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SUMMARY RECORD OF THE 54th MEETING

Chairman:

MR. SOMAVIA

(Chile)

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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/45/3, A/45/179, A/45/210, A/45/348, A/45/404, A/45/444, A/45/445, A/45/446, A/45/447, A/45/448, A/45/508, A/45/542, A/45/564, A/45/578, A/45/607, A/45/630, A/45/649 and Corr.1 and Add.1, A/45/651, A/45/664, A/45/697, A/45/698, A/45/174, A/45/203, A/45/207, A/45/216, A/45/227, A/45/272, A/45/280, A/45/303, A/45/329, A/45/338, A/45/381, A/45/410, A/45/667, A/45/689, A/45/690, A/45/691, A/45/692, A/45/693; A/C.3/45/1)

1. Mr. OLIYNYK (Ukrainian Soviet Socialist Republic) said that his delegation was fully satisfied with the results achieved at the recent sessions of the Economic and Social Council and the Commission on Human Rights. On the initiative of the Soviet Union, the Council had adopted resolution 1990/50 on international co-operation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant. A draft resolution on the question had been submitted at the current session of the General Assembly and his delegation was sincerely grateful to all the countries that had supported that important initiative. Consideration of the question at the current session would focus attention on the problem of safeguarding human rights in conditions of environmental degradation resulting from scientific and technical development. There was a need for ecological human rights to be strengthened juridically. The Commission on Human Rights had made the first important step in that direction by adopting resolution 1990/41 on human rights and the environment.

2. His delegation stressed the need to maintain the consensus on the elimination of apartheid and to encourage further positive trends in South Africa with a view to the establishment of a democratic, non-racial State. Respect for human rights was undeniably linked to the process of democratization, as was demonstrated by the first free elections in Namibia and by the changes currently taking place in Central and Eastern Europe. At the same time, the prerequisites for democratization and respect for human rights and fundamental freedoms were absent in regions affected by armed conflicts or the results of such conflicts. His Government strongly condemned Israel's illegal actions in the occupied Arab territories, including the settlement of Jewish immigrants on Palestinian lands. Peace and respect for the human rights of all peoples in the Middle East could be achieved only by halting the occupation of those territories and bringing about a just settlement to the question of Palestine through the convening of an international conference with the participation of all parties concerned, including the Palestine Liberation Organization (PLO), and the permanent members of the Security Council.

3. Other factors impeding the observance of human rights included the gap between national legislation and internationally accepted standards, and insufficient legal knowledge on the part of law enforcement officials and citizens. Accordingly, his delegation supported the work of the Centre for Human Rights in organizing information programmes and seminars. In that connection, he shared the concern expressed by a number of delegations at the failure of the Secretariat to submit a

(Mr. Oliynyk, Ukrainian SSR)

report on actions taken as interim solutions to the resource problems facing the Centre, as called for in Economic and Social Council resolution 1990/47.

4. At its first regular session of 1990, the Economic and Social Council had adopted resolution 1990/39 on the rights of persons belonging to national, ethnic, religious and linguistic minorities, which authorized an open-ended working group of the Commission on Human Rights to continue work on the draft declaration on the rights of such persons. His delegation fully supported that work and was participating actively in it. Progress had been slow in ensuring the legal protection of minorities, which was a major area in the protection of human rights. The General Assembly could express its views on the work done on the draft declaration and emphasize the political and legal commitment of States to that task. His delegation had submitted a draft resolution on non-discrimination and protection of minorities (A/C.3/45/L.83) and felt that the General Assembly should express its opinion in that regard in order to speed up work on the draft Declaration.

5. The legal framework for protecting minorities had been defined at the regional level, as could be seen from the agreements reached at the Conference on Security and Co-operation in Europe (CSCE) and elsewhere. The United Nations should make use of that framework in determining the scope of international documents dealing with the question. That was particularly important at a time when States had set aside ideological prejudices and hoped to remove the artificial barriers that were impeding progress towards peace, freedom and democracy for all. Recommendations put forward by the United Nations on questions relating to minorities would further assist States in solving problems arising in that area. The primary objective of the democratization process in the Ukrainian SSR was the spiritual, political and economic emancipation of the individual. The main task was to place man at the centre of social development.

6. Mr. SEZAKI (Japan) said that although more than 40 years had passed since the adoption of the Universal Declaration of Human Rights, flagrant violations of human rights continued to occur in all parts of the world. Freedom of thought, conscience, religion and speech should be given higher priority than other, more recent, concepts of human rights. Unless those fundamental freedoms were assured, it would be difficult to protect human rights and promote the development of society as a whole. Although due care should be taken to promote human rights in ways that took account of historical and social conditions, the promotion of economic development and social stability could not be used as a pretext for failing to guarantee human rights.

7. The view that there should be a clear connection between official development assistance and the human rights situation in recipient countries was becoming increasingly widespread in Japan. His country supported the world-wide democratization process and would give due consideration in its aid policies to progress made in that regard by recipient countries.

(Mr. Sezaki, Japan)

8. Despite the withdrawal of foreign troops from Afghanistan, there were reports of continued human rights violations in that country. His delegation appealed once again to both the Afghan authorities and the opposition movements to ensure respect for human rights, and hoped that the speedy restoration of peace in Afghanistan would lead to improved protection for those rights. Japan sincerely hoped that the Government of Iran would respond to the findings of the Special Representative on human rights situation in that country by taking further steps to ensure respect for all the basic rights of the people of Iran.

9. There had been reports of human rights violations in Iraq and accurate information on the situation there was urgently needed. It was therefore regrettable that the Commission on Human Rights had been unable to discuss the matter. The measures taken by Iraq to prevent the departure of foreign nationals were intolerable. The Iraqi Government must allow those people to leave the country immediately. Japan regretted that the Government of Myanmar had yet to announce its plans for transferring power in accordance with the results of the May elections, and that no dialogue had taken place between the Government and the opposition. His country urgently appealed to the Government of Myanmar to take constructive steps to transfer power to a civilian Government. Japan appreciated the sincere efforts made by the Chilean Government to improve its human rights situation and hoped that Chile would continue its efforts to ensure respect for human rights. His delegation welcomed the resumption of a dialogue between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) on a political settlement of the armed conflict there. All parties concerned must continue such efforts because the conflict jeopardized human rights and fundamental freedoms throughout Central America.

10. Mr. VAJPAYEE (India) said that in the past year, the democratization process in many parts of the world had broken down political, economic and social barriers. The struggle to safeguard and strengthen fundamental human rights was a continuing and arduous one. In that connection, each country must be able to promote respect for such rights in accordance with its own traditions. Human rights should not be used to divide peoples and nations. The United Nations must ensure that the question of human rights was not dealt with selectively in order to pursue narrow political ends. His delegation was deeply concerned about human rights violations around the world, and stressed the need to focus on improving the effectiveness of existing mechanisms by ensuring universal acceptance and strict implementation of the relevant international instruments.

11. India's commitment to the promotion of human rights was rooted in its socio-cultural values. The strengthening of national institutions was one of the most effective ways of protecting human rights. His Government was committed to guaranteeing each person's right to political participation and to establishing a just and equitable economic and social order. Since the two categories of human rights were indivisible, his delegation attached great importance to the Declaration on the Right to Development, which was an essential human right. Democratization must be combined with economic development and social justice. In accordance with the Universal Declaration of Human Rights, India's Constitution

(Mr. Vajpayee, India)

enshrined fundamental rights protecting the dignity of the individual, and created conditions in which every human being could develop to the fullest extent. Those values were protected by a parliamentary democracy, an independent judiciary and a free press.

