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New York**

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**SUMMARY RECORD OF THE 37th MEETING**

**Chairman:** Mr. **ABULHASAN** (Kuwait)

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The meeting was called to order at 10.10 a.m.

AGENDA ITEM 104: **ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)** (A/43/163/Corr.1, A/43/384-S/11915, A/43/530, 668, 709, 711, 721, 739; E/CN.4/1988/10)

AGENDA ITEM 105: **NEW INTERNATIONAL HUMANITARIAN ORDER (continued)** (A/43/709, 734, 759)

1. **Mr. BEAULNE** (Canada) said that the human rights activities of the United Nations had traditionally been based upon three substantial pillars: standard setting, implementation measures, and the raising of public awareness so as to ensure greater respect for human rights in all parts of the world.

a. His delegation welcomed the initiative of launching a world public information campaign on human rights as a means of heightening awareness of human rights as a critical international issue and as a central, indispensable activity of the United Nations; that awareness was essential to the effective enjoyment of human rights. The fortieth anniversary of the Universal Declaration of Human Rights should be marked by the proclamation of the campaign, building on the resolutions of the Commission on Human Rights.

3. Any public information activity, in order to be effective, must be based on a coherent strategy. The report of the Secretary-General was a useful starting-point. It was of paramount importance that non-governmental organisations should be involved in the formulation of various communication strategies as well as in the implementation of the world campaign, since they tended to be both the prime contributors to and the principle users of human rights materials. The Secretariat could establish a non-governmental liaison or advisory committee accredited to the Centre for Human Rights which would work on the world campaign on a daily basis and offer the mutual support and guidance essential to long-term success.

4. The world campaign had to be based on a realistic assessment of communication objectives, possible target audiences, varieties of message and language and the use of various media. Expertise and judgement were needed in those complex matters, and full collaboration was therefore essential between the Department of Public Information and the Centre for Human Rights. The nature of the partnership between those two Secretariat units should be clearly enunciated in a General Assembly resolution.

5. It was imperative that the Commission on Human Rights, as the main United Nations body in the field of human rights, should have a monitoring or supervisory role in the longer-term implementation of the campaign. Since the campaign would involve substantial United Nations resources, an effective monitoring body was needed so as to honour the principle of accountability.

6. The publication of human rights instruments and of pamphlets on United Nations human rights machinery and other topics was clearly a basic prerequisite for public

(Mr. Beaulne, Canada)

information campaigns; Governments and non-governmental organisations needed such documents in their ongoing promotional and protective activities. They should be published and updated frequently and disseminated widely through United Nations information centres; they should also be produced in languages other than the Official United Nations languages. The first issue of the Human Rights Newsletter, however, appeared to duplicate existing non-governmental organisation publications of long standing and reputation. Duplication, especially if it produced unfocused results at great cost and with limited impact, was liable to undermine the longer-term effectiveness of the world campaign. It was vital that the campaign should be effectively co-ordinated so that limited resources could be marshalled in support of agreed objectives.

7. Canada attached great importance to the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights, which would enable the Centre for Human Rights to work creatively with Governments which wished to build up their institutions and infrastructures in support of human rights. Although the current level of support for the Fund was modest, over time, as the Centre demonstrated its capacity to select, plan and execute projects, additional donors would come forward and current donors would be in a position to increase their levels of support. The Voluntary Fund should focus on technical assistance and support projects where there was a long-term prospect of building up greater respect for human rights through constitutional, judicial or other means or by practical measures. The Centre for Human Rights should develop its contacts with Governments in order to demonstrate what types of assistance were available and how that assistance could be rendered in an effective manner. Governments should be encouraged to contact the Centre for assistance. The treaty-based human rights bodies could play a useful role in identifying areas where assistance might be required, based on their comparative knowledge of global human rights conditions. Other United Nations organisations should be encouraged to work with the Centre.

8. The medium-term plan for the Fund, to be considered at the next session of the Commission on Human Rights, should contain information on the Fund's objectives, its plans for project identification and the ways in which it proposed to execute projects in collaboration with Governments, other United Nations agencies and the non-governmental organization sector and the means whereby it would evaluate and audit the projects undertaken. All those aspects were important to the donor community whose co-operation was essential over the long term.

