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71st meeting

held on

Thursday, 9 December 1982

at 3 p.m.

New York

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SUMMARY RECORD OF THE 71st MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/36/855; A/37/3 (Parts I, II and III), A/37/178, 188 and Corr.1 and Add.1, 201, 259, 310, 333, 412, 419, 420, 422, 452, 495, 500, 519, 521, 540, 556, 564, 611, 618; A/C.3/37/1, 5, 7 and Corr.1-2, 8, 9, 10; A/C.3/37/L.47, L.50, L.53, L.54/Rev.1, L.55, L.57/Rev.2, L.58/Rev.1, L.62, L.64, L.67, L.68, L.69, L.70, L.72, L.74, L.75, L.76, L.77 and L.81.)

AGENDA ITEM 93: INTERNATIONAL CAMPAIGN AGAINST TRAFFIC IN DRUGS: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/292, A/37/530, A/37/586; A/C.3/37/L.78)

1. Mr. SAKAJJA (Uganda) said that his country attached great importance to the vanguard role played by the United Nations in the task of standard setting in the area of human rights and, in particular, to the work of the Commission on Human Rights.

2. The international community's efforts sometimes encountered conceptual and practical hurdles: the right to development was an example. The essential issue was no longer whether such a right really existed but what its content and scope were. The debate on that subject had focused on two issues: first, whether the right to development was essentially and exclusively a "collective" right, and, secondly, whether all other universally recognized human rights should be subordinated to the "collective" right to development.

3. In his delegation's view, all human rights flowed from the equality of all human beings and the essence of the right to development was that all human beings had an equal right to live in dignity, sharing equally in the abundance of nature. That was why it deplored the fact that the concept of a "collective" right had led to a situation in which the right to development was pitted against a separate set of human rights, labelled "individual" rights. His delegation maintained that all human rights were equal and indivisible and that the enjoyment, protection and promotion of civil and political rights, which certain people had classified as "individual" rights, should be pursued together with those economic and social rights which jointly embodied the right to development. It therefore hoped that the Working Group of Governmental Experts on the Right to Development, established by the Commission on Human Rights, would continue to pay due attention to the indissoluble relationship binding all human rights, free from the ideological divisions associated with them.

4. Having undergone such a tragic experience during the 1970s, Uganda fully shared the concern of the international community about continuing violations of human rights. In southern Africa and the Middle East régimes still existed which not only perpetrated massive violations of the right to life through cold-blooded massacres and acts of aggression, but also continued to deny whole peoples their right to self-determination. The recent reports of the Ad Hoc Working Group of Experts on Southern Africa, like all its earlier reports, were full of stories of massacres, executions, torture, rape, detention, forced labour and abductions of South Africans and Namibians by the racist régime of Pretoria. They related the

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numerous acts of aggression, sabotage and infiltration perpetrated by South Africa against sovereign and independent African States. Above all, they attested to the racist South African régime's determination to strengthen the system of apartheid and to continue its illegal occupation and plunder of Namibia.

5. In the Middle East the situation remained equally agonizing; the massacre and brutal treatment of the Palestinian people by Israel was continuing unabated. During the current session of the General Assembly his delegation had repeatedly condemned the massive bombardment of Palestinian refugee camps in Lebanon.

6. The suffering of those peoples and the bitterness of the struggle for the right to be free demonstrated that the observance and enjoyment of human rights depended to a great extent upon the right of a people to determine their own destiny and that the deprivation of the right to self-determination entailed the violation of the most elementary human rights. Until the peoples of South Africa, Namibia and Palestine fully realized their right to self-determination they would continue to live a life of subjugation and tragedy. It was for that reason that Uganda continued to support and demonstrate solidarity with the liberation movements in South Africa, Namibia and Palestine.

7. The role played by foreign intervention, interference and aggression and the struggle for military and ideological supremacy in violations of human rights in the developing countries could not be over-emphasized. The experience of a number of countries in Latin America, Asia and Africa clearly illustrated the adverse effects of imperialism and neo-colonialism on the observance and enjoyment of human rights.

8. As far as the situation in his own country was concerned, the Ugandan people, following their traumatic experience, had at last been able to exercise their democratic rights through the general elections of December 1980. Since then, his Government had made a determined effort to restore the rule of law and to guarantee and promote the enjoyment of all the human rights and fundamental freedoms enshrined in the national Constitution. It had encountered major difficulties owing, first, to a number of incursions into the West Nile region by remnants of the army of former dictator Idi Amin, which had created a general atmosphere of insecurity in the area; secondly, to the fact that some factions of those elements which had rejected the will of the people of Uganda as expressed in the democratic elections of December 1980, continued to manifest their dissent by perpetrating acts of violence in and around the city of Kampala and, thirdly, to the difficulties experienced, as a result of the country's serious economic problems, in recruiting and training an effective police force to replace the one which had disintegrated during the war of liberation. In spite of all those obstacles, his country had made substantial progress towards the full enjoyment of human rights and fundamental freedoms, thanks to the policy of national reconciliation and unity pursued by the Government and to the assistance which it had received from the international community. As a result of the efforts of the Government, the Ugandan security forces and the Joint Border Commissions established by Uganda, Sudan and Zaïre, the situation in the West Nile region had returned to normal since

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June 1981; the clearest evidence of that was the fact that thousands of Ugandan refugees were returning to their homes there. The greater numerical strength of the Ugandan security forces had also led to an improvement in Kampala and in other parts of the country.

9. Moreover, since December 1980 more than 7,000 persons detained during the war of liberation had been granted presidential amnesty and unconditionally released. Uganda was making an increasing effort to prevent arbitrary arrests and to ensure that all persons arrested in connection with criminal offences were afforded due process of law.

10. In adopting resolution 1982/37, on assistance to Uganda in the field of human rights, the Commission on Human Rights had demonstrated an understanding of the formidable obstacles to Uganda's progress towards the full observance and enjoyment of human rights and fundamental freedoms and had recognized the dedicated effort the Government was making to that end. His delegation was appreciative of the steps already taken by the Secretary-General and the Director of the Centre for Human Rights to implement that resolution.