12. There had been very encouraging developments in the past year in southern Africa, with the accession of Namibia to independence and the promise of progress in negotiations between the South African Government and the African National Congress (ANC). His delegation was, however, concerned at the continuing violence in black townships and the involvement of South African security forces in that violence. While racism was on the retreat in South Africa, a constitution institutionalizing racial discrimination had been imposed in Fiji. The international community must consider ways of reversing that trend.

13. There could be no lasting peace in the Middle East without a just and comprehensive settlement based on the exercise of the inalienable rights of the Palestinian people. Recent developments underscored the urgency of addressing that issue. India reaffirmed its solidarity with the people of Cyprus and fully supported the sovereignty and territorial integrity of that country. The régime in Myanmar continued to be unwilling to accept the verdict of the people of that country. He hoped that the authorities in Myanmar would comply with the wishes of their people and establish a democratic order.

14. Referring to the question of human rights and mass exoduses, his delegation emphasized the importance of maintaining contact between the United Nations and the Member States concerned. Due account should be taken of the economic causes of mass exoduses. His delegation expressed satisfaction at the completion of the draft International Convention on the Protection of the Rights of All Migrant Workers and Their Families and looked forward to its adoption at the current session of the General Assembly.

15. With regard to drug control, his delegation stressed the need to strengthen the illicit drug control system, including the mandate of the International Narcotics Control Board to assess legitimate requirements for narcotic drugs so that appropriate corrective action could be taken to meet those needs by making use of the stockpiles of licit drugs in traditional supplier countries such as India. His Government would also welcome further activities to suppress illicit drug trafficking, including measures to assist transit States in that regard.

16. Preparations for a world conference on human rights were extremely important and should ensure the broadest possible participation of Member States. In that connection, he stressed the need to underscore the indivisibility of all human rights and the link between development and the full enjoyment of those rights.

17. Mr. AL-JABER (Qatar) noted that when force was used against a country and its sovereignty usurped, the victim was human rights. All action taken within that country by the illegal occupying force was in violation of that country's laws and customs. Since an occupying Power had stepped into Kuwait, many of its citizens had been imprisoned and taken hostage, Kuwaiti identity had been abolished, and Kuwait's fundamental rights as a State had been usurped. The occupiers of Kuwait were actually implementing the same policy as the colonialist Powers of the past, and were violating international law in a manner unprecedented since the Second World War.

18. The principle of the free exercise of human rights had also been violated year after year in the occupied Palestinian territories, where killings, expropriations and mass imprisonment violated human rights and contravened the Fourth Geneva Convention of 1949 and Security Council resolutions.

19. Since the inception of the odious system of apartheid, many United Nations forums, including the Third Committee, had adopted resolutions calling for its abolition and aimed at helping the majority of the population of southern Africa to stand up against it. The apartheid policy persisted, however, in violation of civil and political rights.

20. Human rights were also the victim of both man-made and natural disasters. In Africa, civil conflict, famine and drought had caused hundreds of thousands of refugees to flee their homeland after seeing their human rights undermined. The same situation existed in El Salvador, Guatemala and Myanmar. His delegation believed that it was incumbent on the international community to protect the human rights of all peoples, particularly vulnerable groups who were denied the opportunity to enjoy their rights.

21. Mr. FUJITA (Brazil) welcomed the new sense of determination on the part of most delegations to restore the subject of human rights to its rightful place in international discourse. Recent events had underscored the relationship between international observance of human rights and the strengthening of a climate of confidence among nations. There was growing awareness of the need to overcome barriers to the full realization of human aspirations for freedom and dignity, and all nations were urged to strive for a world which enjoyed a free flow of ideas, people and goods. The difficulty of the United Nations task in that regard was no excuse for denying the universality of basic human rights and fundamental freedoms, or for granting special dispensations to countries in accordance with their degree of development. At the same time, he noted that in certain countries, including some industrialized ones, there had been a resurgence of xenophobia and of discrimination based on race, colour, language, religion or national origin. His delegation wished to reaffirm that all human rights and fundamental freedoms were indivisible and interdependent. Individual and collective rights deserved equal respect, and economic, social and cultural rights merited the same priority as political and civil rights. In some quarters there was an eagerness to uphold individual political rights and a lack of interest in creating the necessary economic conditions for nations and regions to realize their right to development.

(Mr. Fujita, Brazil)

The free flow of goods was hampered by protectionism and debt, while a free flow of ideas was impeded by the denial of access to scientific and technological knowledge.

22. His delegation had taken note of the report of the Secretary-General on a world conference on human rights (A/45/564) and emphasized the need for thorough preparatory work, to which it was ready to contribute constructively and actively, in order to ensure the success of such a conference. Preparations should include careful consideration of the mandate and scope of the conference, the level of participation, the resources available and the results expected. While his delegation was not opposed to discussing relevant new initiatives, it felt that the conference should serve as an occasion for promoting and consolidating universal adherence to existing standards and mechanisms.

23. His delegation had read with interest the report of the open-ended Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/C.3/45/1) and saw the Draft Convention as an important addition to the body of human rights instruments. His Government would give careful consideration to the draft with a view to taking action on it in due course.

24. Turning to the conclusions and recommendations contained in the report of the Joint Inspection Unit (JIU) on the co-ordination of activities related to early warning of possible refugee flows (A/45/649), while his delegation felt that more effective co-ordination within the United Nations system of the activities of the relevant agencies and institutions could improve the early warning capacity of the Office for Research and the Collection of Information (ORCI), it noted a certain ambiguity in the mandate of ORCI, which seemed to be to forecast threats to peace as well as humanitarian emergencies. General Assembly resolution 44/164 gave ORCI a specific role in the humanitarian area, yet the JIU report referred to the monitoring of early warning of refugee flows as being one of the functions of ORCI. A clear distinction should be drawn between the activities of ORCI under programme 1 of the Medium-term Plan for 1992-1997, which were related to the maintenance of peace and security, and those under programme 36, which concerned refugees. Any reference which might be construed as an expansion of the activities of ORCI to new areas not included in a specific mandate approved by the General Assembly should be avoided.

25. His delegation was grateful for the reports on the situation of human rights in Afghanistan, Iran and El Salvador. While welcome progress had been made in those countries, the situation still required the attention of the international community. Brazil appealed to the authorities of the countries concerned to co-operate fully with the special rapporteurs and representatives and reiterated its position that United Nations activities in the field of human rights should be guided principally by ethical and humanitarian considerations and that it was not the Organization's role to pass judgement.

26. Mr. ORDÓÑEZ (Philippines) said that since the promotion and protection of human rights was one of the *raison d'être* of the United Nations, the consideration of human rights questions did not constitute interference in the internal affairs of Member States. His delegation therefore fully supported the draft resolution on the situation of human rights in occupied Kuwait, which condemned the Iraqi authorities and occupying forces for violating the human rights of the Kuwaiti people and third State nationals.

