose participation in violence was established by dismantling the death squads and by relying on the Constitution, which did not admit the existence of a secret army, and also on Colombian society, the overwhelming majority of which disapproved of the crimes committed against the political opposition, the trade union movement, and young people.

48. A board of presidential advisers on human rights had, indeed, been set up but it was not empowered to institute inquiries nor punish those responsible for violations since those functions belonged to the Public Prosecutor's Department and the judicial branch of the Government and only the military courts could investigate and sentence members of the armed forces guilty of political crimes. The Commission ought to give an opinion on the situation in Colombia where there was clearly an emergency situation with respect to human rights.

49. Mr. ORELANA (World Federation of Democratic Youth) said that he was a member of the secretariat for the promotion and protection of the human rights of the Farabundo Martí National Liberation Front of El Salvador (FMLN). The critical situation of the Salvadorian people, and of the young in particular, which was brought about by systematic human rights violations, called for closer examination. In his statement, the observer for El Salvador had ignored the fact that the Special Representative, in his report, had recognized that, despite the progress achieved, human rights continued to be subject to serious violations. He had also failed to point out with regard to the murder of the co-ordinator of the non-governmental Human Rights Commission
of El Salvador that the young prisoner who had attributed responsibility for that murder to a member organization of the FMLN had gone back on his words and said that he had been tortured to make him confess. The FMLN had categorically rejected the accusation made by the Government. None of its member organizations had plotted the murder of that indefatigable defender of human rights. The Government, however, had had good reasons to silence him once and for all.

50. Moreover, the Salvadorian Government failed to abide by the agreement it had entered into on 26 January 1987 with the FMLN/FDR on the evacuation of the wounded. With every passing day, there was a heightened risk that the wounded would not receive aid and would therefore be disabled for the rest of their lives. The Commission should urge the Government to respect that agreement, which had been concluded in accordance with common article 3 of the 1949 Geneva Conventions.

51. The Salvadorian Government followed a policy orchestrated and financed by the United States Government, in which civilian and military personnel took part, so that the repression could be maintained and the machinery of repression preserved. Crimes were being committed every day in El Salvador, even as the Commission held its forty-fourth session. He listed the crimes committed recently. He called upon the Commission, on behalf of the thousands of victims of torture, of the disappeared and the murdered and on behalf of the Salvadorian people, to renew the Special Representative's mandate and to insist that the Salvadorian Government should end its human rights violations immediately, really dismantle the death squads, and bring to justice and punish those responsible for such violations.

52. Mrs. BOFILL (World Movement of Mothers) said that her husband, Mr. Bofill Pages, founder and President of the Cuban Human Rights Committee, has spent over nine years in prison, had been prevented from practising his profession, had been denied the right to emigrate and be reunited with his family, and had been defamed solely because he defended the right of Cubans to freedom of conscience and freedom to denounce the violations of the civil and political rights of a people who had never had recourse to violence.

53. Referring to the situation under authoritarian régimes such as that of General Stroessner, who had been in power for nearly 30 years, and of General Pinochet, who had violated the rights of the people every day, had made education the privilege of a minority, and had forced the majority of young people into prostitution in order to survive, she said that the mothers of the whole world thought that true democracies, where sovereign peoples took charge of their own fate, knew how to call authoritarianism what it was but those who remained silent were accomplices of authoritarianism by reason of their silence. It was the Commission's duty to call things by their rightful name. Cuban mothers, so many of whose sons had disappeared, had the same rights as the mothers and grandmothers of the Plaza de Mayo who, because of the silence of the Soviet Union and Cuba, had never been heeded during the dictatorship in Argentina.

54. She also spoke on behalf of those in Cuba who were unable to speak, on behalf of the Cuban Human Rights Committee to which the Cuban Government refused to grant legal recognition and on behalf of the mothers of missing persons. While admittedly, education was free in Cuba, young people in fact paid for their studies through the system of voluntary work and many students,
because of their ideology were unable to continue their studies as selection was made on the basis of biased criteria. The entire life of the nation was controlled by a single party which prevented the people from expressing themselves freely. All movements were under the control of the State, but the people had had enough, because the purpose of the revolution had been to restore their dignity not to replace one dictatorship by another. Under a dictatorship, prisoners of conscience were regarded as anti-social or as common criminals. Nobody could refuse the Cuban people the right to have an organization, in the event the Cuban Human Rights Committee, to monitor the Government's abuses, but that organization could not be run by the Government itself, for the latter could not be both judge and party.

