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at 3 p.m.
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SUMMARY RECORD OF THE 60th MEETING

Chairman: Mr. RITTER (Panama)

later: Mr. DIRAR (Sudan)

CONTENTS

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/42/3, 67, 121; A/42/296-S/18873; A/42/391; A/42/402-S/18979; A/42/488, 496, 497, 498 and Add.1, 499, 504, 506, 556 and Corr.1, 568, 612 and Add.1, 641 and Corr.1, 645, 646, 648, 658, 661, 667 and Corr.1, 677, 685, 690, 725; A/42/734-S/19262; A/C.3/42/1, 6, 8; A/C.3/42/L.2, L.5, L.8, L.89/Rev.1, L.90, L.91)

1. Mr. STROHAL (Austria) said that the United Nations had developed over the years an impressive body of instruments and procedures to deal with human rights violations. Dedication to the protection and promotion of those rights was a corner-stone of his country's political thinking; the individual must be at the centre of all human rights endeavours. As the reports before the Committee showed, however, the standards enshrined in the Universal Declaration and subsequent instruments had not been attained. The world community had a continuing duty to reduce the gap between norms and reality, a task which intimately involved the work of the various monitoring mechanisms and special procedures.

2. The increasing co-operation extended to special rapporteurs and special representatives by the competent authorities of the countries concerned was a welcome sign of growing recognition that international efforts for the protection and promotion of human rights and fundamental freedoms could not be deemed interference in a country's internal affairs. Austria expressed its appreciation to those Governments which had co-operated and appealed to them and all other countries to intensify such co-operation.

3. Some elements in the latest interim report of the Special Rapporteur on the situation in Afghanistan, and the fact that the Special Rapporteur had been able to visit that country for the first time were welcome signs. Grave violations continued to occur, however, and his delegation hoped sincerely that the human rights situation in Afghanistan would improve. The latest interim report on the situation in Iran also reflected some improvements and the possibility of increased government co-operation with the Special Representative in future. Continuing grave violations, particularly with regard to religious minorities, remained a matter for concern, however, and he hoped that the Special Representative would soon be allowed to visit Iran. His delegation noted the comprehensive report on the situation in Chile; it remained particularly disturbed at measures taken in Chile under the various states of emergency and appealed to the Government not only to expand its exemplary co-operation with the Special Rapporteur but also to take immediate measures to improve the human rights situation in Chile. In El Salvador, human rights continued to be violated despite some positive developments and his delegation associated itself with the recommendations contained in the Special Representative's interim report.

4. Another important mechanism, the procedure established under Economic and Social Council resolution 1503 (XLVIII) for dealing with communications on alleged human rights violations, needed to be strengthened. The appointment of special rapporteurs or working groups to consider specific aspects of human rights violations was also important in that it permitted an impartial approach. His

(Mr. Strohal, Austria)

delegation commended the Special Rapporteurs on the questions of torture and religious intolerance on their excellent reports and welcomed the work of the Special Rapporteur on summary or arbitrary executions, particularly his report that national commissions had been established in several countries to investigate cases of human rights violations. Concerning the praiseworthy efforts of the Working Group on Enforced or Involuntary Disappearances, he appealed to all Governments contacted by the Working Group to follow the example of those which had established full co-operation with it.

5. The examples he had cited showed the growing need for co-operation not only between countries and the United Nations system but also among the latter's various human rights mechanisms, for instance, in considering the question of human rights in the administration of justice. His delegation looked forward to the meeting of the chairpersons of the various human rights monitoring bodies. Such co-operation was also urgently needed in considering the practice of arbitrary or unacknowledged administrative detention.

6. Human rights violations were not confined to the countries currently being dealt with by United Nations human rights mechanisms, however. His delegation had already given its views on the situations in southern Africa, the Arab territories occupied by Israel since 1967 and Central America. The situation in South-East Asia was also cause for concern, although his delegation welcomed the measures taken by the Government of the Philippines in regard to that country. The situation in Europe also called for further improvement. Efforts were being made, within the framework of the Conference on Security and Co-operation in Europe, to take practical measures to improve the human rights situation there and the process provided an excellent opportunity for enhancing co-operation among countries with different economic, social and cultural systems. The machinery established under the European Convention on Human Rights also provided hitherto unsurpassed judicial protection.

7. Armed conflict was a common feature of many human rights violations, the most flagrant example being the war in the Persian Gulf. It was important to call for strict observance of the relevant provisions of international humanitarian law.

8. The advisory services provided by the Secretariat afforded valuable assistance to Governments in their efforts to improve human rights; those services should therefore be strengthened. His delegation welcomed the establishment of a Voluntary Fund for Advisory Services but believed that the efforts of the Under-Secretary-General for Human Rights and the staff of the Centre for Human Rights should be primarily supported not by voluntary funds but rather by increasing the percentage of the United Nations budget earmarked for human rights.

9. Since the adoption of the Universal Declaration of Human Rights almost 40 years previously, the world community had achieved much in the areas of standard-setting, monitoring and practical assistance in reducing the gap between norms and reality. Such measures were effective only if the requisite steps were taken at the national level, however; the United Nations system provided an invaluable framework for co-operation to that end and should be used in full.

10. Mrs. OTUNBAEVA (Union of Soviet Socialist Republics) said that the work of the Third Committee represented a constructive joint approach to many of the world's most pressing human rights problems and reflected a great potential for progress. She wondered, therefore, what had prompted the representative of the United States to try to stir up an atmosphere of political confrontation in the Committee. Such a massive outburst against so many countries was hardly calculated to further the Committee's work or enhance diplomatic relations. Whatever the motivation, the style alone had aroused surprise and dismay.

11. She was forced to conclude, to her regret, that the United States aim was propaganda and political confrontation, not the promotion of human rights. Clues to its intentions were to be found in that country's relations with the South African racist régime, the Chilean dictatorship and the reactionary Governments of a number of other countries. The United States delegation was as aware as any other of its Government's political and moral support for reactionary dictatorships which flagrantly violated human rights. While roundly condemning human rights violations before the Committee, that country tried to justify or conceal its own actions by selectivity and the distortion of facts. The real reason for its absurd allegations against Nicaragua and Cuba, for instance, was the fact that those countries had dared to opt for true independence. It was, moreover, ironic that the United States should talk about the human rights situation in countries against whose Governments it was waging open armed intervention and exerting economic and other pressures.

12. The United States delegation's spiteful outburst against the Government of Afghanistan, and its rejection of that Government's recent cease-fire offers, were intended to cover up the undeclared war that the United States was waging against that legitimate Government and its peace-loving people. Clearly, the United States did not really want to end the bloodshed and promote human rights and democracy in Afghanistan. The Committee must not be taken in; it must give Afghanistan every assistance by helping to establish normal conditions in the region.

13. The United States delegation's remarks about the so-called Turkish minority in Bulgaria has also been designed simply to sow discord between neighbouring States. As for that delegation's lengthy diatribe against the Soviet Union, its tasteless blend of condescension and censure served no constructive purpose whatsoever. The United States could learn a great deal from the Soviet Union, but the latter did not presume to give lectures. It simply wished to point out that socialism and socialist democracy went beyond the adoption of legal texts and took practical measures to ensure equality and justice for everyone, and the exercise of all human rights. In 70 years of socialist development, marked by achievements and problems alike, the Soviet Union had established a socialist society without profiting from world conflict or the oppression of colonial and dependent territories. It had resisted aggression, freed other nations from fascism and provided genuine support to those in need. The United States delegation's attempt to blacken the record merely reflected a refusal to acknowledge the humanitarian nature of socialism and its real contribution to world equality.

(Mrs. Otunbaeva, USSR)

14. As for the so-called problems of emigration, lack of religious freedom and anti-Semitism in the Soviet Union, her Government consistently opposed, both at home and in international fora, all forms of racism, discrimination and inequality. If the United States had actually pursued the policies it preached, the evils of which it spoke would have been eliminated long since from its own country. That was far from being the case, however. The United States delegation would do well to consider the standard of living in its own country, where there were at least 7 million unemployed, at least 3 million homeless, and over 20 million people went hungry. To such people, the claim that there was no better life in any other country must ring hollow, to say the least. The United States delegation had no right to speak of conditions elsewhere, conditions which were in any case not a subject for derision. The level of deprivation in its own country - a disease for which its society seemed to have no cure - was a grave indictment of so-called American democracy, which was democratic only for the rich.

15. A recurrent theme in the United States delegation's assertions had been that everyone wanted to enter the United States and live there. The reality faced by many immigrant workers was tragically different, however. As for political rights in that country, the claim that political power was exercised by the masses was not borne out by the huge sums required for election to political office or the fact that the millions of unemployed and hungry had no political means of changing their situation.

16. The United States delegation, therefore, had absolutely no right to lecture others about human rights but should be considering how its own country might conform more fully to generally recognized international norms in that area. The Soviet Union believed that international dialogue could and should be the basis for genuine respect and sincere co-operation among all States with a view to promoting true respect for human rights and observance of international human rights instruments. Constructive results in the Committee's work would move towards that end.