27. Since the setting of international standards for the protection and promotion of human rights was one of the pillars of United Nations action, his delegation had welcomed the early entry into force of the Convention on the Rights of the Child and noted that at the current session, Member States had an opportunity to adopt the draft International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Adoption of the draft Convention would be a step forward in United Nations efforts to combat discrimination and promote human dignity and he hoped that Member States would welcome it with the same enthusiasm as the Convention on the Rights of the Child, especially since the spectre of migrant workers caught in civil strife and war called for immediate attention. His delegation particularly welcomed the provision on the right of migrant workers to organize and join unions or associations and to take part in their meetings and activities, which was in line with current efforts in the Philippines.

28. As a sponsor of the draft resolution proclaiming an international year for the world's indigenous people in 1993, his delegation was convinced that observance of that year would provide an opportunity to strengthen international co-operation in solving the problems faced by indigenous communities. It noted with satisfaction that the proposed world conference on human rights to be convened the same year would also draw attention to the situation of indigenous communities. The holding of a world conference on human rights should make a significant contribution to action to promote and protect human rights, but its success would depend on thorough preparation. He therefore endorsed the decision to establish a preparatory committee to make proposals to the General Assembly regarding various aspects of the conference.

29. The Philippines believed that regional arrangements could make a major contribution to the promotion and protection of human rights and noted that intergovernmental arrangements had been established for that purpose in some regions. His delegation was gratified at the growing recognition of the link between development and human rights and welcomed the designation of the library of the Economic and Social Commission for Asia and the Pacific (ESCAP) as a depository centre for United Nations human rights materials.

30. With regard to the mechanisms established by the Commission on Human Rights to monitor compliance with obligations under international human rights instruments, the system of appointing special rapporteurs, special representatives and independent experts on country situations and special rapporteurs on specific topics played a central role. The co-operation of the United Nations system, the Governments concerned and relevant non-governmental organizations should be enlisted for the purpose of ensuring that their reports were objective, impartial

(Mr. Ordoñez, Philippines)

and non-selective. In that connection, the Philippines had invited the Working Group on Enforced or Involuntary Disappearances to visit the country from 27 August to 7 September 1990, and had given it free and full access to the persons and places it wished to visit, in accordance with the Government's policy of openness and transparency in all matters relating to human rights.

31. Mr. WARADI (Fiji) said that the various international human rights instruments were effective only to the extent that they were implemented and respected by all concerned. Since human rights was the *raison d'être* of the United Nations, it was incumbent on the Organization to take stock of remaining problem areas. The human rights situation reports highlighted some of the difficulties which could be encountered in carrying out that task, and those who had prepared them were to be commended for the efforts they had made to avoid politicization, prejudice and discriminatory bias and for their professionalism, objectivity and impartiality.

32. There had been a time when people in some parts of the world had been able to live in splendid isolation, but with the advent of better educational facilities and modern communications and technology, the world's inhabitants had become increasingly interactive. Global interdependence was fast becoming more than just a catch-phrase and had extended into areas such as human rights, which had once been regarded as the sovereign domain of States. The trend towards interdependence could be seen in the endeavours of small developing countries, such as Fiji, to cope with the growing stresses imposed on their peoples by the modernization process. In seeking to enhance the human condition, it was important to ensure that the means of development remained compatible with social cohesion and that respect for basic human rights was at the heart of the development process. Development in and of itself did not always contribute to the promotion of respect for human rights. Despite its geographical isolation, Fiji was part of the wider global village and was endeavouring to fuse the ingredients of its indigenous cultures with those of the modern world.

33. Mr. O'BRIEN (New Zealand) said that the protection and promotion of human rights and fundamental freedoms had always been one of the strands of the fabric of peace and that the dramatic changes on the international political scene meant that human rights might at last be accorded their rightful place as a dominant concern of international discourse. The current climate of increased political co-operation and widespread acknowledgment of a collective responsibility for the well-being of every man, woman and child held out the promise that universal human rights standards and mechanisms would finally come into their own. The proposed world conference on human rights would, if properly prepared, be a watershed and should make it possible to review the progress made and identify ways of strengthening the work of the United Nations in the field of human rights over the next 25 years.

34. New Zealand believed that work in the human rights field should proceed on the basis of three fundamental premises. The first premise was the universality of human rights, there being no justification for hiding behind claims of national sovereignty and non-interference. The treatment of an individual by a Government

(Mr. O'Brien, New Zealand)

was a legitimate subject for international concern and action. The second premise was recognition of the importance of taking a constructive, non-selective approach to allegations of human rights violations, focusing always on the implementation of human rights standards. The third premise was that States must look at their own societies at the same time as looking outwards - a point just made by the representative of Fiji.

35. New Zealand attached considerable importance to its own adherence to international human rights instruments. It had ratified the Convention against Torture and the Second Optional Protocol to the International Covenant on Civil and Political Rights and had signed the Convention on the Rights of the Child. The ongoing work on a draft declaration on the rights of indigenous peoples was of particular importance to New Zealand. The Government had initiated consultations with the Maori people concerning the declaration, believing that the views of indigenous peoples themselves must be taken into account in its drafting. The proclamation of an international year for the world's indigenous people in 1993 would focus further attention on indigenous issues.

36. Once the draft universal declaration on rights of indigenous peoples had been finalized, the United Nations standard-setting work in the field of human rights would be largely complete. It was essential to avoid minimizing or undercutting the solid work already achieved, by further proliferation of less important instruments. Implementation of existing standards must take highest priority.

37. The human rights treaty bodies had a particularly important role to play and New Zealand, which had recently presented its four-year report to the Committee on the Elimination of Racial Discrimination (CERD), valued the dialogue it had enjoyed with the Committee. New Zealand was concerned not only about the difficulties besetting that Committee, but about the resources situation of all the treaty bodies, and considered that the recommendations adopted at the recent meeting of the persons chairing those bodies deserved careful consideration. States parties must live up to their obligations in order to bring long-term relief of the financial burdens of the treaty bodies.

38. The resource situation of the Centre for Human Rights was a reason for particular concern and his Government was disturbed that, in spite of the consensus directive in Economic and Social Council resolution 1990/47 and calls from a wide range of delegations in the Third Committee, the Secretary-General had still not provided the report on how he intended to give the Centre at least interim relief. New Zealand appreciated the financial constraints of the United Nations but found it hard to believe that the Centre's crisis situation could not be alleviated. The Centre's work was too valuable to be so constrained and its advisory services, for example, needed to be strengthened and made more effective.

39. The recent Asia-Pacific seminar in Manila had been a first step in the regional approach to human rights and New Zealand had contributed to a similar seminar for the South Pacific region in the Cook Islands, the first human rights seminar to be held in that region. New Zealand noted with regret that the United

(Mr. O'Brien, New Zealand)

Nations had tended to ignore the South Pacific region and hoped that it could continue to benefit from the Centre's expertise. He also commended the Centre on its public information campaign.

40. Violations of human rights could not be met with indifference or silence. The Commission on Human Rights had developed a range of mechanisms to deal with allegations of human rights violations and to examine specific conflict situations, which deserved full support. He noted that some of the special rapporteurs had begun to make preventive proposals; that practice should be encouraged. New Zealand supported the system of country visits and commended those countries which had opened their doors and sought assistance from the special rapporteurs. The international community should be most concerned about the countries which had refused to subject themselves to international scrutiny.