55. She also spoke on behalf of the people who had lived in the premises of the Peruvian Embassy in Havana for the past eight years, without receiving permission to leave Cuban territory. She likewise had in mind the three men who were about to be shot for hijacking an aircraft. She referred to the situation of the religious minorities, whether Jehovah's Witnesses or churches that practised African rites. She denounced the executions, torture, arbitrary detentions, lack of habeas corpus, failure to respect the right to political asylum, and discrimination based on ideology and religion.

56. In answer to the International Association against Torture, which had submitted a report devoid of all foundation although its president, Mr. Parra, could not deny having filmed on video-tape the testimony by relatives of missing and tortured persons, she said that she would challenge Mr. Parra to produce that documentation.

57. She then read out extracts from a telegram from the AFP agency dated 1 February in Havana to the effect that mothers had denounced the ill-treatment to which their sons had been subjected in the political prisons and that one mother had claimed the bodies of her three sons, shot in January 1981. According to the AFP, about 15 people had denounced human rights violations in Cuba at an unprecedented meeting organized by the Cuban Human Rights Committee. Mr. Bofill Pages, the President of the Cuban Human Rights Committee, had announced at the end of the meeting that several members of the Committee had decided to hold a symbolic three-day hunger strike. There had been a march by several dozen opponents of the régime including mothers of young people who had been shot, former prisoners, Adventists, and intellectuals deprived of work for political reasons.

58. She therefore called upon the Commission to start an investigation into the situation regarding human rights and fundamental freedoms in Cuba. Protest could not be suppressed by collusion through silence. If the Cuban Government was innocent of any crime and if it did indeed respect human rights, then the observer for Cuba, too, could vote for the institution of a broad international investigation so as to ascertain once and for all where the truth lay.

Mr. Sene (Senegal) resumed the Chair.

59. Mrs. PUIGVERT (Pax Romana) said that, in the case of Chile the figures spoke for themselves. According to statistics in the possession of Vicaría de la Solidaridad in the Santiago archdiocese, 3,207 persons had been arrested, in Santiago and the provinces, 91 had been abducted, and 707 complaints of threats and 102 complaints of torture (for Santiago, in the two latter cases
only) had been recorded. Thirty-two cases of violent death and 668 cases of
disappearances had also been recorded. All of that had been referred to
already by non-governmental organizations and by the Special Rapporteur,
Mr. Volio Jiménez, one of whose reports (E/CN.4/1988/7) was of particular
importance, mainly on account of the glimpses it gave of prospects for the
future, including a conspicuous drop in the number of human rights violations,
a tendency or inclination on the part of the Chilean Government to improve its
attitude to political freedom and a slight improvement in terms of greater
respect for public freedoms, measures, albeit restricted, to prevent the
routine use of torture, and, above all, the organization of elections. Those
developments should not, however, cause the gravity of the situation which
prevailed in Chile, despite promises, to be overlooked. The drop in the
number of human rights violations, due solely to a combination of
circumstances, was a quantitative, not a qualitative phenomenon. The Chilean
Government should embark on the path to the gradual restoration of public
freedoms, such as freedom of expression, association, movement, etc., with a
view to the ultimate achievement of genuine respect for the right to life and
physical integrity as well as the other rights set forth in the International
Bill of Human Rights.

60. The organization of elections in 1988 presupposed a qualitative
improvement in respect for the other rights guaranteed under the Chilean
Constitution of 21 October 1980 and of article 1 and articles 19, 20 and 21 in
particular.

61. The practical organization of the future referendum was running into
serious problems, such as the establishment of electoral rolls open to all
Chileans and the opportunity for all political movements to play an effective
part in the electoral process (including prior and equal access to the media),
every of the right to vote in complete freedom and without any pressure,
and recognition of the results by the Government in power whose legitimacy
could be brought into question.

62. It was no secret that the paramilitary groups, which more than likely had
relations with the Government, were stepping up their threats and intensifying
their direct action against the people while the Government was resorting to a
whole series of legal devices, the most obvious example of which was the
ratification of international agreements relating to the protection of human
rights. Those agreements had in fact never been published, as was required in
international law. The régime was trying a more open approach but it was only
bluff. Human rights violations under a totalitarian régime like Chile's were
extremely serious, but should not obscure those committed in seemingly
democratic countries, like Colombia, where the situation merited the
Commission's attention.