17. Mr. CONSTANTINESCU (Romania) said that, despite undeniable differences in approach to the means, within the United Nations system, for improving the exercise of human rights and fundamental freedoms, it was essential to recognize the value of true dialogue to that end. His delegation based its position on national realities and the relevant international instruments to which it was a party. Certain elements had, however, tried to use the Committee's deliberations to emphasize marginal issues and ignore the essential aspects of the task of promoting human rights and fundamental freedoms, in order to distract attention from certain grave social anomalies which warranted constant attention in any serious debate. The purpose of any human rights debate should be to overcome the acute problems facing peoples and guarantee their fundamental rights, in particular, the right to life, peace and a free and independent existence. Many States rightly shared the view that international peace and security were essential to the full exercise of human rights, including the right to development, and that all problems should be solved in a manner which respected States' individual sovereignty.

(Mr. Constantinescu, Romania)

18. The promotion and observance of human rights depended on national and international economic and political stability; all human rights were indivisible and interdependent and deserved equal attention. As the General Assembly had stressed repeatedly, the whole question of the promotion and enjoyment of human rights should be approached from the standpoint of the need to establish a new international economic order and also the need to eliminate such causes of human rights violations as colonialism and neo-colonialism, apartheid, racism and racial discrimination, nationalism, foreign domination and aggression and threats to national sovereignty and territorial integrity. Many delegations had stressed the need to establish a new international order which was firmly based on the norms of international law, justice and equity, and to seek ways of promoting human rights and fundamental freedoms in their entirety.

19. In considering practical measures to enhance international co-operation, it was important to focus on fundamental issues rather than marginal ones and to avoid political and ideological distractions. Strengthening the Organization's role and authority depended on the political will of Member States, but some of the latter were trying to poison the political climate. His delegation stood ready to participate in a genuine dialogue, however, based on fundamental principles of international law.

20. Ms. ASTORGA (Nicaragua) said that the subject of human rights was becoming increasingly complex owing to its frequent manipulation for political purposes. It was essential therefore to take a comprehensive approach to the issue, and to place it in an historical context. Failure to do so resulted in an incomplete assessment of a Government's human rights record, which was then used as a basis for evaluating the moral legitimacy of the Government in question. Any assessment of a Government's human rights record must be impartial and based on reliable evidence. In making such assessments, it was necessary to consider those factors which facilitated or impeded the protection and promotion of human rights, such as the level of development, political stability and economic prosperity in the country concerned.

21. Civil and political rights and economic, social and cultural rights were undeniably indivisible. Human rights could not be enjoyed fully without peace and sustained economic and social development, and peace and development could not be sustained without efforts to eliminate inequality, discrimination and exploitation. Unfortunately, some sectors remained unmoved by the despair of the developing countries and continued to oppose their legitimate demands for a new international economic order which would enable peoples to exercise their right to political, economic and social development.

22. Flagrant violations of the principles of international law persisted in southern Africa and the Middle East. The history of Latin America was also replete with human rights violations perpetrated by dictatorial régimes, some which were still in power. That continent's long history of underdevelopment and social injustice had forced its peoples to rebel and to initiate processes of democratic change. In the case of her own country, the very Governments who lectured others

(Ms. Astorga, Nicaragua)

on respect for human rights were those who frequently perpetuated human rights violations. The recent spurious allegations made by the United States concerning human rights violations in Nicaragua thus came as no surprise. The United States Government had used that same excuse many times before to justify its illegal policy of aggression against her country, even though those allegations had already been refuted by several humanitarian organizations, she nevertheless appealed to the United States Government to put an end to its acts of aggression and to stop financing terrorism in her country. It was high time that the United States acknowledged the new realities in Central America, and she hoped that the signing of the historic Central American peace plan would signal the beginning of an era of co-operation and respect between Nicaragua and the United States.

23. Ms. MARIANO (Portugal) endorsed fully the statement on human rights made by the representative of Denmark on behalf of the twelve member countries of the European Community. Her country, which had recently been elected to the Commission on Human Rights, had a long tradition of tolerance and its current policy was one of strict respect for human rights and fundamental freedoms and the granting of individual and collective rights which were protected by law. In that same spirit, she welcomed the renewal of the mandate of the Special Rapporteur on religious intolerance.

24. The human rights situation world wide was far from satisfactory. However, that situation would be far worse were it not for the efforts of international organizations, which ensured that human rights violations received international attention. Her country had acceded to the various international human rights instruments and also to the European Convention for the Protection of Human Rights and Fundamental Freedoms. It also attached importance to the follow-up meeting of the Conference on Security and Co-operation in Europe, which was considering a number of fundamental human rights issues.

25. Her country was deeply concerned that the right of peoples to self-determination continued to be denied in many areas, giving rise to situations of oppression and actual or potential conflict. In particular, the policy of destabilization pursued by the apartheid régime of South Africa against neighbouring countries threatened to trigger a generalized regional conflict and was, moreover, hindering the front-line States' development efforts. Portugal pledged its continuing solidarity with Angola and Mozambique in that regard and condemned all régimes which violated human rights.

26. The situation in Latin America was of special interest to her Government because of the close historical and cultural ties between her country and that region, and it hoped that democracy would soon be established throughout that region.

27. Ms. AIOUAZE (Algeria), retracing the history of international efforts to promote and protect human rights, recalled that the African Charter of Human and Peoples' Rights had been adopted on 21 October 1986 and that the African Commission on Human and Peoples' Rights had been established in July 1987.

(Ms. Aiouaze, Algeria)

28. The protection and promotion of human rights had never been possible in situations of subjugation of entire peoples. The right of peoples to self-determination was fundamental and without it no other rights could be implemented. The colonial system had always been exemplified by massive violations of the most fundamental rights and it was deplorable therefore that the right of self-determination was still being denied to some peoples, including the people of Western Sahara and the Palestinian people. The South African and Namibian peoples were showing heroic resistance to apartheid, but an international commitment was needed to finally put an end to racial oppression.

29. Human rights were indivisible and interdependent and any notion that one category of rights predominated over another must be abandoned. For example, the right to vote or to freedom of movement had no meaning when the satisfaction of the most elementary needs was not guaranteed. A global approach to human rights, according equal importance to each aspect of that questi - was the only possible basis for future action.

30. Mr. FERNANDO (Sri Lanka) said that political, social or economic development could be assured only in an atmosphere conducive to such development. Nations concerned with promoting freedom and human rights must not thwart the efforts being made in various parts of the world to promote those concepts in the face of onslaughts by elements hostile to them. Terrorism was being used by certain groups to denounce established law and order and those confronted with terrorist acts had no choice but to meet the challenge. Developed nations had the sophisticated technology and weaponry to crush terrorist movements but developing countries did not and their only solution was therefore to strengthen their emergency powers and use conventional force. It was obvious that every safeguard had to be applied to ensure the protection of captured terrorists under the criminal law of the country concerned. Efforts to combat terrorism inevitably resulted in casualties not only among terrorists but also among the armed services and the civilian population, however. Unfortunately, reports on civilian casualties were often exaggerated out of all proportion and criticized as serious human rights violations when the country concerned was not in political favour internationally.

31. Sri Lanka had suffered many years of terrorist onslaught against its established parliamentary democracy and civilian population by groups who had refused repeated peace offers, including amnesty. The Special Rapporteur, reporting to the the Sub-Commission on Prevention of Discrimination and Protection of Minorities, had commended the Government of Sri Lanka for finding a solution to the conflict in Sri Lanka and the Commonwealth Heads of Government had acclaimed the Indo-Sri Lanka accord as an act of high statesmanship. The Government of Sri Lanka had always been committed to a political settlement of the country's ethnic problems and had taken positive and constructive initiatives to persuade the terrorist groups to lay down their arms and come to the negotiating table. Massive violations of human rights by terrorist groups continued in the north and east of Sri Lanka, however. Although certain terrorist groups had shown a desire to co-operate, one group in particular had clung desperately to terrorist tactics and

(Mr. Fernando, Sri Lanka)

was refusing to take part in the peace process and abide by the cease-fire, persisting instead in its objective of establishing a separate State by violent means.

32. His delegation was gratified that the report of the Economic and Social Council had not deemed it necessary to even refer to the situation in Sri Lanka, in contrast to the orchestrated criticisms of the Sri Lankan human rights situation in other fora. Delegations should understand the plight of a small developing State which was committed to and practised parliamentary democracy but must combat lethal attacks on it and its people by small terrorist groups who had enjoyed a favourable press in the past. The people and Government of Sri Lanka would continue to deal firmly with terrorism within a democratic framework.