41. While New Zealand welcomed the commitment of El Salvador to work for an improvement in its human rights situation, it was greatly concerned by the continued conflict and loss of life and the slow progress in a number of important judicial proceedings. The continued hostilities in Afghanistan were a major impediment to the observance of human rights and New Zealand was disturbed at the reports of suffering inside and outside Afghanistan and among refugees. It was also disturbed at the allegations of continuing human rights violations in Iran but was gratified to note that the Government was still co-operating with the Special Representative and that the co-operation was bearing fruit. New Zealand supported the recommendation of the Special Representatives that their work should be continued.

42. His delegation noted with regret that, six months after the general elections in Myanmar, the people's vote in favour of a transfer of power from the military authorities had not been respected and that there were allegations of serious human rights violations. His Government joined with the other countries that had called for the transfer of power and the immediate release of political prisoners. The visit of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be followed up by further United Nations monitoring.

43. New Zealand also shared the sense of universal shock at the reports of gross human rights violations by Iraq in Kuwait and called for an end to the violence and suffering. The tragedy was further compounded by the large number of refugees and displaced persons from that conflict, who would swell the growing numbers throughout the world. All too often refugees and asylum seekers were subjected to new abuses and the United Nations must pay closer attention to the relationship between the existence of refugees and the abuse of human rights.

44. Mrs. BARGHOUTI (Observer for Palestine) said that in the State of Palestine the Israeli authorities continued their policy of oppression and denial of basic human rights. The situation in the occupied territories had seriously deteriorated, especially since the beginning of the intifadah. The United States State Department report on human rights in Israel and the occupied territories did not reflect the reality. The United States Government tried to water down the

(Mrs. Barghouti, Observer, Palestine)

flagrant Israeli violations of human rights and divert the attention of the international community from Israeli repressive behaviour. However, the report did note some Israeli practices that were in conflict with the values and principles of the international community, stating that the Israeli occupation authorities had sought to end the intifadah through widespread arrests, detention, raids on homes and deportations.

45. A fact-finding mission to Palestine in June 1989 by two university professors and a former Deputy Supreme Commander of NATO had reported that the impression could be gained that the Israelis were using coercive measures to induce the Palestinian people still living in the occupied territories to leave their home country, or to cut them off from their economic, social and cultural life. That strategy was clearly aimed at expelling the Palestinians or breaking their ethnic will to survive in order to make room for Jewish immigrants from all over the world. Israel wanted Palestine but without the Palestinians.

46. Palestinian prisoners suffered harsh and demeaning treatment, the worst practice being interrogation for 18 consecutive days with no access to the International Committee of the Red Cross, their lawyers or their families. Interrogation was conducted by the Israeli Secret Service (Shin Beth) and torture and ill-treatment had been widely documented. The international community should bring pressure on the Israeli Government to comply with its obligations under the Charter.

47. Another adverse development was inequality of social security benefits for Palestinian workers. Trade unionists from the West Bank and Gaza who worked in Israel were subject to the same wage deductions as Israeli workers but did not receive any of the benefits. Palestinian workers also paid a percentage of their salaries as a tax to the Israeli workers' union but were denied membership of the union and therefore were not eligible for the union supplemental retirement pension. Israel had also denied Palestinians the basic right of education by closing schools and universities.

48. The massive Jewish emigration from the Soviet Union would ultimately threaten the very existence of Palestinian society by changing the demographic structure of the West Bank and Gaza and transforming the Palestinian majority into a minority. The Commission on Human Rights in its resolution 1990/1 had called upon the Government of Israel to refrain from settling immigrants in the occupied territories and had affirmed that the settling of Israeli civilians in the occupied territories was illegal. The Israeli authorities had responded by calling for a "greater Israel" to accommodate an anticipated influx of up to 100,000 Jews from the Soviet Union in the current year and up to 750,000 over the next five years. The President of the International Committee of the Red Cross had noted that the settlement of Jewish immigrants from the Soviet Union was a serious violation of the Fourth Geneva Convention.

49. She called upon the international community to compel Israel to abide by the guiding principles of the United Nations and the provisions of the Universal Declaration of Human Rights.

50. Mr. VILLAGRAN DE LEON (Guatemala) said that, while differences in geography, natural resources, social customs and level of living created difficulties of varying degree in guaranteeing human rights, the struggle for human rights had generated changes in various regions of the world which gave hope that it might be possible to build an international order based on peaceful coexistence generated by mutual understanding and respect and not by force or terror.

51. Central America had been inspired by the new spirit of change to seek peaceful solutions to conflicts through dialogue and the strengthening of democracy. Guatemala appreciated the concern of friendly nations about its human rights situation and was determined to banish violence, demolish the barriers of misunderstanding and put an end to the confrontation that had divided its society and drained it of its productive energy. It had sought the backing of the United Nations to strengthen its human rights protection system and had co-operated openly with the treaty bodies, neither denying nor concealing the painful and complex truth. It hoped to be judged with objectivity and without distortion or prejudice.

52. Those who said that the violence in Guatemala was political in origin were unaware that there were other causes, such as ordinary crime motivated by social and economic difficulties, or drug-related crime, or subversive crime. Guatemala believed that the problem had been magnified and distorted by bad faith. His delegation therefore appealed for greater understanding and support and an objective assessment of the facts. There were positive factors, which offered a more constructive frame of reference, such as the consolidation of democracy and the recent elections, in which there had been wide popular participation and clear-cut results which no individual or political group had questioned.

53. During the current year an important dialogue had developed between various sectors of society and the armed rebel groups under the auspices of the national reconciliation commission with the support of the Government and the presence of a representative of the Secretary-General as observer. If the dialogue could be extended to all sectors, there would be good prospects of ending a senseless armed conflict, provided that the rebel groups demonstrated the will to end it by ceasing their terrorists acts.

54. The human rights problem in a country like Guatemala could not be assessed without reference to the violence perpetrated by irregular and drug-related armed groups and his delegation welcomed Commission on Human Rights resolution 1990/75 because its implementation would facilitate a more balanced study of the countries where such groups were active. The international community's support for the peace efforts in Central America and the peace dialogue and strengthening of democracy in Guatemala was a welcome and valuable incentive. Those who were working to consolidate a régime based on the rule of law needed understanding: rejection and condemnation by the international community would only encourage those who were trying to prolong the confrontation. The support of friendly countries was vital to Guatemala in its transition to democracy, to show those who were fearful of peace and genuine democracy that it was possible to build a better future.

55. Mr. SZELEI (Hungary) drew attention to the Charter of Paris signed at the recent summit meeting of the Conference on Security and Co-operation in Europe, which contained commitments to democracy based on human rights and fundamental freedoms, prosperity through economic liberty and social justice and equal security of States.

56. While the United Nations already had well-established monitoring and supervisory mechanisms to help in its task of protecting and implementing human rights, new challenges called for innovative approaches and new mechanisms. The main problem was still the behaviour of non-democratic States that disregarded or violated basic human rights. It was disturbing that those countries regarded even helpful appeals by the community of nations for the recognition of norms and standards, as interference in internal affairs.