63. Mr. CHLUMFKY (Observer for Czechoslovakia) said it was clear from the
resolutions just adopted on the situation in southern Africa and the Arab
territories under Israeli occupation that the majority of States considered
the situation to be unacceptable and were ready to unite their efforts with
those of the United Nations to remedy it. In particular, the wholesale
violations of the human rights - and of the paramount right, the right to
life - should be brought to an end in the Arab territories under Israeli
occupation. Unfortunately, certain States had shown, by their vote, that
their acts did not match their words.
64. Czechoslovakia supported the honest policy followed by the Nicaraguan Government in order to discharge its obligations under the agreements concluded by the five Central American countries. It now remained for the States that financed and organized the counter-revolutionary forces to adopt a similar position.

65. Cuba was a peaceful country which had managed, in an extremely short time, to provide its people with standards of living that were the envy of many people, and any attempts to interfere in its internal affairs should be condemned.

66. The struggle for human rights in El Salvador was inseparable from the struggle for democracy and the right to self-determination, independent development and social justice. The dialogue between the Government and the Democratic Front should continue, and the arbitrary arrests, murders and political abductions must cease. The death squads should be eliminated. The human rights situation in El Salvador demanded the renewal of the Special Rapporteur's mandate.

67. Czechoslovakia could not accept the fact that some States were trying to use the Commission to discredit other States, in particular to malign the People's Democratic Republic of Korea over the South Korean aircraft accident.

68. The human rights question in Cyprus was closely connected with that of the unity of the country. It was for Cypriots themselves to settle the question of the organization of their State, peacefully and without foreign interference of any kind. The international aspects of the Cyprus problem might be the subject of an international conference organized under United Nations auspices, with a view to an agreement that would provide, first of all, for the withdrawal of foreign troops and the dismantlement of foreign bases on the island and would guarantee the autonomy and territorial unity of the Republic of Cyprus, whose non-aligned status would be maintained.

69. Czechoslovakia welcomed the Afghan Government's policy of national reconciliation. The Soviet-Afghan proposal for the withdrawal of Soviet troops was proof that the Afghan Government wanted to find a political solution in keeping with the wishes of the Afghan people. It was to be hoped that the indirect negotiations between Afghanistan and Pakistan would lead to an agreement and that those who had set store by weapons would agree to follow the way of reason and realism.

70. Heightened racial discrimination and intolerance had been noted in certain countries, including the most developed ones. In many Western countries, foreign workers were exploited and lived in intolerable conditions. The number of unemployed, homeless and under-nourished was growing steadily, and trade union rights were increasingly flouted.

71. The representatives of some of those countries had criticized the socialist countries, but those countries knew best of all in which areas of human rights they encountered problems. Most of them, and in particular Czechoslovakia, had set in motion a process of restructuring society with the object of strengthening the role of the individual in society and of increasing his well-being. Czechoslovakia was concentrating mainly on reorganizing its economic apparatus, strengthening socialist democracy and protecting human rights in all areas. All those reforms were also reflected in national law.
72. That approach had prompted Czechoslovakia's recent confidence building initiative in an area where the member countries of the Warsaw Pact and NATO came into contact. With the establishment of such an area it would be possible to gradually move away from sterile confrontation to fruitful co-operation, particularly in the human rights field. That area of trust could subsequently be extended to most of the European continent and could have a positive influence at the international level.

73. Mrs. ILIC (Yugoslavia) said her delegation shared the view expressed by the Under-Secretary-General for Human Rights at the opening of the forty-fourth session of the Commission that the Universal Declaration of Human Rights, the other parts of the Bill of Rights and some 50 instruments in the field of human rights addressing almost all aspects of human endeavour remained a fundamental achievement of the times, as did the liberation of many countries and peoples from colonialism and their admission to the United Nations, thereby contributing to the universal character and the democratization of the United Nations and expanding the number of issues with which it dealt. Never before had so much been done in such a short period for the promotion of human rights.

74. Without that knowledge of the past, however, a completely different impression could be gained. A whole range of human rights was not respected including the rights to self-determination and independence of the majority of the people in southern Africa and Namibia, and the rights of the Palestinian, Afghan, Kampuchean and other people. Torture had not been stamped out; nor had involuntary disappearances and summary or arbitrary executions. A number of recent developments, however, gave hope for brighter prospects for the future. She had in mind in particular the conclusion of the Esquipulas II Peace Act, signed by the leaders of Central American countries in August 1987, and the agreement signed by President Reagan and General Secretary Gorbachev to eliminate intermediate- and shorter-range missiles. Further, the recent meeting of Ministers of Foreign Affairs of Balkan countries was an important event as the Ministers had agreed to make renewed efforts to promote multilateral co-operation and relations among their countries. To that end, a number of bilateral agreements on co-operation had been signed. If those positive trends continued, they could bring about a gradual relaxation of tensions and an improvement in the world situation, which would have a positive impact on the human rights situation.