33. Mr. CALDERON (Chile) said that it was absurd to request Chile's co-operation in ensuring respect for human rights and then, on receiving its unrestricted co-operation, to do everything possible to discourage it by adopting unfair and irregular procedures and resolutions. The situation described by the representative of Denmark, speaking on behalf of the European Community, and by other speakers, and also in the draft resolution which had been sponsored by, among others, Mexico, that pillar of democracy, bore no relation to the real situation, as all those who freely visited Chile knew perfectly well. The Special Rapporteur himself had placed on record that he enjoyed complete freedom of action during his visits to Chile and that all sectors of the press followed him and reported without restriction on both his activities and his statements.

34. The statement made on behalf of the European Community was a mass of falsehoods. Facts were distorted - for instance, the statement referred to "death squads" when what in fact existed in Chile was terrorism, predominantly of the far left, instigated by the Chilean Communist Party, which claimed responsibility for it daily on Radio Moscow. Facts were also concealed, even though they were public knowledge. For instance, there was no mention that the Special Rapporteur himself had noted that the process of bringing an end to the exile of Chilean citizens continued uninterrupted (A/42/556, para. 89). Lastly, facts were denied or only half stated: it was said that there was no freedom of assembly or freedom of speech, but an open-air meeting of opposition parties had just taken place in Santiago without any impediment, like many others held in recent months in Chile. Moreover, over 25 newspapers and magazines of the most diverse persuasions circulated freely in Chile and there were 42 opposition radio stations.

35. One might ask whether countries with conflict situations co-operated in the same manner as Chile; whether they allowed visits by individuals known to be opposed to their Governments, or the holding of hostile meetings; whether they had limited their powers as Chile had done; whether they had agreed to co-operate with the International Committee of the Red Cross in the area of human rights as Chile had done; whether they all had established electoral systems which guaranteed full participation of citizens and adequate supervisory mechanisms to prevent electoral fraud. Only those who genuinely fulfilled all those criteria had the right to make comments and criticisms about Chile. The arguments put forward by the representative of Bolivia in that connection were patently absurd.

(Mr. Calderon, Chile)

36. Despite Chile's co-operation, the procedure applied to Chile both in the General Assembly and in the Commission on Human Rights continued to be discriminatory, selective and unjust. The limitations imposed on the length of Special Rapporteur's reports was not applied to Chile, although the situation in other countries was far more serious. The question of Chile was still a separate item on the agenda of the Commission on Human Rights, while other countries were included in a general item. The time had come to consider where the annual exercise was leading. It did not correct or solve the fundamental, genuine problems that existed, it preserved the impunity of recognized massive flagrant and systematic violators of human rights, and it discouraged those who co-operated in good faith.

37. With regard to the draft resolution, once again one of the sponsors was a country which, as was generally recognized, was not democratic, where there was blatant electoral fraud, where Presidents were appointed not elected, and where a single party reigned supreme. The draft resolution itself was totally unacceptable: it simply regurgitated the previous year's resolution and ignored the Special Rapporteur's reports, none of whose positive conclusions were endorsed. There was only a lukewarm recognition of the Government's continued co-operation and all the legislative and administrative measures taken by it, which the Special Rapporteur had commended, were dismissed a priori because they did not "constitute an expression of the people's sovereignty" although nothing could be more in accord with the popular will than elections and the existence of political parties. There was no reference to terrorism, which in the Special Rapporteur's view was essential to a proper understanding of the Chilean situation. All that the Government had done in the labour, social, economic and cultural areas was ignored, and it was merely stated that the full enjoyment and exercise of rights in those areas, must be restored, without making specific recommendations or taking account of the reports and resolutions of technical bodies of the United Nations system (CEPAL, FAO, ILO, UNESCO, etc.).

38. In his lastest report, the Special Rapporteur had expressed satisfaction that the Government of Chile was putting into effect his recommendations, although much remained to be done. His Government would continue to heed the Special Rapporteur's recommendations, in so far as they were consistent with his mandate, in particular the following: the Chilean people alone must decide on their political future, without outside interference; terrorism and the climate of violence it created must be tirelessly combated; and the process established in the Constitution for a full return to representative democracy must be complied with strictly.

39. The Committee must concern itself with respect for and the promotion of human rights everywhere, without exception and without offering impunity to anyone for political reasons. That was why, on the basis of reliable reports from respected non-governmental organizations, press reports and the undeniable reality of the very precarious situation of human, civil and political rights in Mexico, his delegation had submitted a draft resolution expressing concern at that situation and calling on the United Nations to take action in that regard. Most of the

(Mr. Calderon, Chile)

delegations consulted had voiced agreement with the draft resolution but had said that for political reasons they could not support it. That showed once again that politics prevailed over humanitarian considerations in the Committee. His delegation had decided to withdraw the draft resolution but it should be clear to the Committee that its procedures were fundamentally flawed since they permitted all kinds of abuses against small countries but prevented the United Nations from taking a fair position when the situation really demanded it. At least his delegation had been able to unmask a country which had the audacity to criticize others with far older and more respected democratic traditions, and had created an awareness in the international community of the tragic situation of human rights in Mexico.

40. During the debate, situations had been described which were infinitely more serious than the situation in Chile. Much had been said about the atrocities which had occurred in Afghanistan, Iran, Kampuchea and Viet Nam, yet when the time came to adopt forceful resolutions, everything degenerated into ineffectual, repetitive rhetoric. In the case of Chile, however, no negative epithets or judgements were spared, grotesque in their dishonesty and political motivation. Chile had maintained its co-operation for reasons of principle but reserved the right to review its position in the light of what was happening.

41. Mr. NETANYAHU (Israel) said that there had been little change in the conditions of oppressed Jewish communities. In Syria, thousands of Jews remained captive, prisoners of a cynical and brutal régime. Even young Jewish women were prevented from leaving the country to find eligible Jewish husbands. That situation was not surprising under a régime that used hostage-taking as a mainstay of its foreign policy; terrorists from Syria had perpetrated the massacre in an Istanbul synagogue and the most notorious Nazi war criminal, Alois Brunner, enjoyed Government protection and hospitality in the Syrian capital.

42. Half the Jews of Ethiopia, who had come to Israel, enjoyed life and freedom in their new home. He hoped that the other half, including parents separated from their children, would soon be permitted to join their families in Israel.

43. The largest Jewish community still deprived of the elementary right to be repatriated to its homeland, was the Jewish community in the Soviet Union. There had been some welcome changes in their situation; those who had been arrested for the Soviet crime of indicating a desire to join their families in Israel, or for teaching Hebrew, had been released. Some who had been refused exit permits for years had been allowed to leave and the number of Jewish emigrants had increased slightly. Those were surface improvements, however. There was still a tragic chasm between the small number allowed to leave and the great number of those who had indicated a desire to do so, a chasm filled with thousands of personal tragedies which made a mockery of the international obligations and agreements which the Soviet Union had solemnly signed, especially the Helsinki Accords, and cast a shadow over the reliability of pronouncements by the current Soviet leadership. Officials of the Soviet Government had stated repeatedly that exit permits would be denied only for reasons of national security, and then only for

(Mr. Netanyahu, Israel)

periods not exceeding five to 10 years. No democratic country imposed such restrictions on its citizens. Even so, Soviet officials had abused Soviet regulations, arbitrarily dashing applicants' hopes. In October 1985 and again in April 1987, General Secretary Gorbachev had said that the maximum period for refusals based on possession of national secrets would be 10 years; that promise had not been kept. Countless Jewish families had been waiting for longer than 10 years for permission to leave. Scores of new refusals on security grounds had been issued to many long-term "refuseniks", including some former prisoners of Zion. Vladimir Slepak and his family, who were present in the meeting room, had finally been allowed to leave the Soviet Union after waiting for 17 years. Many thousands were less well-known. Some "refuseniks" who had been previously denied exit permits on other grounds had now been refused on security grounds even though their objective circumstances had not changed.

44. The world-wide campaign for Soviet Jewry, for justice and freedom and for Soviet adherence to international obligations was being depicted in the Soviet Union as a CIA conspiracy to ferret out Soviet secrets. Official newspapers described Jewish families seeking to join their relatives in Israel as allies of the enemies of the USSR. Children of parents who were allegedly privy to secrets were also being denied exit permits. Jews who wished to emigrate also had to submit statements from relatives attesting that they had no outstanding financial obligations; since January 1987, that requirement had been extended to cover a broader category of relatives, in effect granting veto power to any relative of a person wishing to leave for Israel. The Soviet authorities had also resumed the practice of not delivering invitations from relatives in Israel to prospective applicants. That such invitations were required was in itself a violation of international law; that they were not delivered was a further infringement of international agreements and common decency. New Soviet regulations limited the right to apply for an exit visa to those who had an invitation from relatives of the first degree living outside the USSR effectively excluding 90 per cent of potential applicants, in blatant violation of all international accords on human rights.