9. Canada had been the first country to contribute to the Voluntary Fund. It had high expectations that that type of tangible support for human rights would result in useful and positive change. The Secretariat had an especially intricate and difficult co-ordinating task, and the enhancement of Secretariat resources was an important issue.

10. Mr. YOUSIF (Iraq) said that the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be encouraged to adhere to the important guidelines contained in General Assembly resolution 32/130. His delegation, which had taken part in the forty-fourth

(Mr. Yousif, Iraq)

session of the Commission and had also provided one member of the Working Group of Governmental Experts on the Right to Development, considered the right to development to be an inalienable human right and endorsed the recommendations contained in paragraph 42 of the Expert Group's report. It also drew attention to the reference, in Commission resolution 1988/26, to the need for implementation and further enhancement of the Declaration on the Right to Development,

11. A reading of the comments and views on the analytical compilation prepared by the Secretary-General under Commission resolution 1987/23 showed that particular emphasis had been placed on the legal nature of the Declaration on the Right to Development. He briefly reviewed the Declaration's legal precedents and the gradual recognition by the international community of the links between sovereignty, equality and development. Extending the scope of such rights to individuals, article 28 of the Universal Declaration of Human Rights had stated that everyone was entitled to a social and international order in which fundamental rights and freedoms could be fully realized. All the developments leading up to the adoption of the Declaration by General Assembly resolution 41/128 could, however, be traced back to the recognition, in Article 55 of the Charter, of the right of States, peoples and individuals to economic and social progress and development. The industrialized countries, and the international community as embodied by international organizations, had undertaken to guarantee that right to the developing countries, and those countries had in turn made a similar commitment to their citizens.

12. Among factors affecting the realization of the right to development, paragraphs 23 to 26 of the Expert Group's report indicated the links between development and, respectively, disarmament, external indebtedness, foreign occupation and the establishment of a new international economic order. His delegation was of the view that occupation, aggression and armed conflicts were of particular relevance in that context and believed that the enormous resources spent on armaments should be devoted to development.

13. The sub-items of item 104, concerning the right to property, were inextricably linked to the right to development, the realization of which was a prerequisite for progress on those sub-items. With regard to sub-item (d), his delegation attached great importance to the proposed world public information campaign on human rights and hoped that the programme of fellowships and internships referred to in paragraph 52 of document A/43/711 would be maintained. To commemorate the fortieth anniversary of the Universal Declaration of Human Rights, his country would provide instruction on the Declaration's provisions in its schools and universities and would also arrange appropriate cultural activities.

14. With respect to agenda item 105, his country had participated in the submission of draft resolutions on the subject ever since its first inclusion in the agenda and hoped that the current relaxation in international relations would contribute to the promotion of its objectives.

15. Mr. BLANC (France) said that the question of a new international humanitarian order was, in a sense, an age-old question; although the world was striving to provide minimum conditions of physical and moral security and protection for all people, the misery and vulnerability of mankind were undiminished in the face of the threat of disasters which could strike at any time, bringing suffering and hardship. The people of the world continued to live in fear of a sudden or progressive upheaval in the natural, climatic, economic or ecological balance of their existence - accidents of all kinds which threatened large numbers of human lives. The need to provide assistance to victims of disasters had • Xi8tOd throughout history and was a duty of all countries and States, but the question had taken on a new dimension because of phenomena specific to the modern age. Threats of disaster were aggravated by the impressive arsenal of technical means used for all the tasks of daily life; despite improvements and increasingly sophisticated safeguards, the risks of accidents could not be ignored in any part of the world. Those risks were increasing in proportion to the technologies used, sparing neither the richest nor the poorest countries, but even more unjustly afflicting the latter.

16. At the same time, the modern age had produced one undeniable advance, namely universal awareness of the need to assist disaster victims, largely as a result of the development of the mass media which instantly reported all major disasters or serious emergency situations to the international public. Increasingly, alongside the activities of public and private bodies, the public at large was spontaneously mobilising and assembling considerable means of assistance on a wide scale. The United Nations could not afford to ignore that vital change in public awareness.