11. Mr. BYKOV (Union of Soviet Socialist Republics) stressed the links between peace, development and human rights and said that the Soviet Union had always supported international co-operation for development and activities undertaken by the United Nations to promote the observance of human rights and fundamental freedoms. The Soviet Union believed that United Nations action in that field must be in strict conformity with the principles of the Charter, particularly with the principles of the sovereign equality of all States and non-interference in their internal affairs. It was certainly no accident that the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States (General Assembly resolution 36/103) gave equal prominence to the duty of a State to refrain from any action or attempt to destabilize or to undermine the stability of another State, the duty of a State to refrain from the exploitation and the distortion of human rights issues as a means of interference in the internal affairs of States, and the duty of a State to refrain from any action which sought to undermine or subvert the political order of other States. It followed, moreover, from the Charter that United Nations bodies must focus their efforts on combating massive and flagrant violations of human rights and the General Assembly in resolution 32/130 had reaffirmed the need to take measures in that field.

12. For over 10 years the Committee and other United Nations bodies had been endeavouring to eliminate the blatant violations of human rights represented by the policies of colonialism and neo-colonialism and of aggression, hegemonism and foreign occupation, and to put an end to the racist and colonialist régimes in southern Africa, the inhuman system of apartheid and all forms of racism. The questions of the human rights of persons living in the Arab territories occupied by Israel, of the legitimate rights of the Arab people of Palestine which included the right to establish their own independent State, and of the massive violations of human rights by the fascist Chilean junta had been on the agenda for many years.

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13. Those violations had been condemned in numerous declarations and had been the subject of a whole series of resolutions, but the situation, instead of improving, had worsened. It might well be argued that those who talked about the ineffectiveness of co-operation within the framework of the United Nations and wanted to discard it in favour of supranational procedures incompatible with the Charter were right. There could be no assenting to that. The crux of the problem was that some countries lacked the political will to apply the decisions of the Organization and the desire to join in international co-operation in the human rights field. That attitude was easy to understand when it was borne in mind that the most serious human rights violations were a consequence of their policy of obstructing progressive change throughout the world, of setting themselves up as masters of the destiny of peoples and trying to turn back the tide of history. The "strategic union" concluded between the United States of America, the South African racists and the Israeli aggressor was undoubtedly a manifestation of that policy. Another example was the United States Government's efforts to maintain a position of strength, to interfere directly or indirectly in the internal affairs of sovereign States, to dispatch mercenaries to destabilize States which had opted for independent development and did not wish to submit to the will of the United States, and to slander or denigrate through fabricated charges countries whose régime it did not like. Yet another example was the conference held the previous October as part of the United States "crusade" against communism and for the "democratization" of socialist countries. That same "crusade" was at the root of the campaign of slander about events in Poland and the attempts to interfere in its internal affairs. The representative of Poland, at any rate, had very skillfully unmasked in the Committee the lies and manoeuvres of the United States representatives.

14. The imperialist groups and particularly the United States had no regard whatsoever for human rights as long as their economic, political, military, strategic and other interests were guaranteed, as was demonstrated by the constant violations of human rights in southern Africa, the Middle East, Chile and elsewhere, since the United States was prepared to support any tyrannical régime in order to protect its interests. It was when its "sacred right" to exploit the human resources of other countries and entire regions was threatened that the United States showed a sudden interest in human rights. Everything resembling progressive change was called "social chaos", which was contrasted with the "prosperity" of the colonial or neo-colonial era. The legitimate struggle of peoples for their national independence became "terrorism" or another "pressure tactic". Did that mean that the struggle which had brought about the creation of States now represented in the Third Committee had been a manifestation of terrorism? As for pressure, that was a means employed by the imperialist forces themselves, whether partners of the United States, namely South Africa and Israel, or the United States itself, in Chile, Guatemala and El Salvador. The General Assembly and the Commission on Human Rights had on several occasions expressed their profound concern at the flagrant and incessant violations of human rights in Chile; the Chilean junta persisted in defying the United Nations and world public

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opinion, which called on that country to halt those violations. He commended the Special Rapporteur on the situation of human rights in Chile for the excellent report that he had submitted (A/37/564), which showed that acts of mass repression and persecution, mass arrests, disappearances and torture were continuing in Chile. The number of persons who were subjected to torture and who died or were crippled as a result seemed to have increased. The Chilean authorities, furthermore, continued to list as missing, persons arrested for political reasons and to exile those whom they considered undesirable. Thus, more than 1,200,000 Chileans were currently in exile. The population, which was still deprived of its political rights, did not enjoy basic economic, social and cultural rights either. The Special Rapporteur also expressed concern at the tragic fate of the indigenous minorities. The United Nations should continue to concentrate all its attention on that question until the Chilean military régime put an end to its policy of repression. For that reason, the Soviet delegation supported the proposal to extend the mandate of the Special Rapporteur.

15. The assassinations and cases of missing persons in El Salvador had also caused grave concern on the part of the General Assembly, the Commission on Human Rights and the Co-ordinating Bureau of the Movement of Non-Aligned Countries. El Salvador nevertheless continued to ignore all those criticisms. According to the report of the Special Representative of the Commission on Human Rights entrusted with the task of studying the situation of human rights and fundamental freedoms in El Salvador (A/37/611), the Salvadorian authorities were responsible for the deaths of 6,000 persons and that figure applied only to the first 10 months of 1982. The report indicated that the policy of repression carried out by the Salvadorian Government had caused massive flows of refugees amounting to approximately 300,000 persons into neighbouring countries and that the displaced persons numbered more than 226,000.

16. His delegation considered that the United States Government which gave the Salvadorian régime military aid and supplied it with arms, was primarily responsible for the misdeeds of that régime.

17. The General Assembly had the duty to condemn the acts of the Salvadorian Government and to demand that they should be halted, because the Salvadorian people must be permitted to determine its own destiny without any foreign interference.

18. In Guatemala the new régime set up with the assistance of the United States had murdered in the first few months after taking power more than 2,000 peaceful inhabitants, including a large number of Indian peasants, and there was no doubt that the United States had provided the necessary arms to that régime.

19. His delegation felt that the mass violations which the dictatorial régime in Seoul, supported by its allies on the other side of the ocean, committed against the population of South Korea, should be condemned.

20. Many delegations had stressed at various sessions of the General Assembly that the policy of blatant interference in the internal affairs of States, the

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support for murderous dictatorial régimes, and the encouragement given to oppressive rulers and executioners gravely endangered world peace. It was high time that those who carried out that policy became aware of that situation.