45. Soviet law was also being flouted. The 100 recognized nationalities in the Soviet Union all had the right to study and to pass on their history, traditions, culture and language to their children; all except the Jews. Only the Jews were singled out for persecution and suffered cultural and religious discrimination as part of official State policy. The suppression of Hebrew, of Jewish religious practices, cultural activities and links with co-religionists abroad, in a community of over 2 million people, was a sad commentary on a country that had been a partner in the war against nazism. Anti-Semitic discrimination and propaganda, usually under the guise of "anti-zionism", remained a continuing feature of Soviet life. Current Soviet policy enabled anti-Semitic tendencies in the Soviet population to flourish. Anti-Semitic groups such as Pamyat, Spasenie and Otechestvo had appeared which circulated venomous anti-Semitic propaganda. While such groups were free to demonstrate, Jewish groups requesting permission to assemble had been refused. In September 1987, an attempt by a group of Moscow Jews to form an association to counter anti-Semitism had led to their arrest and detention and virulent condemnation in the State-controlled media.

(Mr. Netanyahu, Israel)

46. In a peculiar inversion of its stated goals, glasnost was giving unbridled licence to anti-Semitism. In two incidents in 1987, Jewish cemeteries in Leningrad and Gorky had been desecrated; underground anti-Semitic literature was being distributed and irresponsible statements were being made in the State-run media.

47. There was only one solution to the situation: the Soviet Union must grant Soviet Jews the right to repatriate to their historic homeland, Israel. By granting that elementary, democratic human right to the Jews of the Soviet Union, the Soviet Government could demonstrate that glasnost, democratization and change were not simply slogans in the service of propaganda, but sincere expressions of goodwill.

48. Mr. GARVALOV (Bulgaria) said that the Committee's consideration of the report of the Economic and Social Council provided an opportunity not only to hear delegations' views on the issue of human rights, but also to assess their preparedness to achieve international co-operation and promote respect for and observance of human rights and fundamental freedoms. The debate on human rights was always marked by a variety of concurrent, competing and sometimes conflicting opinions, which was understandable since the world comprised many different kinds of societies. His delegation saw in the expression of such varied opinions the opportunity to achieve genuine international co-operation and surmount the obstacles to full achievement of the objectives set forth in the Charter.

49. The repeated attempts by some delegations to ignore the potential which the variety of experiences offered for developing a truly fruitful dialogue on human rights constituted one such obstacle. Rather than join in the search for viable, realistic solutions to pressing problems, some Western delegations indulged persistently in the self-congratulatory claim that they possessed the ultimate truth about human rights. Those delegations maintained that human rights comprised only those rights which were intended to protect the individual against the State. Thus, the State was, by definition, hostile to the individual. Nevertheless, in societies where that view prevailed, there were still homeless, poor, unemployed and hungry people who probably knew from experience that many of the basic rights needed to make their lives worthwhile and fulfilling were not considered human rights by their Government. His delegation found it hard to accept such a model as the ultimate truth about human rights, for it believed that individual rights meant equal human rights for each and every individual, backed by legal and material guarantees.

50. Those who held such a view of human rights and the relationship of the individual to the State failed to take into account that there was more than one kind of State and society, yet other types of societies and States had emerged as the result of the struggle of peoples to put an end to social or colonial oppression and restore to every human being his or her dignity and rights. Many States had been born of the determination of their peoples to be independent and to decide for themselves what their rights were. Such States were not perceived by their citizens as inherently hostile.

(Mr. Garvalov, Bulgaria)

51. His delegation believed that universally accepted values of morality and humanism should prevail and guide mankind in its efforts to ensure the survival of human civilization. Bulgaria therefore strove to promote international co-operation in the field of human rights on the basis of genuine mutual respect, fairness, objectivity and the widest possible exchange of views and experience. The United Nations offered an appropriate forum for such an exchange. The concept of human rights had already evolved within the United Nations; those rights were now viewed as comprising individual civil and political rights as well as collective economic, social and cultural rights, and all such rights were considered indivisible and interdependent. That that continuing evolution was the result of a truly democratic decision-making mechanism should, in itself, be a convincing argument to those who wished to set themselves up as models of democracy, even if they more often than not cast negative votes on the various human rights issues dealt with in the United Nations.

52. His delegation believed that increasingly effective use should be made of existing machinery in the field of human rights, which meant that the potential of the United Nations system for promoting international co-operation on human rights should be utilized in accordance with the priorities identified by Member States in that area. The elimination of massive and flagrant violations of human rights was of foremost importance. Continuing efforts to achieve universal adherence to and observance of legally binding international human rights instruments were also important. The achievement of broad and meaningful international co-operation on human rights required the consistent application of the principle of equitable representation of all geographical regions, regional groups and legal and socio-political systems in the various United Nations bodies and organs, as well as in the use of the various mechanisms for promoting respect for human rights, including the appointment of special rapporteurs. Application of that principle would improve the prospects for drawing the wealth of valuable ideas and experience of all States and societies to enhance international co-operation.

53. Mr. IRUMBA (Uganda) observed that in the past 40 years the United Nations had made considerable progress in standard-setting, codification and monitoring in the field of human rights. The Commission on Human Rights, in particular, had worked diligently to monitor violations of such rights and the Universal Declaration of Human Rights and other important human rights instruments were testimony to the concern and contribution of the United Nations in that field. In that regard, his delegation awaited eagerly the early completion of the draft conventions on the rights of the child and the protection of migrant workers.

54. His delegation was aware that the implementation of existing human rights instruments continued to be far from satisfactory but was also fully cognizant of the intrinsic values and norms which they established. The failure to attain universal observance of those instruments stemmed not from the tenets of the instruments themselves but from the various political, economic and social factors that had a direct bearing on them. There was a clear interrelationship between the protection and enjoyment of fundamental human rights and the promotion of economic and social development. Human rights included such vital needs as food, clothing,

(Mr. Irumba, Uganda)

shelter, health care and education. However, government indifference, inaction or corruption often greatly threatened the enjoyment of such rights.

55. His delegation continued to attach great importance to the right to development, which it considered an integral part of the rights embodied in the International Covenant on Economic, Social and Cultural Rights. Any serious analysis of the global human rights situation would reveal a direct relationship between countries' stages of development and their capacity to guarantee human rights and fundamental freedoms. In other words, where abject poverty prevailed, the implementation of human rights and fundamental freedoms was seriously undermined. His delegation reiterated its hope that, in its future work on the nature and scope of the right to development, the Committee would continue to accord the highest priority to recognition of the indivisibility of all human rights - civil and political, and economic, social and cultural.

56. Concerns regarding the role of the Organization in monitoring violations of human rights had been expressed both within the Committee and in other United Nations fora. His delegation believed that the United Nations must not downplay any flagrant, massive and systematic violation of human rights, wherever it occurred. While it was important to take contextual considerations into account, it was also vital to apply uniform standards of judgement to all human rights violations.

57. United Nations efforts notwithstanding, racism and racial discrimination remained global phenomena. Systematic violations of human rights in both South Africa and Namibia continued. The determination of all the countries represented in the Committee to take the issue of human rights seriously was perhaps nowhere more tested than in their attitudes towards southern Africa. It was disturbing that those who showed zeal in combatting other Nazi-like criminals did not show the same zeal against the Nazi-like régime in South Africa. Uganda renewed its unequivocal condemnation of South Africa for its blatant, continuing oppression of the peoples of South Africa and Namibia and reiterated that the imposition of comprehensive mandatory sanctions against South Africa was the only appropriate response to the apartheid system and the illegal occupation of Namibia.

58. The situation in the Middle East continued to be of great concern to his delegation. The Arab and Palestinian populations continued to be subjected to various forms of human rights violations in the territories under Israeli occupation. The United Nations must take all necessary measures to enforce its resolutions on the question of Palestine and the situation in the Middle East, especially those relating to Israel's withdrawl from the occupied territories and the full restoration of the rights of the Palestinian people.

59. His delegation emphasized its solidarity with the peoples of Latin America in their search for social justice and the freedom to shape their economic and political destiny without foreign interference, intervention and aggression. It believed that the peace plan proposed by Costa Rican President Oscar Arias provided a viable basis for solving the problems of the Central American region. In that

(Mr. Irumba, Uganda)

regard, it also applauded the positive attitude taken by Nicaragua and welcomed the recent efforts made by the President of El Salvador.

60. In Uganda, the present National Resistance Movement Government had made respect for and enjoyment of human rights the corner-stone of both its domestic and foreign policies. It had set up a special commission to investigate human rights violations, as a result of which many people had already been charged in courts of law. The independence of the Ugandan judiciary had been restored, and the armed forces were subject to a rigorous disciplinary code which was strictly enforced. As his delegation had stated earlier in the Committee when discussing the report of the United Nations High Commissioner for Refugees, there was no surer indication of a return to normalcy than the return of refugees to their country, and thousands of refugees had returned to Uganda since the National Resistance Movement Government had come to power. Efforts were also under way to promote economic development and social welfare with a view to guaranteeing full enjoyment of human rights. The objective was to ensure that the benefits of economic growth accrued to the Ugandan people as a whole, and not just to the well-off few who in the past had siphoned off resources abroad. The international community's response to Uganda's efforts thus far had been encouraging and his delegation hoped that its support would continue.