17. The proposal to establish a new international humanitarian order had been prompted by the pressing need to strengthen the international response to disasters and emergency situations at the level of principles and machinery. The Independent Commission on International Humanitarian Issues had done an enormous amount of work in identifying ethical principles common to the cultures, histories and political systems of Member States of the United Nations. The reports of the Secretary-General made a very useful contribution to identifying problems and ways of solving them. Several of the recommendations emanating from those various efforts had already been taken into account by France, which was trying to implement them effectively in accordance with its humanitarian tradition and that of its institutions. It was following the recommendation of the Independent Commission that the French authorities had in July 1988 established a Secretariat of State for Humanitarian Action attached to the Prime Minister.

18. As was made clear in the report of the Secretary-General (A/43/734), the community of nations must not only reaffirm the universal character of humanitarian assistance but also establish instruments and rules that were sufficiently flexible and adapted to the diversity of situations which arose. The first steps had already been taken: the United Nations Disaster Relief Organization, established in 1972, was a practical and effective mechanism for intervention and co-ordination to assist victims of disasters and had provided extremely valuable aid in over 150 situations,

19. The Third Committee must continue its consideration of the subject in accordance with its fundamental mission of exploring all means by which the United

(Mr. Blanc, France)

Nations could help **guarantee to the men and women** of the world the full exercise of their **inalienable rights, particularly their right to life and their right to the best possible physical and mental health** in accordance with the Charter of the United Nations, the **Universal Declaration of Human Rights** and the **International Covenants on Human Rights**.

20. An international humanitarian law • virtue: **history** had moulded it to the **needs and emergencies** which nations and peoples had had to face, as the work of the international Committee of the **Red Cross demonstrated**. The **United Nations** must recognise the **role of intergovernmental and non-governmental organisations in assisting disaster victims**. In the light of new developments, it must encourage humanitarian **assistance and try to make it more • effective**. **The participation and efforts of everyone were more necessary than ever before so as to better serve the cause of human dignity**.

21. Mrs. NIKOLIĆ (Yugoslavia) speaking on item 104 (c) and referring to **General Assembly resolution 36/133**, said that the right to development was a human right **per se** and a **prerequisite for the enjoyment of the human rights set forth in international human rights instruments**, as well as being the **corollary to the right to self-determination**. The international legal principle of development, as set forth in the 1966 **Lomburg Principles on the implementation of the International Covenant on Economic, Social and Cultural Rights**, **emphasized equality of opportunity for all individuals and entailed rights and duties for individuals and States alike**. Her delegation **considered the right to development to be a catalyst for the realization of all other human rights**, and **subscribed to the idea, emphasized by the Declaration on the Right to Development, that the human person was central to the development process and should be an active participant in and a beneficiary of the right to development**. The debate on the right to development had now entered a new **phase directed towards the implementation and further enhancement of the Declaration**.

22. With respect to the **report of the Working Group of Governmental Experts on the Right to Development**, there was a **need for Governments, United Nations bodies and other relevant agencies** which had not yet **done so to submit their views regarding the implementation of the Declaration on the Right to Development**. The **Working Group had attached great importance to replies from international financial institutions**. **Consideration of the replies should be one of the priorities of the next session of the Commission on Human Rights**.

23. The report of the Working Group **also contained a number of noteworthy recommendations**. Some of them, for instance those concerning the **dissemination of the Declaration, the organisation of seminars and the publication of studies**, required immediate implementation. Further elaboration and comment was required for other recommendations, in particular the **proposal in paragraph 42 (4) on establishing a mechanism for evaluating international action to implement the right to development**.

24. In general, further **efforts** needed to be made to **elaborate**, and to establish an order of priority among, **specific proposals for promoting the right to**

(Mrs. Nikolic, Yugoslavia)

development. Comments by Governments, international organisations and non-governmental organisations would be useful in that connection.

25. The report of the Working Group clearly demonstrated the need for continued activities relating to the right to development. The Commission on Human Rights should remain the forum for deliberations in that area. The Commission had already agreed that future work on the issue should proceed by stages and, consequently, every effort should be made to obtain the widest possible agreement on future steps. Furthermore, it was important that as many Governments as possible should participate in the preparatory work being carried out by the Working Group.

26. Mrs. KAUR (India) said that, two years after the adoption of the Declaration on the Right to Development, the forthcoming meeting of the Working Group of Governmental Experts was crucial for finding ways and means of implementing its provisions. All human rights were indivisible and interdependent. The right to development was a human right and equality of opportunity for development was as much a prerogative of nations as of individuals. National development, encompassing the development of the individual and of society, also required an appropriate international environment. Political freedom and social and economic progress were inseparable, as were peace and development. International efforts to strengthen peace and security would be greatly enhanced by universal acceptance of the right to development.