21. Convinced of the need to save succeeding generations from the scourge of war, the United Nations had adopted a large number of decisions in order to prevent the resurgence of Nazi and Fascist ideology and practices, which revived religious intolerance, hatred and enmity among peoples. In a number of Western countries, Fascist and neo-Fascist racist groups and organizations were growing. It sufficed to point out that in the past few years the membership of the Ku-Klux-Klan had doubled and neo-Nazis had increased their activities. Taking advantage of the complacency of the local authorities in those countries, the Nazi groups organized bombing attempts, arson, and attacks against progressive organizations; they established military units and camps where they gave their members military training. Their activities were co-ordinated at the international level by the World Union of National Socialists. The rise of nazism, fascism and neo-fascism also posed a growing threat to international peace and security. The effort to combat those ideologies and manifestations would therefore become an important aspect of the struggle to safeguard peace and guarantee human rights. General Assembly resolutions 35/200 and 36/162, on measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror, and Commission on Human Rights resolution 3 (XXXVII), on the same subject, were constructive initiatives in that regard. The report of the Secretary-General (A/37/188 and Add.1), drawn up in accordance with General Assembly resolution 36/162, reflected the concern of countries at the resurgence of fascism and nazism. The General Assembly should therefore request States to take further measures to combat the threat of nazism and fascism and should entrust the Commission on Human Rights with the consideration of that question again. That was, moreover, the objective of draft resolution A/C.3/37/L.69, which his delegation fully supported.

22. Mr. GERSHMAN (United States of America) stressed that respect for democracy was closely bound up with the rule of law. Quoting the Brazilian statesman Ruy Barbosa, he observed that the law was what separated public morality from barbarity; one of its primary characteristics was the shelter it afforded the weak against the strong, the minority against the majority, right against self-interest and principle against opportunism. At the same time, it was not easy to remain faithful to the principle of justice in a world buffeted by conflicting political forces and ideologies that made claims in the name of justice, the better to oppose the concept of democracy. The very idea of human rights had become clouded by interpretations that, far from contributing to the promotion of freedom, subtly justified its restriction and the rule of force.

23. For example, the distinction made by some between individual and so-called collective rights implied the view that liberty (i.e., civil and political rights) was in opposition to equality (i.e. social and economic development), with some systems attempting to advance one at the expense of the other. It followed that, under totalitarian systems, people enjoyed equality even if - in fact, precisely because - they were deprived of liberty.

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(Mr. Gershman, United States)

24. However, people could hardly be considered equal when they could neither participate in government nor organize themselves into political parties or trade unions, or when citizens were denied free access to information, which was one of the most important goods in the contemporary world. Furthermore, people could make very little progress towards development if they lived under a system of political slavery. Experience showed that liberty was a necessary condition for productive efficiency. Drawing on the work of the philosopher Kolakowski, he stressed the chronic inability of totalitarian systems to produce wealth effectively because of their built-in information barriers, the political servility which they encouraged among managerial cadres and their total contempt for the needs and wishes of the population. Under totalitarian systems, the ruling class, by virtue of the power at its disposal, generated permanent mismanagement and huge waste, while the working class, although adulated in political slogans, lacked moral and economic incentives needed to stimulate the economy.

25. Thus, liberty, far from constituting an obstacle to development, was in fact a pre-condition for it. For that reason, the pursuit of so-called collective rights at the expense of liberty could only lead to inequality, regardless of the ideological justifications advanced.

26. However, some parties persisted in viewing despotism as a form of liberation and in sanctifying armed struggle as a means to achieve that blessed state. He criticized the proponents of that perverse idea and denounced those who elevated revolutionary violence to a constitutional principle and accorded themselves, in the name of internationalism, the right and duty to help the peoples struggling for their liberation and to show solidarity in their fight against reactionary imperialist violence. He wondered what kind of liberation was intended: one State which espoused such ideas tolerated no political opposition, prohibited freedom of speech and assembly and imprisoned individuals for their opinions, and its Constitution expressly stipulated that none of the freedoms granted to citizens could be exercised at the expense of the existence and objectives of the State. All those restrictions were, of course, claimed to be justified in the name of collective rights or the desire to replace "bourgeois democracy" with a higher form of State. However, rhetoric and reality were two different things, as were myths and facts.

27. During the previous day's meeting, the representative of Cuba, making the usual attack on the Government of the United States and a number of other States, had repeated some myths about the Cuban revolution, which had supposedly established the economic and social basis for democracy in Cuba and transformed the once backward and miserable country into a model of development. The truth was very different. In 1958, Cuba had been among the top third of the world's nations with regard to per capita income. He cited a number of statistics, drawn largely from the United Nations Statistical Yearbook, which indicated that, in 1958, Cuba had achieved a level of social and economic development well above those of other Central American States. Wealth had been widely distributed, with wages and salaries representing 67 per cent of GNP, a greater percentage than in a number of Western democracies at that time. Likewise, the infant mortality rate had already constituted one of the world's lowest, while the literacy rate had reached 78 per cent.

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28. Since 1958, the trend had been completely reversed, with the economy marked by stagnation or decline, or - at best - slight growth in sectors in which neighbouring countries were demonstrating spectacular growth. On the basis of official Cuban sources, the economist Alberto Recarte had concluded that real per capita income had decreased by approximately 3 per cent since 1958. Moreover, the consumer goods sector had grown considerably in all countries of the Caribbean region except Cuba. With regard to health, the ratio of doctors to inhabitants had decreased between 1960 and 1976, while the infant mortality rate had increased between 1959 and 1970; however, if official Cuban statistics were to be believed, there had been an improvement in the situation since that time. Even after the revolution, there remained in Cuba an extremely wealthy class and a very poor class, and the range of salaries was approximately the same as in Western countries, without mentioning the material privileges reserved for the political élite. As for those who wished to leave the "workers' paradise", they were called gusanos (worms) and reduced to the most abject poverty.

29. Cuba's economic decline could not be accounted for by the ending of United States investments in that country after the revolution, since those investments had already begun to decline before the revolution, falling from approximately \$1 billion at the end of the 1920s to \$849 million in 1958, even though Cuban GNP continued to grow during that period. The principal industries, including the sugar industry, had already been brought almost entirely under Cuban control. It was thus clear that the revolution had not ushered in a period of light and prosperity after a period of darkness and impoverishment; rather, it had put an end to a period of economic and social expansion, while sacrificing civil and political liberties for the promotion of the collective right to progress. That same false idea of progress was used to justify a form of proletarian internationalism that might better be called proletarian interventionism.