61. Mr. KAM (Panama) said that, instead of speaking about human rights, he felt compelled to refer to the painful spectacle witnessed by the Committee the previous day. There had been a debate in which the most elementary rules of parliamentary conduct had been violated, and persons had been named solely to cause offence and injury to participants and which had been transformed from a debate on human rights into a forum for revenge and retaliation. The subject of human rights had been lost in an endless diatribe. Panama had frequently stressed that the subject of human rights should not be used by countries that set themselves up as censors of others, nor to justify aggression, nor as a pretext for interfering in the internal affairs of others. It was disrespectful to the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to refer to the General Assembly a situation on which those bodies had decided not to act or had not even considered. The Committee had before it the report of the Economic and Social Council, not an empty page to fill with gratuitous allusions to countries and Governments.

62. United Nations resolutions on human rights should help to promote international action to implement them. The fact that a country was not named in a resolution did not absolve it from its obligations under the Charter or other international instruments; and countries that were named in them should not point the finger at other countries on the principle that attack was the best form of defence. The will to implement a resolution was more important than its formal adoption.

63. The Third Committee must demonstrate once and for all that it would have nothing to do with tactics that diverted it from its tasks and that it would tackle the subject of human rights seriously and responsibly.

64. Ms. MARCOULLIS (Cyprus) said that, since the position of Cyprus on all massive violations of human rights was well known, she would confine her statement to violations of human rights in Cyprus as a result of the Turkish invasion and military occupation of nearly 40 per cent of the territory. That situation had been the subject of numerous United Nations resolutions, including resolutions of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The ongoing Turkish aggression and occupation of Cyprus was the root cause of the persistence of the flagrant human rights violations in that country. The withdrawal of the Turkish occupation forces was therefore essential to a mutually acceptable solution of the problem. Having consolidated its seizure of the occupied areas, the Turkish army had systematically evicted the remaining Greek Cypriots from their homes, in violation of the humanitarian agreement reached at Vienna in August 1975. The original 20,000 Greek Cypriots enclaved in the occupied areas had decreased to 662 because of harassment and intimidation, as was shown by the Secretary-General's periodic reports on UNFICYP.

65. The expulsion of the indigenous population formed part of a long-standing Turkish policy of creating a "homogeneous" Turkish region, a policy which bore a striking resemblance to the policy of bantustanization pursued by the apartheid régime in South Africa. At the same time, Turkey was pursuing a settlement policy designed to alter the demographic structure of the occupied areas. The first Turkish settlers had arrived as "seasonal workers" immediately after the 1974 invasion and their arrival had shown that the invasion was not designed to protect the Turkish Cypriots or restore constitutional order, as Turkey claimed, but formed part of Turkey's expansionist policies and strategic interests in Cyprus.

66. The settlement policy was strongly opposed by the Turkish Cypriots, who were being oppressed not only by the Turkish army and its agents but also by the settlers from Turkey and were gravely concerned about the dangers inherent in the situation. In an article in the daily paper Yeniduzen on 29 June 1987, the Turkish Cypriot leader of the Republican Turkish Party had said that the Turkish Cypriots were gradually becoming a minority. The Turkish target would be achieved through the elimination of Turkish Cypriots and their political and cultural identity. The names of localities and streets had been changed arbitrarily to Turkish names and everything reminiscent of the indigenous inhabitants had been obliterated. That inhuman policy, which was intended to destroy the continuity of the cultural identity of those areas, violated United Nations resolutions, especially those of the Third United Nations Conference on the Standardization of Geographical Names.

67. Turkey was also responsible for the constant plunder and destruction of archaeological sites and museums and for desecrating and stealing from churches and cemeteries. The cultural heritage of Cyprus was being sold off internationally and her delegation appealed for concerted efforts to contain that destruction for, as stated in the preamble to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, damage to cultural property belonging to any people whatsoever meant damage to the cultural heritage of all mankind.

(Ms. Marcoullis, Cyprus)

68. The flagrant violations of human rights in Cyprus posed a serious challenge to the effectiveness and even the credibility of the United Nations. The Turkish representative had even had the hypocrisy to preach about respect for human rights in the Third Committee, with the obvious aim of diverting attention from his country's own actions. However, the victims of Turkey's atrocities in 1915 since 1974 spoke so loudly that the hypocritical statements of Turkish representatives could not be heard.

69. Mrs. MATVEEVA (Ukrainian Soviet Socialist Republic) said that the report of the Economic and Social Council showed that the struggle against such gross violations of human rights as racism, apartheid and other forms of racial discrimination was at the heart of its activities. Her country shared the concern expressed at sessions of the Council and of the Commission on Human Rights about such violations in southern Africa, Namibia and the occupied Arab territories. It therefore supported the decisions taken on those matters at the forty-third session of the Commission on Human Rights and considered that the way to restore the inalienable rights of the peoples affected was to eliminate apartheid and end the illegal occupation of Arab lands.

70. The human rights situation in El Salvador was still alarming and out of keeping with the agreed procedure for the establishment of a firm and lasting peace in Central America signed by the President of that country.

71. The human rights situation in Chile was also cause for serious concern. Repression and terror continued and opponents of the régime were being persecuted and assassinated. The cynicism of the Chilean delegation in introducing a draft resolution on the human rights situation in Mexico was outrageous.

72. Chile's rulers had tried to achieve a measure of respectability for their régime but their cosmetic changes were blatantly demagogic. The dictatorship had left repressive laws in force which allowed it to continue its crimes with a semblance of legality. As for its action in allowing a number of political refugees to return, one of them had barely landed in Chile after 12 years in exile when he had been arrested, and there was reason to fear for his life. The same fate might be awaiting others who had fallen for the dictatorship's trick.

73. A number of church organizations in Chile had reported that human rights continued to be grossly violated, that detainees were being cruelly tortured and that those who defended human rights were being intimidated and persecuted. The Special Rapporteur had produced evidence to the same effect. It was significant that the régime effectively concealed from the Chilean people the fact that it had ratified the International Covenants on Human Rights, which were meaningless for the Chilean people and nothing but a scrap of paper for their rulers. The whole situation underlined the régime's hypocritical attitude to human rights.

74. The Pinochet régime was openly terrorizing the Chilean people, nine tenths of whom rejected it. In order to stay in power, the régime was strengthening its punitive forces and intensifying repression in every way. In the last decade it

(Mrs. Matveeva, Ukrainian SSR)

had spent more than 10 billion dollars on the armed forces, which prompted the question why a State that was threatened by no one should devote such huge sums to armaments when the greater part of the population was living in poverty. The needs of the Chilean people were the least concern of the country's leaders, who saw the people as their main enemy. But the régime's days were undoubtedly numbered.

75. In conclusion, the Chilean situation demanded that the United Nations continue to pay unremitting attention to human rights violations there as one of the foremost problems it had to tackle. The Special Rapporteur's contribution to the struggle against gross violations of human rights in Chile must also be more significant.

76. Mr. AKYOL (Turkey) said that he wished to speak on the question of Cyprus for three reasons; first, it was a question on which there was by no means unanimity, as was shown by the voting on Commission on Human Rights resolution 1987/50 on the same subject; second, he wished to draw attention to the contradictory attitude taken by the delegation which had introduced the question of Cyprus to virtually all the items on the Committee's agenda; lastly, because Greece, which was really responsible for the problem, had made statements on the past and present history of Cyprus which were far from true.

77. The State of Cyprus, in which two nations co-existed, had been established in 1960 to be governed by a bicommunal government. It was based on the association, on an equal footing, of two sovereign communities which had jointly exercised their right of self-determination. The basic provisions of its Constitution had been violated unilaterally in 1963 by the seizure of power by force and, from 1963 to 1974, by the transformation of the State of Cyprus, when all power had been monopolized by one of the two communities, the declared aim being the deportation or total annihilation of the other. Finally, on 15 July 1974, a military coup has been staged, aimed at annexing Cyprus to Greece - a fact which the representative of Greece had omitted to mention. Turkey had used the prerogatives set forth in the Treaty of Guarantee to prevent the coup and restore to the Turkish Cypriots their economic and social rights.

78. There was no problem of refugees or displaced persons in Cyprus. The physical regrouping of each community had started in 1955 and had been completed in August 1975, under the Population Exchange Agreement concluded under United Nations supervision. To demand the return of all refugees to their homes was contrary not only to that Agreement and the bi-zonal and bi-communal nature of the State as described in the Denktash-Makarios Agreement but also to the Secretary-General's draft framework agreement of 29 March 1986. Moreover, the recommendation in the World Bank's latest report on the Cypriot economy to halt investment in the housing sector showed that there was adequate housing and therefore no longer any homeless displaced persons.