27. High priority must be given to the dissemination and popularization of the Declaration. Her Government supported a step-by-step approach to the implementation of its provisions, which required, however, concerted national and international economic, racial and political measures. Measures on which a high degree of unanimity had been reached included the abolition of apartheid, the elimination of all forms of racial discrimination and the rights of peoples to self-determination and to exercise complete sovereignty over their natural resources. Implementation of the provisions of the Declaration was the concern of developing and developed countries alike. Increasing global interdependence should lead to co-operative and concerted action by the international community, and the United Nations had a key role to play in that common endeavour.

28. National institutions provided some of the most effective guarantees for the protection and promotion of human rights and could be of immense value in establishing co-operation in the field of human rights between Governments and the people and keeping Governments aware of their people's needs and aspirations. In her country, an informed public opinion, free press, independent judiciary and representative parliamentary democracy all provided such guarantees.

29. The dissemination of information on human rights was important for overcoming people's widespread ignorance of their rights. The people of India were fully informed of their civic rights and responsibilities by educational institutions, the mass media and such organisations as civil liberties, community and labour organizations. Her delegation therefore welcomed the development of public information activities in the field of human rights and supported the launching of a world public information campaign on human rights, noting that the booklet on the

(Mrs. Kaur, India)

teaching of human rights was now being printed and that the text of the Universal Declaration of Human Rights was available in Hindi. India encouraged the further development of such information activities and the expansion of United Nations advisory services, with assistance provided to governments at their request. Human rights standards should be widely disseminated and also incorporated into national laws. In conclusion, she said that caution should be exercised in striking a balance between the commitment to uphold the ideals of human rights and fundamental freedoms and encroaching on the sovereign rights of any State. When promoting human rights, persuasion, rather than coercion, was the approach to be adopted.

30. Mr. VARKONYI (Hungary) said that, despite the important steps taken and results achieved in ensuring respect for and the exercise of human rights and fundamental freedoms, violations of basic humanitarian principles, including discrimination on grounds of race, colour and national or ethnic origin, continued and were assuming distressing proportions. The role of the United Nations in promoting human rights could be enhanced by strengthening United Nations machinery for monitoring and supervising compliance by States with their obligation to promote and protect human rights. Member States, for their part, should redouble their standard-setting efforts in certain specific human rights fields. It was absolutely essential for all States to accede to existing international instruments and to give effect to the letter and spirit of those instruments. States' legislation and administrative regulations should be brought into line with the provisions of international instruments to which they were parties.

31. His Government held wide-ranging consultations with all segments of society in its continuing efforts to harmonise the provisions of domestic law with Hungary's international obligations. Such discussions were currently being held with a view to enacting new laws on freedom of assembly and association, drawing extensively on the International Covenant on Civil and Political Rights and the experience of other States. Hungary recognised the importance of respect for the right of everyone to own property, alone as well as in association with others, and its contribution to economic and social development. A new law had just been enacted on economic associations, aimed partly at diversifying the forms and the role of property and partly at drawing private and foreign capital into the economy, it provided equal conditions for State, co-operative and private forms of property, regardless of ownership, domestic or foreign. The new law made it possible for foreigners to own a 100 per cent share in Hungarian firms.

32. A free and wider flow of ideas and information, cultural exchanges and direct human contacts were important factors in strengthening confidence among States and peoples, especially between neighbouring countries and peoples. The development of public information activities in the field of human rights was also essential. The principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants must be made better known, and the role of the United Nations in that regard should be strengthened. Respect for human rights could no longer be considered an exclusively domestic matter, since non-compliance with voluntarily accepted international standards adversely affected relations among States and the international political climate.



(Mr. Varkonyi, Hungary)

33. As a result of increased awareness of the need for public information in Hungary on human rights issues, appropriate and extensive publicity was being given to international human rights instruments, to their implementation in Hungary and to his country's reporting thereon. The Hungarian United Nations Association had recently established a human rights committee with a view to increased public involvement.