75. Mr. LINDGREN ALVES (Brazil) said that the appointment of special rapporteurs was by far the most action-oriented of the ways and means devised by the Commission for pursuing its aims. In light of the documents adopted by the international community in the sphere of human rights, there was no doubt that the basic standards had already been set. While some of them still deserved specification, they all required compliance. That was the purpose of the appointment of special rapporteurs, whether to review the situation in a given country or a specific question. With regard to the working methods adopted for the consideration of items 5 and 12, his delegation was concerned at the length of the Commission's meetings. In the interests of efficiency, therefore, it once again called upon the Commission to study ways and means of making better use of the time available. It was almost impossible to follow with due attention the statements of all speakers who, unfortunately, paid little attention to the documents before the Commission.
76. The Brazilian delegation understood that any delegation had the right to refer to any situation which, in its view, fell into the category of violations of human rights and fundamental freedoms. The statements made in that connection would be more resonant and would have more effect if two or three meetings of the Commission were allocated to them exclusively. The other meetings allocated for the consideration of agenda item 12 could then deal with the situations and reports on which member States were supposed to pronounce themselves.

77. In their capacity as instruments for the protection of the human rights set forth in international instruments, special rapporteurs were not weapons used by the Commission against any Government. The observations they made in situ, their conclusions and recommendations were important elements on which the Commission should concentrate its attention and on the basis of which it could decide whether further action was required. The five reports before the Commission bore testimony to the constructive spirit of their authors. They all strove to give a fair account of the facts and recommended action first and foremost by the Governments directly concerned. International measures could at most be persuasive, reflecting the general conviction that a certain situation should be remedied at the national level.

78. Mr. Wako's report on summary or arbitrary executions (E/CN.4/1988/22) showed how widespread were the violations of the most fundamental right, the right to life, throughout the world. While his delegation regretted that so many countries had not replied to the messages conveyed to them, it noted that others had provided information about the legal and practical measures adopted and had also supplemented their replies by explaining the predicament they faced, as in the case of Colombia, whose delegation had described the difficult situation of a democratic Government assailed by the concerted actions of drug traffickers.

79. His delegation had read with great interest the remarks of the Special Rapporteur on summary and arbitrary executions concerning the non-respect of the right to life by groups opposing the Government or not under its control, and in particular the information about the deeds of RENAMO in Mozambique. The international community should pay special attention to violations that occurred outside the Government's orbit and which were so difficult to monitor.

80. With regard to Afghanistan, his delegation was gratified to note the co-operation granted to the Special Rapporteur by the Afghan authorities on his second visit to the country as well as the positive developments he had noted in certain respects. It hoped for the withdrawal of the foreign troops, whose presence was the basic cause of the violation of the right to self-determination, and trusted that the Afghan people would enter an era of true reconciliation.

81. As for Iran, his delegation trusted that the co-operation instituted between the Iranian Government and the Special Rapporteur would be expanded. The unbiased approach of Mr. Galindo Pohl's report should convince the Iranian authorities that his visit could not only clarify the remaining doubts but even allow for a more balanced discussion of Iran's selective adherence to international instruments.
82. Mr. Ridruejo's report on El Salvador was, again, evidence of the Salvadorian Government's will to solve the problems of human rights violations which still persisted. The Brazilian delegation was convinced that the will shown by the Government and the opposition was a fundamental element, not only for the normalization of the human rights situation in El Salvador but also for the success of the Esquipulas II agreement.

83. Mr. Volio Jimenez's report on Chile (E/CN.4/1988/7) was by far the longest. Its detailed conclusions and recommendations arose out of findings, some of which were positive and some negative. Having visited the country on three occasions, Mr. Volio Jimenez, more than any other rapporteur, had managed to analyse the situation in depth. The Brazilian delegation shared his overall view that only the guarantees offered by a democratic régime could fully restore human rights and fundamental freedoms in Chile, a country with which the Brazilian people had many special ties of friendship and sympathy.