79. The question of missing persons in Cyprus was a humanitarian problem which concerned both communities, the Turkish community having been the first to suffer from it. The Tripartite Committee on Missing Persons, established by mutual

(Mr. Akyol, Turkey)

agreement in 1981, was the most appropriate body to solve that problem. It was regrettable that one of the three parties composing that Committee had raised the question of amending its terms of reference. It should also be noted that that same party had adopted domestic legislation treating all missing persons as dead.

80. The question of "settlers" was also largely imaginary. There was no settlement policy in northern Cyprus and most of the so-called "settlers" were Turkish Cypriots who had returned to the country after years of imposed exile.

81. The Turkish Cypriots were perfectly content with the living conditions they had enjoyed since 1974 under a democratic Government. They were not, however, opposed to a new association with the Greek Cypriots, but demanded a constitutional framework which would guarantee them a status of political equality. They had therefore accepted the draft framework agreement proposed by the Secretary-General on 29 March 1986 (S/18102), which covered all problems, including humanitarian problems, and which was their only possible way of achieving a just and lasting solution. Any attempt to divert attention from such a solution and pursue a strategy designed to isolate the various aspects of the question would make any future solution impossible.

82. The Third Committee should therefore call on all interested parties to contribute to the success of the Secretary-General's mission. The Turkish Cypriots had accepted the framework agreement and hoped that the Greek Cypriots would soon do likewise.

83. The Greek Cypriots had chosen to have the report of the European Commission of Human Rights of the Council of Europe published, at great cost to the United Nations, knowing full well that it had not been approved during the second stage of the procedure in force at the Council of Europe. Since the European Commission of Human Rights had failed to study the complaints and supporting evidence submitted by the Turkish Cypriots, it was not surprising that the Committee of Ministers of the Council of Europe had decided on 20 January 1979 not to adopt the report but to distribute it at the same time as the comprehensive comments made by the Turkish Cypriot authorities.

84. Mr. KITTIKHOUNE (Lao People's Democratic Republic) said that, in a pluralistic world, co-operation among States to protect human rights and fundamental freedoms was particularly important in the context of relations between States with different social and political systems. States must take appropriate measures to apply the standards that the United Nations had laid down over the years, each according to its own legal, social and political systems and its history, traditions and culture, and with due regard to the priorities set forth in General Assembly resolution 32/130.

85. The report of the Economic and Social Council presented a gloomy picture. Violations of human rights persisted in southern Africa, where Pretoria's bloody repression of the black population, continued with the support of imperialism and certain Western allies. Along with the majority of States, his Government believed

(Mr. Kittikhoune, Lao People's Democratic Republic)

that comprehensive mandatory sanctions against South Africa offered the only peaceful and effective means of ending the apartheid régime.

86. Israel's violations of human rights in the occupied Arab territories also continued, and his country called on the occupying Power to comply with the provisions of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War.

87. His Government supported the efforts of the Democratic People's Republic of Korea to create favourable conditions for accelerating the peaceful reunification of Korea. It deplored the report of the Special Rapporteur on the so-called question of human rights in Afghanistan, which failed to give an objective account of the real situation in that country, and would be unable to support the relevant draft resolution. In Central America, imperialist forces should give the peoples of the region a chance to pursue their commendable efforts to achieve peace through the Esquipulas II agreement.

88. Human rights were not static. The adoption of the Declaration on the Right to Development was an important landmark in United Nations efforts to develop international law in the field of human rights for developing countries.

89. It was a sad fact that in some Western countries, Nazi, Fascist, neo-Fascist and totalitarian practices based on racial intolerance, hatred and terror continued unabated, and that under the pretext of safeguarding freedom of expression ultra-right-wing organizations were allowed to propagate doctrines of racial superiority, while freedom of expression was denied to recognize liberation movements such as the Palestine Liberation Organization.

90. Values, concepts and achievements were a national responsibility and to criticize those of others was tantamount to imposing one's own. Current international law in the field of human rights should serve as a guide for international co-operation based on peaceful co-existence. Efforts to protect and promote human rights and fundamental freedoms should be pursued in a spirit of tolerance, understanding and respect, rather than condemnation and revenge.

91. Mrs. de LEON-ESCRIBANO (Guatemala) said that her delegation was gratified by the expressions of appreciation of her Government's efforts in the field of human rights and the great progress made in bringing Guatemala back to the democracy which had been lost during the many years in which it had suffered from not only political violence but also social injustice and oppression which dated back to its colonization. In barely two years, the present Government had laid the legal foundations for consolidating the democratic process and guaranteeing full enjoyment of human rights and fundamental freedoms. The Guatemalan delegation had given the Commission on Human Rights at its forty-third session a detailed account of the measures taken and the same information was available to members of the Committee.

(Mrs. de Leon-Escribano, Guatemala)

92. Briefly, a prosecutor for human rights had been appointed and had started a full investigation into cases of disappearance, with the co-operation of the families concerned, so as to prevent political capital from being made out of the problem. A presidential human rights commission had been set up. A law had been passed under which local communities could set up urban and rural development councils for solving their own problems through which, for the first time in Guatemala's history, ethnic groups would have access to decision-making. A commission on indigenous communities had drafted laws to meet the most pressing needs, for instance, assistance to victims of past violence and the naturalization of children of Guatemalan refugees, who were returning to the country in increasing numbers under the voluntary repatriation programme started in 1986. The Constitution had also been published in the four main Mayan languages, and in a children's version, as part of a campaign for education in democracy and human rights assisted by the United Nations Development Programme.

93. Guatemala was also working actively for Central American peace through the Esquipulas II procedure, believing that the problems of Latin America should be discussed and solved by the Latin American countries themselves. It had fulfilled all its commitments under the Esquipulas II agreement and had agreed to meet with representatives of insurgent groups to reaffirm its guarantees for their reintegration into the democratic life of the country under the amnesty decree, with full political freedom, if they renounced the use of force for ideological ends.

94. Despite the progress of recent years, however, there were still isolated voices that denied the facts - through ignorance or lack of information, for political or sectarian reasons or out of ideological prejudice. Among speakers in the Committee, she had in mind particularly the representative of a Caribbean island whose régime gave him no moral authority to speak about human rights.

95. Her Government shared the concerns expressed by the delegations of countries which supported and encouraged its efforts to strengthen democracy and promote the full enjoyment of human rights and fundamental freedoms. It could not countenance attacks based on false and inaccurate press and other reports or information from disloyal minority groups outside the country. She reaffirmed her country's open-door policy. In the light of the obvious progress being made, which visiting delegations from countries represented on the Committee had observed and commended, she appealed for support for the people and the democratically elected Government of Guatemala in their efforts to strengthen democracy and conciliation, through financial and technical assistance for their programmes for promoting human rights and for economic, social and cultural development with a view to building a more just and stable society.

96. In conclusion, her delegation reiterated its request that Guatemala be deleted from the list of sponsors of draft resolution A/C.3/42/L.62.

Rights of reply

97. Mr. NAVON (Israel), speaking in exercise of the right of reply, said that at the 59th meeting the representative of Iran had referred to the Government of Iraq as a Zionist entity. As far as he was aware, no application had been received from Iraq to join the World Zionist Organization.

98. Ms. AL-TURAIHI (Iraq), speaking on a point of order, deplored the tactics of the Israeli delegation, which made the same statement annually in the context of religious intolerance or any other issue under agenda item 12. The Israeli representative should desist from cheap manoeuvres in the Third Committee.

99. Mr. NAVON (Israel), continuing to speak in exercise of the right of reply, assured the Committee that such an application, when received, would be promptly processed. In considering it, Israel would have before the 12 April 1986 issue of The New Yorker in which Dr. Elias Farah, an eminent Baathist, was reported as saying that Baathism could not be rigid, that it acknowledged a dependency on outside ideas, and that it had much in common with zionism, whose purpose was a Jewish renaissance, while the purpose of Baathism was an Arab renaissance.

100. He requested the Chairman to remind members of the Committee that States Members of the United Nations should be referred to by their official names, in accordance with previous rulings to that effect. He assumed that the delegation of Iraq would join in that request, having also been referred to as a Zionist entity.

101. Mr. AHN (Observer for the Republic of Korea), speaking in exercise of the right of reply, said that the representative of Czechoslovakia, who had criticized the Republic of Korea at the 59th meeting, was not qualified to do so. The Republic of Korea was moving towards full democracy and its people could freely criticize and oppose the Government, as the present election campaign showed; they had recently approved by 93 per cent a constitutional reform agreed to by the ruling party and the opposition. The representative of Czechoslovakia, a country with no opposition party, no free elections and no comparable individual civil and political rights, was not entitled to criticize the Republic of Korea: he should simply listen and learn. The Czechoslovakia representative could talk about human rights if there were a new Prague Spring and the people of Czechoslovakia regained those rights.