34. Mrs. BYRNE (United States of America) said that human rights and fundamental freedoms pertained to individuals, as well as to the social, economic and political groupings that individuals organised at their own initiative, and accordingly marked the boundaries between a personal "living space", in which individuals had freedom of choice, and the State's power and authority. Under agenda item 104, some nations represented in the Committee had sought to establish or legitimise a number of rights which did not belong to individuals or which otherwise departed from the traditional concern for civil and political rights. Various United Nations bodies had periodically decreed the existence of so-called social and economic rights.

35. In practice, the States which most scrupulously protected the rights of individuals were those in which the population attained the highest standards of living, measured in terms of goods available and readily consumed, net output and equitable income distribution. States which proclaimed that social and economic rights had equal standing with civil and political rights were less effective in sustaining the material welfare and overall well-being of their citizens.

36. Economic development was not a status granted by the United Nations or other international political bodies. Governments wishing to encourage economic development would adopt policies that gave free rein to the individual's creativity and energy, including the right to participate in government and enjoy the fruits of his or her lawful labour. Sensitive as it was to the genuine concerns of developing countries and the difficulties resulting from man-made or natural disasters, her country had since 1945 provided more than SUS 300 billion in official economic assistance, in addition to the large amounts of aid provided by private individuals and organizations. The very high percentage of voluntary contributions provided to the United Nations for operational activities for development - over 90 per cent - and for disaster, refugee, humanitarian and special economic relief activities by the United States of America and other Western nations stood in marked contrast to the total absence of contributions by the socialist countries to disaster relief and their mere 1 per cent contribution to United Nations development activities, a considerable proportion of which was in non-convertible currencies.

37. The Committee was meeting on the fiftieth anniversary of what was known as Kristallnacht, the night in German history which had marked the unleashing of the Nazi policy that had led to the genocide of over 6 million Jews, gypsies, Slavs and others. The events of that night had attested to the unwillingness of a State to respect each citizen's fundamental human rights, including the right to own property. There was a strong correlation between a Government's respect for the right of each citizen to own property, alone as well as in association with others,

(Mrs. Byrne, United States)

and that Government's willingness to respect a wide range of other civil and political rights, even though it was true that neglect of the former did not inevitably mean non-respect of the latter. From the viewpoint of the citizen, the right to own property contributed to the development of individual liberty and initiative, which tended to permeate the entire society and thus enhance the exercise of other civil and political rights. The United States **recognized** that there were in Member States many diverse forms of legal ownership of property: in principle, each **form** should contribute to ensuring effective economic development and the appropriate use **of** human resources and should **pursue** the goal of political, economic and social justice. Her **Government's** emphasis on the **individual's** right to own property stemmed from the key role that private property played in the world economy and world politics and from the conviction that respect for that right was strongly associated with respect **for** other civil and political rights.

38. Miss AIOUAXE (Algeria) said that consideration of the right to development as an inalienable human right had enlarged the scope of the human rights issue, linking human rights to development and also increasing the effectiveness of international law in the human rights field.

39. The task of promoting and respecting human rights involved the elimination of those factors which were the underlying causes of human rights violations. One such factor was the current economic order, which engendered inequality and injustice and whose structural defects had adverse effect on the full exercise of human rights and impeded the **solution** of global economic and social problems.

40. The promotion of **human** rights must necessarily include action to ensure the equal enjoyment of such rights by all people. That, in turn, required a firm commitment to joint action on the part of the **international** community. Such a partnership among nations, which had long been called for by the developing countries, would respond to the demands of increasing global interdependence. It would also, in the long term, permit the **stabilization** of international relations, **which** were showing **the** effects of the structural imbalance of the present economic system. Given the current situation, it was important to put an end to an economic order **which** was perpetuating, and even aggravating, underdevelopment. The only possibility for the future lay in dialogue and co-operation to establish a more just international economic **framework**.

41. Mr. WU (China) said that his country had always attached great importance to the right to development and had actively participated in the formulation of the Declaration on the Right to Development. In order to **realize** that right, it was essential to understand its nature and significance, and also its relationship to other fundamental human rights. The Declaration had affirmed the right to **development** as an inalienable human right. Furthermore, the right to development was both an individual right and a collective right of States, and the two aspects required equal emphasis. The attainment of national self-determination and the establishment of a rational international **economic** order were fundamental to the right to development as a collective right.