30. In a century of betrayed revolutions and failed utopian dreams, the safest course for improving the well-being of all was to respect individual human rights and not to force people into some rigid revolutionary mold in the name of some utopian, all-transforming ideology, since without liberty there could be no true liberation.

31. Mr. GARVALOV (Bulgaria), speaking of the relationship between human rights, democracy and society, said that the topic of democracy was attracting increasing public attention, and its ideological and propaganda potential was also rising. Certain circles were beginning to talk of exporting democracy, or organizing crusades for democracy, and even in the Third Committee some representatives had tried to demonstrate that bourgeois democracy did not resort to violence.

32. One had, however, to know what kind of democracy was meant, since democracy was not an abstract concept but a concrete phenomenon intrinsically linked to the social and economic circumstances of each country. Socialist democracy, which was now a living reality in the People's Republic of Bulgaria, was a democracy of the entire people and for the entire people, a democracy without exploitation of man by man, without equality, without rich or poor. Two days previously, however, one

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member of the Third Committee had tried to prove that "democracy" meant bourgeois democracy and the values of bourgeois democracy in other words, a system based on private ownership of the means of production, the power of the monopolies and the dictatorship of profit. Under such a system, where there were financial barriers to the participation of the people in political life, social discrimination and inequality were the rule. Under such a system, economic crisis implied deep cuts in working people's incomes and the elimination of a number of economic, social and cultural rights, while the profits of the large corporations skyrocketed. The most powerful capitalist State was in the throes of unemployment which had reached 10.8 per cent, a level unprecedented since the Great Depression. Those were some of the "blessings" of the democracy that was held in such high regard and some people were trying to export.

33. A conference on free elections had recently been held in Washington, in the course of which, as reported in the Christian Science Monitor of 24 November 1982, emphasis was laid on the need to put one's trust in exiles awaiting "opportunities for change" and to prepare for the confrontations that would inevitably ensue from the promotion of democracy in some countries. Imperialism had always tried to export counterrevolution by resorting to force and violence; there was nothing surprising in that since democracy, including bourgeois democracy, was the result of certain internal social processes, the struggles and triumphs of the masses, and, as such, could not be imposed from outside. Claims to perceive, in social upheavals and developments, the outcome of secret intrigues by a few terrorist groups manipulated from abroad were the result of a blindness that could often prove deadly.

34. On the subject of violence and its most obvious form, war, described by Clausewitz as an act of violence designed to force the enemy to bend to one's will, it could not be conceded, as some tried to assert, that the doctrine did not apply to the economic and political system which had in fact given it birth. Besides, history had amply demonstrated who it was that habitually resorted to war in their own narrowest imperialistic interests, violating human rights and the fundamental freedoms of peoples and individuals.

35. In the socialist countries the concept of peace and war, defined by Lenin and based on distinctions of class, sought, in sharp contrast to Clausewitz' approach, to promote peaceful coexistence between States with different socio-economic systems. That concept was the foundation of the peace programme, because peace was vital to the effective enjoyment of human rights and fundamental freedoms by all individuals.

36. Imperialism and capitalism were seeking, by exporting violence and counterrevolution, to stifle social progress and national liberation movements and maintain the most propitious possible conditions for their continued plundering. As recent history showed, imperialism had risen up against the right to self-determination and independence of the peoples of Angola, Mozambique, Guinea-Bissau and other Portuguese colonies, always refused to recognize that national liberation struggles were legitimate, although the General Assembly of the

(Mr. Garvalov, Bulgaria)

United Nations had officially proclaimed them to be so, waged a war of extermination against the Vietnamese people using murderous weapons, incessantly pressured and encircled Cuba, and was acquiescing in the genocide of the Palestinian people.

37. The tragedy in Chile was a perfect illustration of what some people meant by the need to "spread democracy". For nine years the Fascist junta, that had seized power with the assistance and complicity of foreign Powers, had been terrorizing the Chilean people. The report of the Special Rapporteur of the Commission on Human Rights (A/37/564) indicated that the security services committed acts of torture with complete impunity, using highly sophisticated techniques which were now institutionalized in Chile. The Special Rapporteur denounced that impunity, which presupposed glaring violations of basic human rights, and regretfully reported that the human rights situation in Chile had not improved at all. It was clear to every unbiased observer that the murder and repression of the Chilean people and the anti-popular economic policy of the junta benefited international and local capital.

38. As the Special Rapporteur noted elsewhere, the new system of education established the blatant hegemony of the ruling class, in a profound break with Chile's historical past. In the opinion of José Joaquín Brunner, it was a question of ensuring the permanence of the system by placing economic, political and social mechanisms in the hands of the bourgeoisie so that it could inculcate into society as a whole the ideas and values conducive to a disciplinary culture.

39. The American Under-Secretary of State, Mr. Everett E. Briggs, as reported in an article appearing in The New York Times of 8 November 1982, had been at pains to congratulate Chile on having freed itself from the "Marxist yoke" and on its programme to return to a real and lasting democracy.

40. That same type of democracy was what certain imperialist circles would like to impose on the people of Nicaragua, using the violent methods they traditionally employed in Latin America. Several recent articles in The New York Times, for example, described activities by certain Nicaraguan exiles in Florida and incursions into Nicaragua by commandos financed by the CIA.

41. He then turned to the case of El Salvador where, according to the report by the Special Representative of the Commission on Human Rights (A/37/661), the Salvadorean people were still being denied their most elementary rights and the much-advertised election farce had only aggravated the human rights situation; he also reminded the Committee of the role imperialism played in Guatemala, South Korea, South Africa and Lebanon, where the massacre of Palestinians in West Beirut eloquently testified to the virtues of imperialist democracy. All those instances, in his view, irrefutably proved that the forces of imperialism, behind their front of "exporting democracy", were overtly supporting, through violence and terror, the forces of colonialism, racism, apartheid, fascism and reaction and violating the human rights and fundamental freedoms of both their own peoples and other peoples throughout the world.