57. It was the right and duty of all countries to monitor compliance with human rights obligations and to be accountable to the international community, and Hungary would not hesitate to oppose violations of human rights wherever they occurred. The special representatives and special rapporteurs of the Commission on Human Rights had been highly effective in promoting the implementation of human rights norms and standards and Hungary continued to support their important missions. It attached particular importance to country reports and welcomed the co-operative attitudes of the States directly concerned. It urged Governments which had not committed themselves to co-operate with international monitoring missions to heed the appeals of the international community to protect human rights.

58. His delegation appreciated the interim reports to the Third Committee on the human rights situations in Afghanistan, Iran and El Salvador, which showed that further international attention was needed, and it looked forward to the completion and updating of the reports to the Commission on Human Rights. Hungary believed that the Commission had acted in good faith, interpreting the international community's conscience and caring, in deciding to keep particular human rights situations under scrutiny in countries such as Myanmar, Cuba and Romania. It looked forward to the results of its inquiry and to its conclusions and recommendations. It was unfortunate that a draft resolution on the human rights situation in Iraq had been rejected by the Commission on Human Rights at its forty-sixth session by a small margin on a procedural motion. His delegation had expressed regret at the time that no action was being taken in a justified case of human rights violation. Now, after Iraq's brutal aggression against Kuwait, and its blatant human rights violations, he could only remind members of the Committee of the benefits of early warning by the United Nations.

59. Mrs. BASEER (Pakistan) said that the signing of the Geneva Agreements in April 1988 and the subsequent withdrawal of the Soviet troops from Afghanistan had been important and welcome developments. However, the Geneva Agreements had addressed only the external aspects of the problem and the framework for the internal settlement had been provided by General Assembly resolutions calling for the establishment of a Government which enjoyed majority support, the voluntary return of over 5 million refugees and the free exercise of the fundamental human right to self-determination.

(Mrs. Baseer, Pakistan)

60. The continued presence of over 5 million refugees, most of them women, children and old people representing one third of the Afghan population, reflected the state of human rights in the country. In his report, the Special Rapporteur had said that the main reasons given by the refugees for not returning home included the uncertain security situation in the provinces, the destruction of the greater part of the country's infrastructure, the dangers of unexploded mines and bombing and the absence of an Islamic Government.

61. Pakistan wanted the Afghan refugees to return to their country in safety and honour and had therefore given its full support to the pilot project sponsored by the United Nations for their voluntary repatriation. The project had not evoked any significant response and many had returned to Pakistan because they could not be assured of a secure and viable existence. Kabul's baseless allegations that Pakistan had tried to prevent the return of the refugees was belied by the fact that, several thousand Afghans, when forced to leave Kuwait, had chosen to come to Pakistan and live as refugees.

62. Nearly 30 million mines had been planted in different parts of Afghanistan and the areas to which the refugees were returning should be systematically cleared of mines under United Nations supervision. The mine awareness and disposal programme sponsored by the United Nations had a twofold effect: it could prevent loss of life and it made the refugees aware of the extent of the danger.

63. Pakistan, a developing country with limited resources, had for years borne nearly half the financial cost of providing the Afghan refugees with the basic necessities of life and the recent decline in international humanitarian assistance had aggravated the hardship of the refugees and placed Pakistan in a difficult financial situation. Cash assistance from UNHCR had declined from \$46.1 million in 1987 to about \$30.9 million in 1990 and the kerosene oil supply had been reduced from 39 million litres to 19 million litres. To meet the shortfall in wheat donated by the World Food Programme, the Government had had to release 570,000 metric tons of wheat worth \$125 million from its own stock. It was becoming virtually impossible for Pakistan to fill the gaps in the international commitment to the needs of the refugees.

64. The key to the voluntary return of the Afghan refugees lay in finding a political settlement which enjoyed the support of the vast majority of the Afghan population. Pakistan was co-operating fully with the Secretary-General in promoting an acceptable political settlement which would enable the Afghan refugees living in Pakistan and Iran to return to their homes in safety and honour.

65. She drew attention to the gross violations of the basic human rights of the people in the occupied areas of Jammu and Kashmir. The spontaneous uprising of the Kashmiri people against the Indian occupation had been crushed by the Indian forces, who since January of the current year, had killed 2,500 civilians and maimed and injured many more. An extended curfew had seriously disrupted normal life in the Kashmir Valley, food scarcity and restrictions on the movement of people had crippled the economy of Kashmir and had left the people without basic medical and sanitary services. Indeed, the people of Kashmir were on the brink of starvation.

(Mrs. Baseer, Pakistan)

66. A virtual news blackout had been imposed by the Indian Government and had prevented the international community from gauging the true dimension of the violations of human rights in the territory. Amnesty International had been banned from entering the area but some independent observers, men of conscience and human rights organizations had managed to gather information on the acts of repression being perpetrated by India and had provided a rare glimpse of the reign of terror unleashed by India that had caused thousands of Kashmiris to flee the area.

67. India's claim that the will of the people of Jammu and Kashmir regarding the future status of the country had been determined in elections held under Indian control was a mere subterfuge to evade its international obligations and India's further assertion that Jammu and Kashmir were an integral part of India lacked any legal, political or moral justification. The massive uprising in Kashmir was an unambiguous rejection of the Indian contention and a reaffirmation of the fact that the people of Jammu and Kashmir continued to be denied the right to self-determination. The international community should not tolerate the reign of terror imposed by India; it was time for the United Nations system to monitor and investigate its human rights violations in Jammu and Kashmir through existing mechanisms. Pakistan was steadfastly committed to seeking a peaceful settlement in the dispute over Jammu and Kashmir in accordance with the relevant United Nations resolutions.

68. Mr. van SHAIK (Netherlands) said that his delegation was still deeply disturbed by the vast number of human rights violations in the world. On the other hand, it welcomed the end of the East-West confrontation and the fact that human rights were no longer hostage to cold war polemics. In the new political situation, a sustained effort should be made to strengthen the United Nations supervisory machinery which was very important in improving respect for human rights. In the regional context, he welcomed such encouraging developments as the mechanisms established by the Conference on Security and Co-operation in Europe (CSCE) which prescribed specific procedures enabling States to hold each other accountable for violations of human rights, the Commission established pursuant to the OAU charter of human and peoples' rights and the OAS Convention on Human Rights.

69. He hoped that the political trend in Central and Eastern Europe would lead to a constructive climate in dealing with future human rights issues. Whereas formerly Eastern European States sided with countries being scrutinized in an effort to avoid United Nations scrutiny themselves, now both East and West tended to adopt a more open approach towards examination of concrete cases of human rights violation. He warned, however, against the risk of a new configuration of loyalties that created a North-South confrontation with respect to such concrete cases.

70. His delegation had noticed with particular concern that the argument of non-interference by the international community in the domestic affairs of States had resurfaced. It was an argument used by Governments as an alibi for their dismal record of human rights violations. His own delegation's position was based on the universality of international human rights law, under which such violations

(Mr. van Shaik, Netherlands)

were a common concern of all nations and peoples. The contention that Article 2 (7) of the Charter precluded United Nations intervention in human rights matters was legally untenable. Article 2 (7) did not prejudice the human rights involvement of the United Nations on the basis of Articles 1 and 55, for example. Indeed, the history of 40 years of United Nations human rights action clearly demonstrated that the non-interference argument was invalid. Surely, no one would question the appropriateness of the United Nations resolutions and the decisions of the International Court of Justice relating to the system of apartheid in South Africa.