(Mr. Wu, China)

42. The right to development involved both national and international efforts. States should formulate their national development strategies in accordance with their specific needs. At the same time, they should commit themselves to creating a favourable international political and economic environment. Such an environment would include the elimination of **factors** such as racism, colonialism and foreign aggression; the maintenance of international peace and stability; and the formulation of policies and concrete **measures** to establish a new and **more** just international economic order.

43. The achievement of the right to development was a long and arduous process, one that had to be carried **out in stages**. The report of the eleventh session of the Working Group of Governmental Experts on the Right to Development contained some good suggestions for measures to implement the Declaration on the Right to Development, **for example: strengthening** public information and educational activities; taking **measures at** the national and international levels for early implementation of the Declaration; and establishing a mechanism within the United Nations for evaluating international action to implement the Declaration.

44. The Working Group had played an active role in the elaboration of the Declaration **on** the Right to Development and had made important contributions for promoting its implementation. His delegation therefore hoped that its work would **attract** greater attention.

45. Mr. VOICU (Romania) said that his delegation, as an original sponsor with Jordan of the item on the new international humanitarian order, had emphasized repeatedly the topical nature and practical scope of that issue. The new international humanitarian order could not be separated from the current international situation, which was characterised by an escalating arms race, various regional conflicts, the persistence of policies of aggression, and a worsening world economic crisis. General and complete disarmament under effective international control was essential to the building **of** a new humanitarian order,

46. The report **of** the Independent Commission on International Humanitarian Issues had expanded on all of the ideas put forward by his delegation. While the report had partially reflected his country's position on various issues, Romania did not necessarily agree with all of the 150 **recommendations** contained therein.

47. His delegation wished to reiterate its view that international legal instruments should be drafted with a view to expanding and diversifying co-operation among States in preventing and combating natural disasters. In addition, initiatives to put an end to **mass** violations of human rights, halt aggression and foreign occupation and eliminate **apartheid** and other forms of **discrimination** were **of** the utmost importance for the establishment of a new international humanitarian order.

48. While agreeing with the Independent Commission that **some** problems called for regional solutions, his delegation believed that regionalism should complement rather than replace multilateral co-operation. Faith in multilateralism should not

(Mr. Voicu, Romania)

be allowed to erode further and, with that in mind, international agencies should consider the local and national implications of their policies.

49. The debate on the new international humanitarian order should lead to the identification of new mechanisms, and the report of the Independent Commission contained some useful ideas in that connection. For instance, it pointed out that the creation of a more effective framework for the management of global problems demanded a greater degree of flexibility and innovation on the part of multilateral institutions. All too frequently such institutions did not give due consideration to the pluralistic nature of the world community. Rather, there was an unfortunate tendency to espouse a misconceived globalism which gave preference to uniform, theoretical solutions over practical ones. While the deficiencies of current multilateral forums could not be denied, there was still a compelling need for such forums. Multilateralism, like diversity, could be a source of enrichment. Consequently, efforts were needed to improve existing multilateral institutions in the humanitarian field. Any such initiatives should be in full conformity with the fundamental principles of international law governing inter-state co-operation. The same principles should also guide efforts to develop civic education aimed at promoting a new international humanitarian order.

50. Mr. MEZZALANA (Italy) said that the problem of fully guaranteeing the enjoyment of human rights was one of the most important issues, perhaps the central issue, facing the international community. In that connection, the procedures for reporting by States parties on their compliance with the various international instruments in the field of human rights needed to be streamlined, for the complexity of the legal structure in the field of human rights often made it difficult for countries to fulfil their reporting obligations. At the same time, since the bodies responsible for considering States parties reports often fell short of their goals, the work both of States parties and of the organs operating in that field needed to be rationalised. Some of the proposals put forward by the Netherlands in that regard were most useful.