84. Reverting to the institution of special rapporteurs as a means of fostering the cause of human rights where it seemed to be in danger, he noted that the Special Rapporteur for Chile referred, in paragraph 79, to the validity of the Commission's initiatives in that field. That should prove to the sceptics that, in Chile as elsewhere, the efforts of the Commission were not to be regarded as mere political rhetoric. His delegation trusted that such a positive image would not be destroyed by purely political initiatives.

85. Mr. TAYLHARDT (Venezeula) said that the consideration of agenda item 12 provided an opportunity not only to condemn the conduct of Governments that flouted human rights but also to bring to the attention of international public opinion the positive results achieved. Venezuela had lived as a democracy on a day-to-day basis for 30 years without interruption, in absolute respect for human rights and fundamental freedoms. That was perhaps of little, or indeed no, moment for countries accustomed to democratic order. For the Venezuelan people, however, and all peoples who struggled to achieve respect for their essential rights, it was an event of paramount importance. Venezuela was preparing to elect its seventh consecutive constitutional president in 1988, in complete freedom. For Venezuela, pluralism and democratic change were no mere hypothetical objectives but common practice, and those foundations of the régime were respected without exception by all political parties, by outgoing and new Governments, and by all institutions that took part in the country's political destiny. The close links between the exercise of democracy and respect for human rights led him to make the following brief comments on some specific aspects of the Venezuelan experience.

86. The armed forces, and in particular the political forces of Venezuela, which had been subject to the severest repression for 10 years and their leaders killed, imprisoned or expelled, had played an active part in overthrowing the last dictatorship in 1958. The initial stages of democracy had been very difficult. For the first 10 years, the country had been beset by a conspiracy of the traditional right as well as threatened by subversion on the extreme left. The conspiracy and subversion had ultimately come to an end as Venezuelans grew accustomed to democracy. Extremist circles, of both right and left, had realized that Venezuelans would not accept any political system that sought to deprive them of their freedom. It was their love of freedom which had enabled the Venezuelan people to put an end to the violence that had reigned throughout the country. There were many people who, after
being caught up in the reactionary conspiracy or in the extremist subversion, had become champions of and participants in the democratic system. Some had even stood as candidates for the presidency of the Republic. Venezuela's experience confirmed that democracy was the only valid way of ensuring full respect for human rights, and explained its position on human rights and the stand it took in the Commission. Democracy was the only system whereby a just society could be established in which the citizen had all the remedies necessary to ensure respect for his inalienable rights. No dictatorship could guarantee the individual full enjoyment of his fundamental freedoms. Freedom, democracy and respect for human rights could not be dissociated.

87. Democracy, for instance, was indissolubly linked to the exercise of the right to vote, which was the only means of guaranteeing the genuine expression of the people's sovereignty. Only Governments formed as the result of free elections had the means to ensure respect for human rights. However, in any country which achieved democracy after having long been oppressed, respect for human rights involved a certain period of adjustment. Acquiring the habit of democracy was no easy matter, and the country generally had to undergo a certain apprenticeship before its institutions - political parties, corporations, economic groupings, armed forces, the media - realized that living in a democracy entailed both benefits and sacrifices, and that the exercise of freedom extended to the freedom of others as well which meant that for the common good there were certain inevitable restrictions on the enjoyment of the rights of each individual. Democracy in practice was one of the most difficult things to achieve in the lives of nations, particularly when it was a recent matter. Furthermore, the freedom afforded by democracy meant that its enemies could undermine it as many democratic régimes were now finding out.

88. One of the worst dangers currently being faced by democratic societies was the alliance between drug traffickers and those who supported subversion, in which the interests of an uprising of the right or left merged with those of the Mafia. A democratic society normally possessed the self-defence mechanisms that enabled it to correct its own mistakes and defects. Indeed, the alliance could be compared to AIDS, for it attacked and destroyed the democratic society's natural immunity and defence systems by reducing its capacity to react and to resist.

89. Venezuela did not claim that its system of democracy was perfect, and still less that it should disregard the monitoring mechanisms introduced by the international community to prevent abuses and infringements of human rights. On the contrary, it considered that any truly democratic Government should be prepared to answer any allegation of an alleged or actual violation of human rights, whether made in good faith, with slanderous intent or for ulterior motives. A democratic Government which had nothing to reproach itself should have no difficulty in shedding light on any situation which, in the eyes of others, might appear to be an abuse or violation of human rights. Those were the considerations by which his delegation was guided.