71. The non-interference argument was also untenable for political reasons. The common concern of States to respect human rights inspired by the Universal Declaration created a duty towards the people whose rights were violated by Governments to hold those Governments accountable. Indeed, it had been acknowledged by representatives of Uruguay, Argentina and Chile that the continuous questioning about the human rights situation in their countries by the international community was instrumental in effecting positive changes in their internal human rights situation.

72. While some Governments apparently had difficulty in reconciling their domestic laws with their obligations under the International Human Rights Covenants, it should be remembered that the Vienna Convention on the Law of Treaties stipulated that no State could invoke its internal law as a justification for its failure to perform a treaty. The stipulation also applied to international human rights law, under which States could not reverse the order of precedence between national and international law.

73. With dictatorial régimes being replaced by democratically elected governments in Central and Eastern Europe and in a number of Latin American countries, the question of impunity and responsibility for past human rights violations became highly pertinent. His delegation believed that in principle the facts of those violations should be investigated and published and those responsible should be prosecuted. The problem of impunity should be addressed in the United Nations in keeping with the precedents established by the Organization in the various international human rights instruments to which many Member States had become parties. The International Covenant on Civil and Political Rights, for example, provided for an effective remedy to be available to victims of human rights violations; the Convention on the Prevention and Punishment of the Crime of Genocide required States to punish perpetrators as did the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment.

74. United Nations policy-making organs had also given their opinions on matters relating to impunity. In 1989, the Economic and Social Council had adopted a resolution denying blanket immunity to any person allegedly involved in extra-legal, arbitrary and summary executions (ECOSOC resolution 1989/65). Specific resolutions of both the General Assembly and the Commission on Human Rights had encouraged or appealed to Governments to investigate and punish violations of human rights. The resolutions of the Sub-Commission on Prevention of

(Mr. van Shaik, Netherlands)

Discrimination and Protection of Minorities had urged States in which persons had been reported to have disappeared to repeal or refrain from adopting laws which could impede inquiries concerning such disappearances (resolution 15 (XXXIV)). His delegation urged Governments which had to cope with the ugly legacy of a repressive régime to demonstrate courage and formulate an investigation and prosecution policy that brought all the facts to light and rendered justice and not be guided by political expediency.

75. His delegation had chosen to address the issue of treatment of cases of human rights violations because the international community had an obligation to all the victims and should pursue a consistent policy of prevention in order to protect potential victims. Those rulers and officials who committed gross violations and considered themselves above the law should remember that today's prisoners could be tomorrow's rulers and vice-versa.

76. Mr. KOSTOV (Bulgaria) said that respect for human rights had become an integral part of international life, a key factor in the development of inter-State relations and the basis for international co-operation. It was the obligation of all States to respect and protect the rights of the individual, regardless of their political and social systems. With that in mind, his delegation favoured the convening in 1993 of a world conference on human rights, which should concentrate on developing a long-term human rights strategy, including the elaboration of new standards and better mechanisms for guaranteeing that States fulfilled their international human rights obligations.

77. The international instruments drafted since the establishment of the United Nations had served as a sound basis for ensuring human rights protection. In that context, his delegation welcomed the elaboration of the draft International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and called for its adoption at the forty-fifth session of the General Assembly.

78. The revolutionary changes in Eastern Europe had had a striking impact on the human rights situation in that part of the world. Efforts to bring national legislation and administrative and legal practice into line with universally recognized human rights standards lay at the core of Bulgaria's radical reform of its political system. Violations of the human rights of certain population groups had been firmly denounced, laws permitting persecution for political and other views had been abolished and the penal code had been amended. Freedom of association, freedom of speech and the right to demonstrate had been guaranteed. A multi-party system had been restored, new electoral laws had been adopted and free and democratic parliamentary elections had been held.

79. As part of that democratic process, Bulgaria would be attaching increased importance to respect for the political, civil and cultural rights of Bulgarians living in neighbouring and other States and would be making greater efforts to respond to their renewed interest in the Bulgarian homeland.

(Mr. Kostov, Bulgaria)

80. A campaign had been started to acquaint the Bulgarian public with all international and regional human rights instruments. Every basic human rights instrument adopted within the framework of the United Nations would be published, some of them for the first time. His Government also hoped to carry out further initiatives with the assistance of the Centre for Human Rights.

81. Mr. KHOSHROO (Islamic Republic of Iran) said that consideration by the United Nations of the human rights situation in the Islamic Republic of Iran was an unfortunate example of the primacy of political considerations over human rights concerns. Nevertheless, his Government had extended full co-operation to the Commission on Human Rights in order to dispel the myth of human rights violations in his country.

82. Since January 1990, the Commission's Special Representative had twice visited the Islamic Republic of Iran and had had the opportunity to speak with individuals and go to places of his choice. The Government of Iran had also intensified its efforts to provide him with detailed information on allegations of human rights violations presented to him, most of which involved fictitious names fabricated by terrorist groups.

83. In response to the request made by the Special Representative, his Government had extended an invitation to the International Committee of the Red Cross (ICRC) to visit Iranian prisons and had requested advisory services from the Centre for Human Rights. Many clemency measures had been implemented, affecting a broad spectrum of prisoners. Administrative orders had been issued to ensure that all trials were held in public with a defence counsel present.

84. Regrettably, despite his Government's co-operation, the interim report drafted after the Special Representative's second visit in less than a year had taken a superficial and negative approach, reflecting the politically charged atmosphere in which it had been drafted. The report completely reversed the findings of the previous report and owing to political pressure did not give an accurate picture of the real situation. The general observations did not follow logically from the body of the report, magnified technical allegations and contained sweeping generalizations. The report also had a decidedly cynical slant and belittled the positive developments in the human rights area. The violations cited were based on an unnecessarily rigid interpretation of human rights instruments.

85. The Special Representative admitted that the recommendations he had made after his first visit had been implemented by the Iranian Government. In paragraphs 271-274 of the report, he acknowledged that, in response to his request, the Islamic Republic of Iran had invited ICRC to visit Iranian prisons with "no restrictions whatsoever as to the prisons that can be visited or the kinds of prisoners or their offences", that the Iranian Government had "requested technical assistance from the Centre for Human Rights", had "granted a number of amnesties which had benefited many prisoners" and had set up a special fund to provide the accused and convicted prisoners with financial aid. That decidedly short section concluded by recognizing that "the Government's co-operation with the Special

(Mr. Khoshroo, Iran)

Representative has improved and has come closer to, although it has yet to reach, what could be considered a desirable level". Yet, it was worded in such a way as to imply that the human rights situation in the Islamic Republic of Iran had deteriorated.

86. The reason for the harsh tone of the second report must be sought in the well-orchestrated campaign conducted by certain Governments to apply political pressure on the Special Representative. After his report on his first visit in January 1990, the Special Representative had been criticized for being too lenient and for having produced an incomplete report, and a letter campaign had been started to convince the Secretary-General to dismiss him.

87. As stated in paragraph 257 of the report, in the course of the visit the Special Representative had interviewed individuals said to have been executed. They had presented their identity cards, thereby proving that at least some of the allegations submitted to the Special Representative were utterly false. But whereas in the previous report the Special Representative had considered that information important enough to be included in the final observations, he had failed to do so in the final report and had even questioned on technical grounds whether the listed persons were identical with those who had appeared before him. Yet he had not applied such rigid standards when examining the allegations in paragraph 285, where he based his findings on the unsubstantiated claims of individuals.