42. Mr. CHAMORRO MORA (Nicaragua), noting that freedom, justice and peace depended on recognition of the fundamental rights of the human beings and the community, declared that the peoples of the world, after fighting doggedly throughout history to attain their rights, must now face colonialism, neo-colonialism, imperialism, apartheid and zionism. In order to safeguard human rights, it was first necessary to ensure recognition of rights which were just as fundamental, namely, the rights to work, education, health and food. Indeed, the rights of individuals were linked with the economic and social situation of the country in which they lived. The very ones who claimed that they defended human rights armed themselves to the teeth, and manufactured bombs capable of exterminating an entire population and of leaving intact the infrastructure of cities; they thereby betrayed their true values.

43. The imbalance in international economic relations impeded the economic development of nations and the full enjoyment of the civil, economic, social, cultural and political rights of individuals, hence the importance of establishing the new international economic order.

44. Having learnt from the bitter experience of the Somoza military dictatorship, the Nicaraguan Government and people were inseparably attached to respect for human rights. Hardly a month after the triumph of the revolution, the Nicaraguan Government had drawn up a Charter of Rights and Freedoms, based mainly on the United Nations Charter, the Universal Declaration of Human Rights and the International Covenants on Human Rights, and had at the same time established the necessary machinery for its implementation. Nicaragua, a developing country with limited resources, had spared no effort to bring to fruition the hope for freedom, justice and peace which had inspired the Sandinist people's revolution. It would be contrary to Nicaragua's principles and to the just aspirations of its people to adopt criteria and concepts which restricted human rights. Having resolved to campaign tirelessly against any violation of rights of the Nicaraguan people, to eliminate the aftermath of Somozism and to ward off any attempt to reinstate a régime of that type, the Government had set up the Permanent Commission for Promotion and Protection of Human Rights, which had the task of defending those rights, of receiving complaints of possible violations, and of making recommendations concerning remission or review of sentence in respect of imprisoned Somozist war criminals.

45. The revolutionary Government of Nicaragua had, in the context of its open-door policy, invited eminent persons, government delegations and human rights bodies to come and see for themselves the progress achieved in the human rights field and the acts of aggression perpetrated against Nicaragua from Honduran territory. In its 1982 report, Amnesty International had indicated, for example, that the Nicaraguan Government had amended the law which had instituted a procedure for summary judgement, in order to eliminate certain restrictions which had been the subject of criticism; that it had published, as requested, the complete list of prisoners sentenced by special courts; and that administrative regulations had been adopted under which the families of detainees would be immediately informed of the arrest of a relative. His Government had also implemented numerous recommendations of the Inter-American Commission on Human Rights, had banned torture, which had become institutionalized during the Somoza era, and had abolished capital punishment.

(Mr. Chamorro Mora, Nicaragua)

46. In its desire to ensure enjoyment of rights by the entire population, the Government had not indulged in mere rhetoric: it had taken practical steps to that end, by reducing the rate of illiteracy from 50 per cent to 12 per cent; by seeking to re-educate former Somozist guards and turn them into useful citizens; by reducing the infant-mortality rate and vaccinating millions during campaigns conducted by the people's health brigades; and by building five times more houses in three years than the Somozist régime had done throughout its years of power. The Nicaraguan Government was currently instituting general agrarian reform: it had already distributed thousands of hectares of land to farm labourers and was also ensuring that they received the necessary financial and technical assistance. For the first time, culture was universally accessible and the arts were encouraged even in the most remote areas of the country. The workers, organized in trade unions, participated in government and could thus take charge of their own destiny. Because of State subsidies, the prices of essential consumer goods were the lowest of all countries in Central America, which made it possible to guarantee that the population enjoyed the right to food.

47. The States Members of the United Nations had the responsibility of denouncing flagrant and massive violations of human rights. If they failed in that duty, they would not only prove they were indifferent to the sufferings of mankind; they would also become accomplices in those violations. That was why it was impossible to remain silent in the face of massacres of farm workers, the murder of priests and nuns, journalists and civilians in general, or in the face of the indiscriminate bombing of villages and towns. It was impossible to celebrate the bicentenary of Bolívar without also sharing his aspirations to freedom and social justice. Without going through each of the draft resolutions point by point, his delegation wished nevertheless to comment particularly on the situation in Central America, although what it had to say applied also to other regions of Latin America or of the world. His delegation had already had occasion the previous year to express its concern at the attitude adopted by the United States vis-à-vis the war of liberation of the Salvadorian people and its desire to expand that war into a regional conflict by placing it in the context of East-West confrontation. Despite the appeals made by the majority of members of the international community, particularly the non-aligned countries, with a view to finding a negotiated political solution to that conflict, the crisis had actually worsened. The various initiatives taken by the French, Mexican, Venezuelan and Nicaraguan Governments had encountered the obstinacy of certain irresponsible quarters, particularly a certain big Power which made confrontation and war the *raison d'être* of its Government. To pretend that elections held under conditions which did not even offer the minimum of guarantees would solve the Salvadorian conflict was to manifest clear proof of considerable political immaturity; or perhaps - which was more likely - it showed that that Government, lacking popular support and beset by social and economic problems inherited from the past and stemming from structural causes, needed to be legitimized at all costs.

48. To claim that meetings which excluded Nicaragua, such as the meeting that had been held two months previously in a neighbouring country, could lead to a just and lasting peace in Central America, amounted to a denial of the existence of a

(Mr. Chamorro Mora, Nicaragua)

structurally-based political and social crisis in the region and an attempt to reduce it to an East-West confrontation. It was disturbing that in a region which was undergoing such a profound crisis and such systematic violations of human rights, destabilization manoeuvres and military aggression were being undertaken against Nicaragua which could lead to a regional conflagration with unforeseeable repercussions. It was suspicious and even dangerous that in such an explosive region, military alliances were being formed such as those which seemed to have been made after the visit of certain public figures such as President Reagan and Ariel Sharon, the Defence Minister of the Zionist régime. The latter had betrayed his genocidal goals during the invasion of Lebanon and the massacres perpetrated in the refugee camps of Sabra and Shatila.