102. With respect to the statement by the Mongolian representative, the Republic of Korea had been a poor country in the years immediately following the Korean War, but since then per capita income had risen from $80 to $2,500 and his country was now one of the world's leading trading nations. In the context of human rights, its people enjoyed the benefits of prosperity. Mongolia, on the other hand, had not been able to offer its citizens much in the way of material benefits: travel, jobs and housing were determined by the needs of the State, not by individual desires and capabilities. In the Republic of Korea, people were not subject to State security and controls on internal travel, residence, jobs or religious practice.

103. Ms. MARCOULLIS (Cyprus), speaking in exercise of the right of reply, said that Turkey's desperate efforts to pursuade the Committee and the international community that the 1974 invasion of Cyprus by the Turkish army had not been an act of aggression, but the exercise of a legitimate right and a so-called peace operation, had been rejected repeatedly in the Committee and other fora. The attempt to justify the invasion under a provision of the Treaty of Guarantee ignored the principles and purposes of the United Nations Charter, in particular Article 2 (4). Cyprus categorically repudiated the claim that there had been any agreement, at Vienna or elsewhere, on any kind of so-called exchange of populations, or that the 200,000 Greek Cypriots had moved voluntarily to the free areas of the Republic of Cyprus: they had been forced to leave their ancestral homes and land by fear of Turkish napalm bombs, massacre, murder, rape and brutality. The document referred to by Turkey as a population exchange agreement was in fact a United Nations communiqué on the Cyprus talks issued at Vienna on 2 August 1975 and reproduced in document S/11789. It was a humanitarian agreement providing for freedom of movement and settlement of Turkish Cypriots and for improvement of the living conditions of the Greek Cypriot enclave in the occupied areas. The Turkish side had flagrantly violated those humanitarian provisions.

104. On the question of missing persons, she had avoided naming Turkey in her statement the previous day because the issue was too important and sensitive to be exploited for political purposes.

105. Resolutions 1987/50 of the Commission on Human Rights and 1987/19 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities were landmarks whose validity did not depend on approval by the aggressor or its agents in the occupied areas. It was for members of the Commission and the Sub-Commission to adopt resolutions on the situation and for Turkey to comply with them. As for the question of settlers, Turkey's entire diplomacy and history were based on lies. As the leader of the Turkish Republican Party had made clear, no one could take seriously the attempt to present mainland Turks as returning Turkish Cypriots.

106. Mr. STIRLING (United States), speaking in exercise of the right of reply, expressed surprise at the virulent attack on his delegation by the representative of the Soviet Union, given that human rights violations in the Soviet Union featured in every major discussion between the two countries. The Soviet Union had made significant advances in the past 70 years, but at the cost of millions of lives. Its claim to equal attention on the world stage could only be backed up by military means and it would be unable to achieve the respect it craved until it stopped treating its own people with contempt and accorded them the dignity they deserved.

107. With regard to allegations of human rights abuses in the United States, a comparison should be made of the two countries' human rights performance under any given heading. Everybody knew what the outcome of such a comparison would be.

108. Referring to the statement by the representative of Nicaragua, he said that not only did his country support the peace process in Central America but it had

(Mr. Stirling, United States)

given more aid to the Sandinistas in the 18 months following the revolution than it had given to the previous régime in 50 years. The United States objected, however, to Nicaragua's links with Havana and Moscow since that meant that observance of human rights was no longer assured.

109. Mr. TSEPOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that the Israeli representative had indulged in yet another display of Zionist anti-Soviet propaganda, which he likened to a provincial circus. The Soviet Union had in fact saved millions of Jews from extermination during the Second World War. The Israeli representative also chose to ignore the fact that Jews enjoyed the same rights as all other citizens in the Soviet Union, and sought only to denigrate that country because it condemned, among other things, Israel's aggressive policies in the Middle East.

110. The United Nations had defined zionism as racism on a par with apartheid, and the whole world condemned the Israeli authorities' massive violations of human rights, particularly with regard to the Palestinians. The Soviet Union categorically condemned all forms of racist ideology.

111. Mr. SEIFU (Ethiopia), speaking in exercise of the right of reply, urged the Israeli Government to allow the so-called Ethiopian Jews to return to their own country, to be reunited with their families and to live in peace, free from racial or religious discrimination.

112. Mrs. ZOGRAFOU (Greece), speaking in exercise of the right of reply, said that the representative of Turkey had yet again made unfounded allegations. Numerous General Assembly and Security Council resolutions had confirmed that Turkey alone was responsible for the continuing military occupation of a sovereign State. There was irrefutable evidence of grave violations of human rights both during and after the Turkish invasion. The Turkish representative should ackowledge the various resolutions adopted by the United Nations, rather than indulge in diatribes or distortions of the facts.

113. Mr. ABOU-HADID (Syrian Arab Republic), speaking in exercise of the right of reply, said that the Israeli representative had mentioned Syria by name in an attack on his country and others.

114. Mr. NAVON (Israel), speaking on a point of order, said that he had mentioned Syria neither directly nor indirectly when speaking in exercise of the right of reply.

115. Mr. ABOU-HADID (Syrian Arab Republic), speaking in exercise of the right of reply, repeated that Syria had been mentioned. The Israeli representative had expounded the Zionist theory of expansionism whereby all Palestinians and other Arabs were to be expelled from their homeland by terrorist means. The Israelis themselves had introduced terrorism into the Middle East when they had established the Zionist entity, and it was their intention to allow Jews from all over the world to replace the expelled indigenous population.

(Mr. Abou-Hadid, Syrian Arab Republic)

116. Israel's falsely idealistic image concealed the existence of situations of the type that had prevailed in Hitler's pre-war Germany. Its racist policies and acts of aggression were familiar to all and paralleled only by the racist régime in South Africa.

117. Syria supported the legitimate struggle of peoples living in occupied territories to win freedom and independence, and distinguished between that struggle and acts of terrorism.

118. Mr. NAVON (Israel), speaking in exercise of the right of reply, said that the Jewish people would not forget the Soviet Union's support of the Zionist State of Israel immediately after its founding. Nevertheless, when assessing Soviet efforts vis-à-vis the peacemaking process, Israel would bear in mind the Soviet Union's continuing support for the thesis that zionism was equal to racism.

119. Mrs. VARGAS (Nicaragua), speaking in exercise of the right of reply, acknowledged United States support for the Esquipulas II agreement but said that such support must also be reflected in respect for the terms of that agreement. Despite the fact that the agreement called for an end to financing of the contras, the United States Government had recently announced its decision to request $US 270 million for that purpose.

120. Since the revolution, the people of Nicaragua had been free to conduct political and diplomatic relations with whichever countries they chose.

121. Mr. AKYOL (Turkey), speaking in exercise of the right of reply, said that there was no doubt about who had invaded Cyprus. He quoted from Archbishop Makarios, who had urged the Security Council to call upon the military régime in Greece to withdraw its officers from the Cyprus National Guard and to put an end to the invasion.

122. He said that there were no longer any refugees in Cyprus and cited as proof the Vienna agreement of 1975. It was not the first time that the existence of that agreement had been denied. With regard to missing persons, Turkey's position had been made clear in document A/42/690. As a humanitarian issue, that problem concerned both communities, not only the Greek Cypriots who continued to exploit the situation politically. Lastly, the report of the European Commission of Human Rights was partial and incomplete and he did not intend to reply to the remarks concerning it.

123. Miss BROSNAKOVA (Czechoslovakia), speaking in exercise of the right of reply, said that her delegation did not normally reply to unfounded allegations but that she questioned the democratic nature of the Republic of Korea, whose representative had raised questions about another country and then answered them immediately himself.

124. Ms. MARCOULLIS (Cyprus), speaking in exercise of the right of reply, reminded the representative of Turkey of another statement made by Archbishop Makarios at the twenty-ninth session of the General Assembly, following the Turkish invasion of Cyprus, in which he had described the transformation of the island as a result of indiscriminate killing and the bombing of undefended towns and villages. A third of the population had been uprooted and made refugees.

125. Mr. AKYOL (Turkey), speaking in exercise of the right of reply, said that Greece wanted to annex Cyprus and make it an exclusively Greek State. The accusations directed at Turkey were intended to remove the main obstacle to the achievement of that dream.

126. There was to be a debate on all aspects of the question of Cyprus in the plenary. The Greek side obviously intended to disregard the draft framework agreement proposed to the two sides in 1986, hoping to win the support of Member States. That agreement provided for the creation of a federal State based on an association of the two communities which would, in effect, put an end to all hopes of Greek supremacy over the Turkish Cypriots. Member States had, however, refused to be parties to such a manoeuvre.

127. He hoped that the Greek side would understand that the issue of Cyprus called no longer for debate but for a fair and lasting settlement, which could be achieved only through constructive negotiations within the appropriate framework proposed by the Secretary-General.