88. The new information concerning terrorism in paragraphs 241-243, brought to the attention of the Special Representative, had not been included in the final observations. While the Special Representative contended that he had dealt with the issue in his first report and that the two reports should be considered together, he should not have neglected to cite the new information in his final observations. He also departed from the practice whereby an issue covered in the conclusion of a first report need not be addressed again in the observations contained in a second report.

89. In paragraph 280, the Special Representative made the sweeping generalization that "citizens who have availed themselves of the right of petition have not received a reply from the officials petitioned". In reality, a standing committee of the Parliament, the "Committee of Article 90", which he failed to mention, regularly heard complaints about members of the executive and judicial branches and was under obligation to reply to the petitioner.

90. By contending, in paragraph 285, that restrictions on the press "begin with the distribution of paper, which is in Government hands", the Special Representative had mistaken the Islamic Republic of Iran for a centrally planned economy. The Government subsidized paper, but did not control it, nor did it have a monopoly on the distribution of paper, most of which was imported.

(Mr. Khoshroo, Iran)

91. In paragraph 288, the Special Representative reproduced the unsubstantiated claims of people who opposed the Government as his own "evidence of people's uncertainty about the consequences of their actions" and cited as an example the words of a member of Parliament, who said "I am not secure enough to say what I want to say". In actual fact, that sentence had been quoted out of context, because in the statement from which it had been drawn, the parliamentarian had criticized the Government in a live broadcast on national radio, which was common practice. Anyone familiar with the workings of the Iranian Parliament knew that it was a forum for lively debate and criticism. It was unfortunate that the Special Representative had given a distorted picture of one of the country's strongest democratic institutions.

92. The allegations of mass and summary executions, arbitrary arrest, torture, abduction and involuntary disappearances and the execution of political prisoners had been explicitly rejected in the first report and omitted from the second. Having found no evidence to substantiate those baseless allegations and, in fact, having found evidence, as seen in the first report, to refute them, the Special Rapporteur had focused his attention on issues that by no stretch of the imagination justified international monitoring. It was apparent that a repetition of the allegations were an attempt to continue consideration of the question for purely political motives. That approach was not conducive to strengthening human rights monitoring mechanisms and would undermine beyond repair the authority and relevance of the United Nations.

93. Mr. RAZZOQI (Kuwait) said the world was groping towards a new world order in which the Charter would be strengthened and fully implemented. As a Kuwaiti, he had seen his dreams for a better world shattered on 2 August 1990, when Iraqi forces invaded his country. In the 116 days since the occupation of Kuwait, barbarous practices of the Iraqi forces had brought about a terrible tragedy. Destruction, pillaging, rape, torture and summary executions had become commonplace, the victims being not only the Kuwaitis themselves but also the nationals of other States who were guests in that country. The Iraqi régime had no respect for the sanctity of human life or for international moral standards.

94. Press reports had documented numerous cases of torture and summary executions. The Iraqi régime even sought to eradicate any evidence that Kuwait ever existed by confiscating Kuwaiti passports and removing archives. Kuwaiti citizens had been ordered to register as Iraqis or face the consequences. Schools, libraries and museums had been systematically sacked, and streets and hospitals in Kuwait had been given Iraqi names, the aim being to destroy Kuwait's identity. The Iraqi régime was committing a crime against humanity.

95. But the united front of the peoples and Member States of the United Nations would make it possible for the legitimate Government to return and to celebrate the liberation of the people and the land of Kuwait from the Iraqi invader. That enterprise would succeed because the international community was prepared to stand with Kuwait to resist aggression and ensure peace and security for that country.

96. Mrs. AL-FAHID (Kuwait) said that she had personally witnessed numerous examples of brutality and atrocities committed against the elderly in Kuwait. She cited cases of harassment, rape and various other forms of mistreatment, resulting at times in death. She appealed to the United Nations to come to the aid of the Kuwaiti people.

97. Mr. IBRAHIM (Kuwait) said that until very recently he had worked as a physician in a Kuwaiti hospital. He reported that most of the hospital staff had been terrorized; some had been tortured or killed. He himself had personally supervised the burials of 120 newborn babies, who had died as a result of being removed from their incubators. In another example of aggression against the civilian population, the Iraqi military had forced disabled and elderly persons to leave three care facilities so that the buildings could be used for military purposes and torture.

98. The CHAIRMAN thanked the representatives of Kuwait for their testimony. The silence in the room demonstrated the heartfelt response of the Third Committee to the suffering of the Kuwaiti people.

99. Mr. ALFARO-PINEDA (El Salvador) said that the Government of El Salvador had demonstrated its commitment to achieving peace by participating in the various negotiations which had taken place during the past year with the Frente Farabundo Martí para la Liberación Nacional (FMLN) notwithstanding that group's attacks on the civilian population and its attempts to destroy the economic infrastructure of the country.

100. His Government had supported and would continue to support United Nations efforts to act as a mediator in the conflict. It strongly condemned the recent increase in violence on the part of the FMLN, which had resulted in injuries and deaths among the civilian population and had weakened the national economy. There was no political basis for the escalation of the Salvadorian conflict; his Government remained open to a solution based on negotiation. In that connection, it was essential that the FMLN should respect the spirit and the letter of the Agreement on Human Rights, signed at San José, Costa Rica in July 1990, which had established a set of immediate measures to ensure respect for the rights of the non-combatant civilian population.

101. In his inaugural speech in 1989, the President of El Salvador had promised to protect human rights. It was therefore gratifying to note that in his report on the situation of human rights in El Salvador (A/45/630), the Special Representative had acknowledged the efforts made by the Salvadorian authorities to improve the situation of human rights. At the same time, the ongoing armed conflict in his country had led to serious human rights abuses. His Government was determined to build a modern society based on social justice reflecting the desire of the great majority of the Salvadorian people. His Government wished not only to improve the situation of human rights but also to establish measures to prevent any repetition of human rights violations. Various groups in his country had publicly condemned human rights abuses and vowed to combat them. Yet those efforts had often failed because respect for human rights had been politicized or manipulated to serve the

(Mr. Alfaro-Pineda, El Salvador)

ideological interests of the leaders of those groups. In the end, political bias had created a distorted view of reality and prolonged a conflict caused by the obstinacy of those refusing to adopt a democratic and pluralistic approach. Such biased attitudes had become one of the main obstacles to ensuring genuine respect for human rights.

102. It would be disrespectful to those who had suffered to pretend that human rights abuses were not a reality in El Salvador. Yet, through the years, the armed forces had been blamed for committing those abuses, although there was abundant evidence of human rights violations by members of the FMLN.

103. Human rights violations were unacceptable in any State, regardless of its size, sphere of influence or ideology. His Government was seeking not only to end the armed conflict but also to achieve a sustainable peace, which would bring about true social justice. It was shaping a democratic process whereby conflicts were resolved through dialogue and political solutions. Throughout that long and difficult process, it was important not to forget those who had sacrificed everything, even their lives, to attain those goals.