49. The United States Administration must therefore abandon its intransigence and opt for the course of dialogue and negotiated political solutions. It must leave the peoples and Governments to choose their destinies and exercise their right to self-determination, or otherwise bear sole responsibility for what was liable to happen in Central America. It must support the initiatives, such as those taken recently by Mexico and Venezuela, which were devoid of any exclusivity or selectivity and aimed simply at remedying some of the causes of the conflict. The most flagrant violations of the rights of peoples and hence of human rights were committed by those who, in the name of democracy, were preventing the peoples from exercising their right to political, social and economic development, as was demonstrated by the tragic situation of the Palestinian people and the peoples of southern Africa a situation which was being perpetuated only with the assent of the United States. When the United States talked of selectivity in the analysis of world problems, it forgot that it was applying selective criteria in organizing meetings without including Nicaragua, refusing to receive delegations which included representatives from the PLO or the Ministerial Committee of Non-Aligned Countries set up at Cyprus to participate in the search for a solution to the Palestinian problem, or refusing to help Cuba and Nicaragua. The revolutionary violence that it was criticizing in an attempt to justify State repression and terrorism was the last resort of the peoples to express their wishes and put an end to the exploitation and oppression which it was precisely in the interests of the United States to maintain. The United States was not competent to raise the question of the Miskitos since it had exterminated its own indigenous population and confined them to reservations. The Miskitos did not number 250,000, as had been indicated in a television broadcast. Nor was the CIA using 10,000 Miskitos in Honduran territory for its clandestine operations. There were in fact 100,000 Miskitos in Nicaragua who enjoyed all the advantages offered for three years by the Revolution.

50. Mr. ADAN (Somalia), speaking in exercise of the right of reply, said that he felt duty-bound to set the record straight in connection with the remarks made at the 69th meeting by the representative of Ethiopia, even though he had no wish to dignify those comments with a reply.

51. Setting himself up as a spokesman for the members of the Committee, the representative of Ethiopia had made an emotional appeal for moderation and called

(Mr. Adan, Somalia)

upon the delegation of Somalia to refrain from injecting polemics into a debate on humanitarian issues. Once again those were crocodile tears: it would be recalled that very recently, at the first regular session of the Economic and Social Council in 1982, the Ethiopian delegation had already used the issue of refugees to make a vile attack on Somalia.

52. The representative of Ethiopia had gratuitously accused the Permanent Representative of Somalia of knowing nothing about the practice and spirit of the United Nations. Those accusations were more applicable to the representative of Ethiopia who, it seemed, came to the United Nations only once a year. In his capacity as Permanent Representative of Somalia, he himself could not always participate in the work of the Committee, but he was kept well informed of the proceedings by his deputy.

53. The representative of Ethiopia had shown extraordinary bad taste in violently attacking the Somali Head of State. Perhaps he was trying to provoke a retaliation. It was appropriate to recall the persecution of the Ethiopian people under the leadership of the current Head of State.

54. The reason for the representative of Ethiopia's angry tirade was that he (the representative of Somalia) had dared expose some of Ethiopia's diabolical plans. It was now known that, since the Ethiopian Government had not succeeded in uniting by force of arms the disparate nationalities of Ethiopia, it was depopulating certain regions so as to settle new inhabitants in them and, under cover of a supposed resettlement programme, it was trying to get the international community to subsidize its paramilitary operations. The representative of Ethiopia was not only denying that the refugees in Somalia were all Ethiopians who had fled from those operations but was also trying to call in question their real numbers, which had nevertheless been established by an interagency mission of the United Nations.

55. Mr. DERESSAS (Ethiopia), speaking in exercise of the right of reply, said that he refused to stoop to the level of the diatribes and frivolous accusations made by a mastermind of agitation. He merely wished to point out that after affirming that he did not want to dignify the Ethiopian statement with a reply, the representative of Somalia had read out a long-winded text taken from the latest edition of the Mogadiscio Times. Moreover, the representative of Somalia claimed that the representative of Ethiopia had attacked him and the Somali Head of State: the members of the Committee could vouch for the falsity of that accusation.

56. Mr. LOVO CASTELAR (El Salvador), speaking in exercise of the right of reply, said that, with its notorious effrontery, the delegation of Cuba had referred to the situation in El Salvador, calling the Government of El Salvador Fascist and criticizing the country's electoral process. The statement in question was in keeping with Cuba's well-known policy of interfering in the internal affairs of other countries, which today even extended to the military domain, in the interest of the super-Power on whose support Cuba was entirely dependent. It was ironical that the delegation of Cuba should speak of fascism, in view of the fact that a dictatorial régime that, although it might not be Fascist by name, had a Fascist structure and mode of operation, had held sway in Cuba for over 20 years. The

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(Mr. Lovo Castelar, El Salvador)

chief trait of that West Indian island was subordination of the individual to that monstrous oppressor, the State. The dictatorial régime in power in Cuba stifled dissent, and those holding different views could only opt for silence, prison and repression or flight. In Cuba there was no freedom to organize pluralist political parties that did not support the official ideology. It was therefore astounding to hear the delegation of Cuba finding fault with the composition of highly pluralist Governments and criticizing elections, when there was no doubt as to the type of elections held in that country, owing to the nature of the system of government there. The only explanation for the fact that, given the slightest opportunity, thousands of Cubans went to a Latin American country's embassy to request asylum was that Cuba had become an immense prison. The delegation of Cuba was therefore in no position to criticize an electoral process in which six political parties and 90 per cent of the electorate had participated, in the presence of many foreign observers.

57. The representative of Nicaragua, a country that was a Cuban bridgehead in Central America, had also referred to the situation in El Salvador. In view of the fact that, in allowing itself to be used for traffic in arms and for the preparation of terrorist acts, Nicaragua had become the most recent pawn in the manoeuvres directed from abroad with a view to stirring up the conflict in El Salvador, its call for a dialogue in El Salvador was worthless and its assertions, which were so clearly belied by its acts, had no credibility.

58. Mr. ZUCCONI (Italy) said that, when speaking in exercise of the right of reply, the representative of Argentina had made a number of remarks regarding the concern expressed by Italy at the involuntary or enforced disappearances in Argentina, which compelled the delegation of Italy to make the following statements: firstly, the delegation of Italy was not alone in having expressed its concern at that situation; many other delegations had done so, including the delegation of Denmark, on behalf of the 10 States members of the European Community. Secondly, the concern expressed by Italy at the disappearances in Argentina, particularly the disappearance of Italian nationals, was by no means new, since the Italian authorities had brought the matter to the attention of the Government of Argentina on a number of occasions through the diplomatic channel, both at Buenos Aires and at Rome. Third, the delegation of Italy had raised the issue in the General Assembly because mass graves containing unidentified bodies had recently been discovered in Argentina, which had deeply shocked the Italian public. Fourth, there was no justification whatsoever for attributing Italy's concern to any other motivation, and Italy firmly rejected that attempt to do so. Fifth, the delegation of Italy had taken note with interest of the statement made by the representative of Argentina, who had said that the Argentine judicial authorities were trying to clarify the matter, and it was to be hoped that they would succeed in those efforts.