128. Mr. YOON (Observer for the Republic of Korea), speaking in exercise of the right of reply, said that his country had an open, pluralistic society based on democratic institutions. Given its own dismal record, which was well-documented, Czechoslovakia was not in a position to assess the human rights situation in other countries. Totalitarian régimes should not be allowed to escape scrutiny in that respect. His own country was committed to the promotion and protection of human rights and fundamental freedoms.

129. Mrs. ZOGRAFOU (Greece), speaking in exercise of the right of reply, said that the Turkish representative's reference to the 1968 military coup in Greece was surprising, since it had not appeared to upset Turkey at the time. The fact remained that Turkey had invaded Cyprus in 1974 and the earlier coup in Greece could not justify another illegal action that was plainly contrary to the United Nations Charter.

130. Ms. FLOREZ (Cuba), speaking in exercise of the right of reply, said that the reference made to her country by the United States representative in connection with Nicaragua was ill-considered. It was Cuban policy to assist other peoples, in a spirit of international solidarity, and her country was proud to be helping Nicaragua as it had helped other countries elsewhere in the world. Cuban policy was unlike that of the United States, which had been attacking, invading and interfering in the internal affairs of other countries in the hemisphere since 1833. The United States Government appeared to be incapable of referring to her country without attacking it, and seemed bent on continuing its imperialist policy of seeking to control other countries and decide their futures as it had in the past.

131. The CHAIRMAN said that the Committee had concluded its general debate on agenda item 12.

Draft resolution A/C.3/42/L.89/Rev.1

132. Mr. MATSOUKA (Ukrainian Soviet Socialist Republic), introducing draft resolution A/C.3/42/L.89/Rev.1 on behalf of the co-sponsors, said that Czechoslovakia, the Lao People's Democratic Republic and Viet Nam had also become sponsors. As a result of ongoing broad consultations, a number of revisions had been made to the first and fifth preambular paragraphs and paragraphs 1, 4, 7, 8 and 12 of the original draft resolution. In addition, the third preambular paragraph should be amended by inserting the words "norms and" before the words "principles embodied in the Universal Declaration of Human Rights". The sponsors were trying to the best of their ability, through the process of consultations, to take full account of other Member States' different approaches to human rights questions and hoped to reach as broad a consensus as possible.

133. Mrs. CASTRO de BARISH (Costa Rica) expressed her delegation's concern at the omission of any specific reference in draft resolution A/C.3/42/L.89/Rev.1 to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, even though both the third preambular paragraph and operative paragraph 2 referred to the Universal Declaration of Human Rights and the International Covenants. The Optional Protocol provided for international jurisdiction over the protection of the rights of the individual and constituted proof that a State party to the Covenant must fulfil its obligations. Its omission from a document on international co-operation in the field of human rights was extremely serious and also considerably weakened the affirmation in paragraph 7. Mention of it in the draft resolution might also draw States' attention to the Optional Protocol and encourage them to accede to it.

134. Her delegation also believed that the request in paragraph 15 would impose an unnecessary burden on the Commission on Human Rights and might prevent it from discussing more specific questions; her delegation therefore suggested that that paragraph be deleted. That would also require amending paragraph 16 by deleting the phrase "and taking into account the work of the Commission on Human Rights at its forty-fourth session". Such an amendment would make it easier for the Secretary-General to submit the report requested in that paragraph to the forty-third session of the General Assembly. Since the Commission on Human Rights was in any case the focal point for international co-operation in that field, it appeared unnecessary to request it to study the matter.

135. Mr. ALVAREZ-VITA (Peru) asked whether the Costa Rican representative was proposing formal amendments or simply making comments.

136. Mrs. CASTRO de BARISH (Costa Rica) replied that she had not made a formal proposal but would be very pleased to see her suggestions adopted if the sponsors accepted them.

Draft resolution A/C.3/42/L.5 (A/C.3/42/L.90)

137. Mr. HAMER (Netherlands) proposed that the fifth preambular paragraph and paragraph 2 of draft resolution A/C.3/42/L.5 be amended by adding the words "and family-like group units of society" after the word "family". His proposal was not, as had been alleged, a joke or an attempt to prevent consensus on the draft resolution, but was intended to take account of the diversity of conditions and attitudes in different Member States. His delegation was concerned that the original draft appeared to focus on the traditional nuclear family and that other family-type situations might be overlooked. The amendment was intended to ensure that all Governments could comment on their family policies and so promote understanding among the very diverse cultures and peoples of the world.

138. Because the fifth preambular paragraph of the draft resolution recognized the necessity of consolidating the efforts of all States in carrying out specific programmes concerning the family, in which the United Nations might have an important role to play, he wanted the final text to be one that his country could support. It had been suggested that the word "family" alone covered every situation, but his delegation believed that it was not sufficiently explicit. The implicit focus was on the traditional nuclear family. The third preambular paragraph, in particular, quoted the description of the family as a basic unit of society contained in the Declaration on Social Progress and Development. In his delegation's view, the draft resolution should be amended to show clearly that it was concerned with all family-type situations that consituted basic units of society. His delegation had endeavoured to explain its position to as many other delegations as possible and was prepared to discuss the problem in order to reach consensus and avoid calling for a vote on the draft resolution. The proposed amendments did not exclude possible alternatives but he was introducing them as they stood because there was as yet no agreement on the matter.

139. Mr. ABOU-HADID (Syrian Arab Republic) said that the amendments proposed by the representative of the Netherlands to draft resolution A/C.3/42/L.5 would undermine and destroy the family, rather than protect it as intended. The family was based on superior religious and moral values which constituted the basic strength of society. If such values were undermined by condoning illegitimate situations there would be a deterioration in moral values and the fabric of society would crumble. Illicit family-type relationships should not be encouraged but punished. If the Committee did not reject the proposed amendments, it might one day find itself asked to approve proposals that encouraged illicit sexual relations and abuse of narcotic drugs. The forces abroad in the world that were trying to destroy the fabric of society must be resisted. He therefore appealed to the representative of the Netherlands to withdraw his amendments and support the original draft resolution.

140. Ms. AIOUAZE (Algeria) pointed out that article 10.1 of the International Covenant on Economic, Social and Cultural Rights did in fact say that the family was "the natural and fundamental group unit of society".

141. Mr. HAMER (Netherlands) reminded the Committee that he had said that the third preambular paragraph of the draft resolution correctly quoted the Declaration on Social Progress and Development, which referred to the family as "a basic unit of society". That Declaration must surely be taken as representative of thinking in 1969. He had also said that article 16 of the Universal Declaration of Human Rights, after two subparagraphs referring specifically to marriage, referred to the family in its third and final subparagraphs as "the natural and fundamental group unit of society". It was thus very difficult to interpret draft resolution A/C.3/42/L.5 as referring to anything other than the traditional nuclear family.

142. The representative of Syria had advised him to abandon his secular approach. If the Netherlands delegation was being asked to conform to religious precepts, he saw little point in the fifth preambular paragraph of the draft resolution, which recognized "the necessity of consolidating the efforts of all States". Any action taken in the United Nations should take account of the diversity of norms, values and beliefs represented in it. He himself represented a society whose members chose their religion individually but decided on policies collectively, through a democratic system of government. He hoped that the respect among diverse cultures and beliefs which would be engendered if Governments like his own were asked about their approach to the family might yet be achieved.

143. Mr. ZAWACKI (Poland) said that, even after discussions with the representative of the Netherlands, his delegation had serious reservations about the amendments to draft resolution L.5 set forth in document A/C.3/42/L.90, especially since the terminology proposed was unusual in United Nations parlance. It was unwise to impose a new concept without appropriate legal significance and he hoped that it would be possible to reach a compromise acceptable to all.

144. Mr. GALAL (Egypt) endorsed the Netherlands representative's insistence on the need to take account of different cultures, a fact which should be borne in mind when proposing any amendments. His delegation reserved the right to propose a further amendment to draft resolution A/C.3/42/L.5, as well as to the amendments in document A/C.3/42/L.90.

Draft resolution A/C.3/42/L.72 (A/C.3/42/L.91)

145. Mr. NAHAS (United States of America) proposed that a paragraph should be added to draft resolution A/C.3/42/L.72, calling upon all parties in Ethiopia to facilitate the distribution of humanitarian assistance to all civilians in need without distinction and to ensure that convoys of such assistance went unmolested. The proposed amendment was prompted by his Government's concern, as a major provider of assistance, that nothing should prevent such assistance from reaching victims of the Ethiopian drought and famine promptly. While supporting the original draft resolution, his delegation felt that it did not address the main problem. The amendment proposed in document A/C.3/42/L.91 was designed to ensure that relief assistance flowed freely and without discrimination to all those in need, regardless of their occupation, ethnic origin or any other consideration.

146. Mr. SEIFU (Ethiopia) said that his delegation had a fundamental objection to the amendment proposed to draft resolution A/C.3/42/L.72 but, in view of the lateness of the hour, would explain it at the next meeting.

The meeting rose at 8.50 p.m.