90. The fact that his delegation had refrained from referring to specific cases should not be construed as indifference about the infringements of the fundamental freedoms and abuses of human rights in many parts of the world, including Latin America, nor should it be seen as a lack of interest in the reports submitted to the Commission under item 12. His delegation felt bound,
however, to express its concern at the situation that obtained in Chile, where the fundamental rights of citizens continued to be seriously violated and where General Pinochet's régime was about to engage in an electoral farce so as to perpetuate itself. The conditions in which the referendum organized by the Chilean Government was to be held were already known and Venezuela associated itself with the position adopted in that connection by the Chilean democratic forces. His delegation endorsed the statements made in that regard by the Special Rapporteur in paragraphs 126 and 140 of his report (E/CN.4/1988/7).

91. It was also deeply concerned at the situation in El Salvador, notwithstanding the efforts made by President Duarte, and found the new report submitted by the Special Rapporteur (E/CN.4/1988/23) most interesting. It trusted that the situation would improve in the near future and that the Commission would have further information on the basis of which it might perhaps review the part played by the Special Representative.

92. His delegation's position would be made clear from the way in which it would vote on the draft resolutions submitted to the Commission. Its deep-rooted belief in democracy and its desire to uphold and scrupulously respect human rights and freedoms would dictate its vote on those resolutions.

93. Mr. VIGNY (Observer for Switzerland) said that his country condemned all human rights violations wherever they occurred and under whatever political, economic or social system, and his Government took regular action at the bilateral level, through diplomatic channels, in the hope of putting an end to them. While it recognized that it was necessary for the Commission to examine the human rights situation in various countries, his delegation would prefer the emphasis to be placed on a thematic approach to human rights violations, since it noted that the Commission was unduly selective in the choice of countries whose situation it sought to review through its special rapporteurs. For that reason it had co-sponsored draft resolutions on the renewal for two years of the mandates of the Special Rapporteur on torture, of the Working Group on Enforced or Involuntary Disappearances, of the Special Rapporteur on religious intolerance and of the Special Rapporteur on summary or arbitrary executions. Accordingly, it also hoped that the Commission would soon consider, through a special rapporteur for instance, the situation of persons deprived of their freedom in the context of their protection against all arbitrary detention. That was one weapon lacking in the Commission's armoury in its study of the situation of persons deprived of their freedom.

94. His delegation congratulated Mr. Wako on his excellent report (E/CN.4/1988/22) and regretted not only the extent of the phenomenon of summary or arbitrary executions but also the complete lack of co-operation on the part of numerous Governments, not to speak of the refusal of most of them to allow the Special Rapporteur to make his observations on the spot. In view of the figures provided by the Special Rapporteur, how could one but doubt the credibility of Governments whose representatives on the Commission asserted their good faith and commitment to human rights when their statements were not followed up by positive results in practice? In his report, Mr. Wako referred briefly to the non-respect of the right to life by groups opposing Governments or not under their control. The Commission should give some thought not only to the responsibility of such groups but also to the responsibility of Governments for executions committed by so-called para-governmental groups.
With regard to the remedial or preventive measures to be taken by States to protect the right to life, his delegation was of the view that it was absolutely essential for all Governments without exception to respect strictly the rights of the accused during the course of legal proceedings, as laid down in articles 6 and 14 of the International Covenant on Civil and Political Rights, as well as the guarantees for the protection of the rights of persons facing the death penalty, as laid down in Economic and Social Council resolution 1984/50. Governments, international organizations and non-governmental organizations should unite their efforts to secure the adoption at the international level of norms requiring States to open a detailed inquiry into every case of suspicious death with a view to the institution of proceedings and to bringing those responsible to justice. Likewise, in countries where executions were carried out by sentences delivered at trials conducted without adequate guarantees for the protection of the right to life, Governments should call on the human rights advisory services programme in order to establish legal and administrative structures that were in keeping with a State governed by the rule of law and to secure the recruitment and training of qualified staff.

95. His delegation paid a tribute to those non-governmental organizations and individuals which, often at great risk, gave evidence of human rights violations throughout the world, thereby contributing to greater respect for those rights. It was therefore gratified at the progress achieved during the past 12 months by the Working Group which, under the chairmanship of Mr. Robertson, the Australian ambassador, had been entrusted by the Commission with preparing a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally-recognized human rights and fundamental freedoms (E/CN.4/1988/26).

96. His delegation was in favour of renewing the mandate of the Special Rapporteur on summary or arbitrary executions, as provided for in draft resolution E/CN.4/1988/L.67, of which it had become a sponsor.

The meeting rose at 9.05 p.m.