59. Mr. LOUET (France) said that the representative of El Salvador had criticized France in an astonishing and unjustifiable manner. It was no more to the taste of the delegation of France that the situation in El Salvador should be regularly considered in the Commission on Human Rights than it was to that of the

(Mr. Louet, France)

representative of El Salvador, and, in the interest of the people of El Salvador, the delegation of France would prefer the question no longer to be on the Commission's agenda. In view of the fact that the representative of El Salvador had referred to the human rights situation in France, his attention should be drawn to the fact that nobody at the United Nations would be raising the issue of human rights in El Salvador, if the people of El Salvador had the same freedoms and safeguards as those of the peoples of other democratic countries, including France. The representative of El Salvador would do well to reread the text of the statement made by Mr. de Nanteuil, who had in fact refrained from engaging in polemics and had not made any charges against the Government of El Salvador. If the representative of El Salvador were to adhere to that practice, the debate in the Committee could only benefit as a result.

60. Mr. TRUCCO (Chile) said that the members of the Committee had had the opportunity to see various defenders of freedom of the individual vie with each other in condemning the Government of Chile. It was paradoxical that among them should be the representative of the Soviet Union and its accomplices, setting themselves up as judges, when the worst crimes witnessed in all time were being committed in their country and they were trying to reconcile Gulags and psychiatric hospitals with the commitments they had entered into at Helsinki. He wondered what those representatives would have to say about the events in Poland, a country that was experiencing the fate suffered by Hungary in 1956 and Czechoslovakia in 1968. In 1867 Marx had said that Russian policy continued to be aimed at imperial domination of the world and that Poland was Russia's chief instrument for implementing its plans to conquer the world but would also be the most indomitable element until the time when, weary of being betrayed by Europe, it became a dagger in the Muscovite's hands.

61. However, in Chile the Soviet Union had not succeeded in achieving its goal of establishing its rule, hence its despair and attacks.

62. In response to the statement made by the representative of Cuba, he wished to say that his country was not and would never be subject to anybody and that the Chileans were motivated by an unswerving determination to oppose interference on the part of any foreign Power and the establishment of a tyranny alien to their traditions. The tyrannical régime that had been in power in Cuba for almost a quarter of a century was fashioned after that of the Soviet Union, both with respect to its institutions and with respect to the repressive policy directed against its population, and Cuba had become the obedient servant of the Soviet Union.

63. He would not deign to respond to the insults directed against his country by the representative of Mexico. He wished simply to point out that the new President of Mexico had said that that country would work towards establishing respectful and just relations with its neighbours, strengthening Latin American solidarity and achieving a just and peaceful solution to the tensions in Central America, while respecting the sovereignty of the countries concerned and supporting their development endeavour. The representative of Mexico had done exactly the opposite,

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(Mr. Trucco, Chile)

and the Committee was once again witnessing a dual Mexican position, which, although not surprising, was beneath the dignity of the United Nations. In the interest of the people of Mexico, it was to be hoped that the new Government would succeed, as it had committed itself to doing, in putting an end to the widespread corruption in the country.

64. Mrs. FLOREZ (Cuba) said that she would not reply to the tyrannical régime of El Salvador or the Fascist régime of Chile, because there was no point in wasting time on mere puppets. It would suffice to reply to those who were manipulating them, in other words, the United States, whose assistance was enabling those tyrannical and repressive régimes, which were a disgrace to Latin America, to survive. It was instructive to reread the history of the United States, particularly at a time when that country had returned to big-stick and gunboat policies. Fifty years earlier a certain General Butler, who had had a career in the marine light infantry spanning 33 years, had said that he had actually served the financial and economic interests of the United States in Mexico, Cuba, Haiti, Nicaragua and China to the extent that, by the time he had received rewards, decorations and promotions, he could have given a few lessons to Al Capone, who had never had more than three districts under his control, whereas he had been active in three continents. Those remarks made by a Pentagon General remained entirely relevant today.

65. Mr. RANGACHARI (India), speaking in exercise of the right of reply, said he was astonished that the Permanent Representative of the United States considered the fate of the harijans in India a matter of serious concern.

66. Untouchability had been universally condemned by all sections of opinion in India. The question had been a major plank of the social reform movement, which had begun even before India had become independent. Untouchability had been officially abolished since independence. The Constitution guaranteed to every Indian citizen equality of opportunity and equality before the law, irrespective of caste, race, creed or sex. Laws had been adopted to safeguard and promote those fundamental rights guaranteed by the Constitution. Efforts had been made to ensure that the most disadvantaged sectors of the population, particularly those formerly described as untouchables, were duly represented in the Parliament and the civil service. The Government had launched nation-wide programmes to improve the material living conditions of such groups. There was no institutionalized discrimination against any group, and the State in no way encouraged such discrimination. The opposite was the case. The current tension and social conflict in India were due to underdevelopment and the process of modernization of a traditional society. Anyone even remotely familiar with India would not fail to observe that it was a free country whose Constitution derived its inspiration from the ideals of the French and American Revolutions. More than any other Government, the United States Government should appreciate the difficulty, in a democracy, of sweeping away by force of words alone the prejudices and obscurantism of centuries.

67. Mr. GERSHMAN (United States of America), speaking in exercise of the right of reply, said that the representative of Nicaragua was in no position to describe the present United States Government as a minority Government. Everyone knew that it had been elected by universal suffrage in free elections; it was therefore the expression of the will of the people. On the other hand, everyone was still waiting for the Sandinistas to hold the free elections they had promised before coming into power in 1979. In the spring of 1980, they had seized seats in the Council of State and had installed a number of their sympathizers. That had enabled them to tighten their grip over that body. In July 1980, the Minister of Defence, Mr. Ortega, had stated that there was no reason to hold elections, because the people had already expressed their will by carrying out the revolution, and that elections could not be held until the Nicaraguan people had been "re-educated". The Sandinistas had decided that there would be no elections until 1985 and that, in the mean time, it was forbidden to campaign for candidates, who would be formally appointed by an electoral body. Mr. Pastora Gómez, known as "Comandante Cero", the Deputy Minister of the Interior before his departure in April 1982, had properly summed up the situation when he had stated that the Sandinistas had replaced the Samozá Government with a totalitarian system of tyranny and were solely bent on monopolizing power.