51. International monitoring provided the possibility of taking a global approach to the protection of human rights in individual States, but it did not necessarily guarantee the actual enjoyment of those rights by every individual. Although it was now generally accepted that it was up to the international community to guarantee the protection of the essential rights of individuals, numerous difficulties interfered with the process designed to enable an individual who believed that one of his fundamental rights had been violated to take action at the international level. While some regional systems provided mechanisms for individual action, the corresponding international mechanisms were scarcely utilised and the States accepting such mechanisms were relatively few. His delegation therefore favoured the establishment of a general procedure allowing individuals to make international claims in the event of the alleged violation by a State of any right protected by international rules. The Optional Protocol to the International Covenant on Civil and Political Rights could serve as a model for special provisions governing rules of procedure and the conditions of admissibility of claims. Consideration should also be given to the establishment of an international body to which individuals might have recourse.

(Mr. Messalana, Italy)

52. His Government remained convinced that the primary guarantee for the individual was the possibility of having recourse to national judicial authorities. The principle of the independence of the judiciary from the executive branch already offered a framework in which the individual should be adequately protected and, in that connection, he wished to recall the draft declaration on the independence and impartiality of judges, juries and attorneys (E/CN.4/Sub.2/1988/39).

53. It was in the interest of the United Nations to promote all initiatives aimed at giving States the necessary assistance in protecting human rights within their national systems. In that connection, his delegation supported the efforts of the Centre for Human Rights to develop public information activities in the field of human rights. Similarly, he had listened with great interest to the report of the Under-Secretary-General for Human Rights highlighting the need to consolidate existing technical assistance programmes and advisory services. His Government had shown its support by contributing to the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights.

54. Mrs. OUSENKO (Ukrainian Soviet Socialist Republic) said that the consideration of item 104 demonstrated a serious approach to strengthening international co-operation in the sphere of human rights and to enhancing the effectiveness of the work of the United Nations in that area. Many States had acquired a great deal of experience in the protection and promotion of specific rights; the exchange of that positive experience could be one area of constructive international co-operation, based on strict observance of the purposes and principles of the Charter. There was no need to look for any provisionally non-rigorous method of attaining the desired goal: the organisational structure and existing possibilities of the United Nations system were quite adequate to take up questions relating to the promotion and protection of human rights. At the same time, those possibilities should be supplemented by the individual efforts of States and non-governmental organisations and by bilateral, regional and interregional co-operation in solving specific problems.

55. The United Nations should concentrate on combating gross and mass violations of human rights, above all in situations that posed a threat to international peace and security resulting from the policies of apartheid, racism and aggression and the suppression of national liberation movements and democratic forces. That approach derived from the Charter and from General Assembly resolution 32/130. Public information was an effective way of promoting respect for human rights, exchanging experiences and developing co-operation. The efforts of the international community to protect and promote human rights must be accompanied by efforts to give each individual the necessary information about human rights. United Nations Information Centres played an important role in that regard; as indicated in the report of the Secretary-General (A/43/711), they were co-operating actively with non-governmental organisations in member countries in arranging various activities in the area of human rights. The Centre for Human Rights was also doing commendable work in that field.

(Mrs. Ouzenko, Ukrainian SSR)

56. The international community was faced with the vitally important task of educating peoples in the spirit of **respect for** human rights and fundamental freedoms. Her delegation endorsed the **need to create** a world culture of human rights, which in turn called for expanded **information** and education in the area of human rights. A major contribution could be made by a world **public** information campaign on human rights aimed at **increasing understanding** and knowledge of human rights and **fundamental** freedoms and **disseminating information** about United Nations **efforts** to implement them. To that end, co-operation should be **developed** with governmental and non-governmental organisations in Member **States** and with the mass media.

57. The broad support for the **adoption of** the Declaration on the Right to Development had demonstrated that most **members of** the international community **recognized** the significance of that right as a human right. His delegation agreed with the view expressed in the report of the Working **Group of Governmental** Experts on the Right to **Development (E/CN.4/1988/10)** that the right to development was an inalienable human right of both individuals and **peoples**. It was also a natural corollary of the right of peoples to self-determination, since without economic independence it was impossible to consolidate political **independence**, as the difficult economic situation and external **indebtedness** of many developing countries demonstrated. Her delegation supported the **recommendations** of the Working Group and commended its work.

55. Her delegation believed that it was **States** that were **responsible** for contributing to the **creation of** an international **climate** which would help strengthen international peace and **security** and also to the establishment of a new international economic order which would permit the practical exercise of the right to development. Joint efforts by States and a spirit of co-operation were essential for solving *the* economic and social problems of the modern world.

The meeting rose at 12.10 p.m.