68. The representative of Cuba had failed to respond to any of the substantive questions he had asked in his statement. She had merely accused the poet Armando Valladares of working for the police. Before the revolution, Mr. Valladares had worked for some time in the economic section of the police department; but that was not why he had been arrested and kept in prison for 20 years. That was a rumour spread by the Castro Government in the 1970s, when Mr. Valladares had gained international renown. Mr. Valladares had said, in reference to the Cuban Government, that the most terrible dictatorship known to man was the dictatorship of the proletariat; it might be more accurate to say "the dictatorship imposed on the proletariat".

69. Mr. CORTI (Argentina), speaking in exercise of the right of reply, said that he was grateful to the representative of Italy for clarifying the intention behind his statement to the Third Committee. However, Argentina could only regret that Italy had abandoned its usual approach and had chosen other ways of expressing its concern regarding disappeared persons, thus giving the impression that its objectives were more political than humanitarian. Argentina reiterated the long-standing commitment of its people to human rights. Surely everyone knew that Argentina had welcomed millions of people fleeing the horrors of countries such as Italy, which were now claiming to be concerned about the fate of Argentines.

70. Mr. ADAN (Somalia), speaking in exercise of the right of reply, pointed out to the representative of Ethiopia that there was no newspaper by the name of Mogadiscio Times. That representative was obviously suffering from amnesia, or else he was an incorrigible liar: he had referred to a war, alleging that the Somali head of State had been responsible for it, but had not won. It was an act of sheer provocation for the representative of Ethiopia to claim that he had said nothing of the kind. The Somali delegation warned him that there were limits to its patience.

71. Mr. RUIZ CABAÑAS (Mexico), speaking in exercise of the right of reply, said that he would not respond to the henchman of the Chilean military junta, whose illegitimate status was a known fact.

72. Mr. LOVO CASTELAR (El Salvador), speaking in exercise of the right of reply, said that France could best demonstrate its spirit of conciliation by changing its attitude towards El Salvador and ceasing to interfere in that country's internal affairs, as it had again done by becoming a sponsor of a draft resolution that was as absurd as it was inadmissible.

73. The representative of the Cuban dictatorship had once more used pedantic and extravagant quotations in referring to puppets, apparently forgetting that her country was a typical example of a puppet. Of course she had not responded to the comments regarding the situation in Cuba, perhaps because she could not defend what was indefensible.

74. Miss BAZIYAKA (Rwanda), speaking under agenda item 12, said that she wished to make certain clarifications following the statements by the Permanent Representative of the United States and the representative of Uganda. Since October 1982, refugees from Uganda had been arriving in Rwanda in large numbers. Mindful of the problem, the Governments of Uganda and Rwanda had established a joint ministerial commission, which had met in Rwanda from 22 to 27 October in an attempt to find a solution. She read out the communiqué issued at the end of the meeting, which stated that the two Governments had recognized the need to determine the nationality of the refugees in question, that the Government of Rwanda agreed to reabsorb those identified as nationals of Rwanda and undertook to consider as soon as possible requests for voluntary repatriation by Rwandese refugees living in Uganda, that the Government of Uganda, for its part, agreed to discharge its responsibilities with regard to Rwandese nationals still living in Uganda, and that Ugandan nationals identified as such would be considered Ugandan refugees in Rwanda. The Government of Rwanda had begun a census among the refugees in question, who seemed to fall into three categories: Rwandese migrant workers who had settled in Uganda in 1930 and 1950; Rwandese nationals who had taken refuge in Uganda in 1959 and 1973 and who, together with the first group, made up approximately 13 per cent of the total number of refugees, estimated at 45,000; and Rwandese-speaking Ugandan refugees with ties mainly to Uganda, in the same way that German-speaking, French-speaking or Italian-speaking inhabitants of Switzerland were considered Swiss, rather than German, French or Italian. It was quite right to speak of an influx of Ugandan refugees into Rwanda, as le Monde had done on 1 December 1982.

75. Mr. TRUCCO (Chile), speaking in exercise of the right of reply, said that those who had no arguments to present resorted to insults instead. The representative of Mexico had little reason to take offence, for the Chilean delegation had merely quoted verbatim the words of the new President of Mexico.

76. Mrs. FLOREZ (Cuba), speaking in exercise of the right of reply, said it was perfectly logical that the United States should wish to defend the counter-revolutionaries who were its protégés, such as a Cuban poet who had been imprisoned because he had been working for the CIA. Senator Johnson, a Republican

(Mrs. Florez, Cuba)

from California, had stated 40 years earlier than international bankers were quite prepared to finance dictators in Latin American countries who were flouting all the basic principles of freedom and the rights of peoples. There had been little change in that situation. The revolutions that had taken place and were still taking place in Central and South America were precisely part of the struggle against the dictators to whom Senator Johnson had referred. As Bolivar the Liberator had stated, it seemed that the providential destiny of the United States was to overwhelm the Americas with misery in the name of liberty.

77. Mr. GERSHMAN (United States of America), speaking in exercise of the right of reply, reminded the representative of Cuba that the poet Armando Valladares had been one of the supporters of the revolution and had been imprisoned in 1960, at a time when Cuba, betraying the democratic spirit of the revolution, had taken the road towards communist totalitarianism; it was in prison that he had begun to write poetry. By attacking such a man, the representative of Cuba was only revealing the nature of the régime she represented.

78. Mrs. DOWNING (Secretary of the Committee), announced, at the request of the Office of the Under-Secretary-General for Political and General Assembly Affairs, that, in observance of Human Rights Day, 1982, an exhibit on the Universal Declaration of Human Rights would be formally opened at 10.15 a.m. on Friday, 10 December. On that occasion, the Under-Secretary-General would read a message from the Secretary-General. At 1.15 p.m., the Community Forum of the United Nations would hold a ceremony in conference room 4, at which statements would be made by the Director of the Centre for Human Rights, a staff representative and a representative of the NGO Committee on Human Rights.

The meeting rose at 6.15 p.m.