104. Mr. MAVROMMATIS (Cyprus) said that new horizons in the field of human rights had been opened up by recent world events, including the granting of wide-ranging civil and political rights in Eastern Europe and elsewhere and the signing in November 1990 by the members of the Conference on Security and Co-operation in Europe (CSCE) of a treaty reaffirming the principles of respect for human rights. Those changes would have a direct bearing on the Committee's deliberations. The prevailing climate of reconciliation was leading towards peaceful settlement of regional and international conflicts, with the United Nations taking a more active and decisive role.

105. Only one international conflict remained to blot Europe's record: the continuing occupation by Turkey of the northern part of the Republic of Cyprus, which violated the human rights and fundamental freedoms of all Cypriots. The occupying army denied freedom of movement and residence within the borders of Cyprus to both Greek and Turkish Cypriots. Moreover, the implanting over the years of 80,000 Turkish settlers in Cyprus represented an obvious effort on the part of Turkey to change the demographic structure of the occupied areas and to dilute the political will of the Turkish Cypriot community.

106. The extent and seriousness of human rights violations by the Turkish troops had been documented by the European Commission of Human Rights and by the Commission on Human Rights, both of which had called for the restoration of human rights to all Cypriot citizens. Unfortunately, no progress could be reported in that area. In fact, since the Turkish invasion thousands of Greek Cypriots had left the occupied areas because of discrimination and harassment at the hands of the occupying army. In a further effort to divide the Republic of Cyprus permanently, the occupying forces had deliberately changed historic place names and had destroyed much of the rich cultural heritage of the country.

(Mr. Mavrommatis, Cyprus)

107. The most tragic aspect of the Cyprus problem was that of the 1,619 missing persons, many were civilians, including women, children and elderly persons. The Cypriot Government possessed a wealth of evidence that many of those listed as missing had been seen or heard from after being taken into Turkish custody. Nevertheless, for the past 16 years, the Turkish side had been refusing to co-operate in efforts to trace the missing persons, maintaining that it had not detained any Greek Cypriots and that anyone claimed as missing must be considered dead. Although a Committee on Missing Persons in Cyprus had been established in 1981, it had not made any substantial progress. The Committee's work had been hindered by the severe limits on its powers, the refusal of the Turkish military authorities to provide evidence and the doubtful reliability of the witnesses' testimony.

108. The Government of Cyprus had co-operated fully with the investigation of missing persons cases and would continue to do so. Yet, such efforts were fruitless unless the Committee on Missing Persons began to function more effectively. Three elements were needed to achieve that goal: the Committee's investigations should be carried out not only in the area under the control of Turkish troops but also in Turkey itself; the freedom of movement in Cyprus and Turkey of the three Committee members had to be ensured; and the investigative procedure should be expanded to include exhumation and forensic examination of dead bodies.

109. The Secretary-General was still striving to find a negotiated solution to the Cyprus problem. The Government of Cyprus had exerted every effort to arrive at a just solution, which would safeguard the rights and interests of both communities. Unfortunately, those efforts had been blocked by the refusal of the Turkish Government to negotiate in a serious manner and by its demands for the permanent division of Cyprus.

110. The people of Cyprus were still basing their hopes on the international community. In particular, their expectation was that the United Nations, in its new position of strength and power, would help to find a satisfactory solution to his country's grave difficulties.

111. Mr. MUJICA (Cuba), commenting on human rights situations of particular concern to his delegation, said that the international community must remain vigilant in its struggle against apartheid lest it encourage intransigence on the part of the white minority, thus delaying the dismantling of the apartheid system. Of even greater concern was the situation in the Israeli-occupied Arab territories, where violence against the Arab population was blocking the way to the achievement of a just and lasting peace in the Middle East.

112. His Government endorsed the recent efforts of the Secretary-General to assist in seeking a solution to the conflict in El Salvador. In that connection, the Agreement on Human Rights, between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN), provided an important basis for further agreements.

(Mr. Mujica, Cuba)

113. In spite of the efforts of its President, the Guatemalan Government had been unable to exert enough authority to put an end to the assassinations, kidnappings and threats by the death squads. It was to be hoped that a continuation of the Oslo dialogue between the Guatemalan Government and the Unidad Revolucionaria Nacional Guatemalteca would contribute to improving the human rights situation in that country.

114. In the last few years, human rights had become one more issue to be exploited by certain Western Powers in their attempts to interfere in the internal affairs of States and to promote social discord in the developing countries. Euphoric over the recent events in Europe and steeped in mercantile culture, those Powers wished to use the United Nations as an instrument of their hegemonistic goals, which they masked as concern about humanitarian issues.

115. He was not referring to the sincere concern that a Government might demonstrate with respect to a particular situation in which human rights were being violated. Nor was he referring to the important role of non-governmental organizations and the media in disseminating information about such situations. What was being called into question was the hypocrisy of using human rights issues for the purpose of political destabilization and with a view to imposing political models on other societies and impeding the exercise of the principles on which the United Nations rested, namely, respect for the self-determination of peoples and for their independence and sovereignty.

116. Those who regarded human rights as their private sphere of action were precisely those who were largely responsible for the tragic situation of the peoples of the southern hemisphere, the large majority of whom lacked basic health care, proper nutrition and education. They were also largely to blame for the difficult situation of the Governments of developing countries, caught between enormous debt burdens, the need for structural adjustment, and the decline in living conditions of their populations.

117. While the spokesmen of many powerful countries of the North boasted about the advent of a peaceful new stage in international relations, the supposed benefits were not being directed to the South, whose people continued to be the targets of policies of aggression and interference and economic, political and military pressure. The industrialized societies of the North treated the countries of the South with contempt while attempting to indoctrinate them in their own ways. However, the industrialized countries could hardly be said to be commendable models. The international community should look into the situation in those countries, where many serious social problems were rampant, in particular, inequality, racism, unfair treatment of migrant workers (particularly those from third world countries), prostitution, violence, drugs, and the concentration of wealth in the hands of the few.

118. The hypocritical positions adopted by certain countries could only widen the gap between the interests of the developed world and those of the third world with respect to the objectives which had led to the establishment of the United Nations.

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(Mr. Mujica, Cuba)

119. The Cuban revolution had as its aims the defence of the sovereignty and independence of the country and the achievement of equality ensuring that all Cubans could fully enjoy their collective and individual human rights. Even before the revolution, the United States had intervened to prevent the exercise of those rights, and now persisted in waging a brutal propaganda campaign against his country. Those obstacles notwithstanding, his country had succeeded in lowering the infant mortality rate to 10.3 per thousand live births, and Cuba provided more doctors to the developing countries than did the World Health Organization. The consumption of drugs as a social phenomenon had been eliminated, prostitution had been prohibited and all Cubans enjoyed equal opportunities.

120. Recalling the unsurpassed bravery of the Cuban people in their struggle to liberate themselves from régimes supported by the United States, he said that the Cuban people would never tolerate the so-called torture and reign of terror which, according to the allegations of the United States delegation, prevailed in Cuba. For the United States Government to set itself up as a judge in respect of human rights was an insult to the intelligence of the international community. The United States continued to intervene unchecked, militarily and politically, throughout the world, in defiance of international law. Moreover, the United States, which amassed enormous wealth mainly by exploiting the resources of the third world, was a profoundly racist society in which millions of blacks, Hispanics, Indians and other groups were deprived of their most basic rights. Institutionalized racism persisted in criminal and civil law, and practice favoured the rich over the poor and whites over other population groups. Legal manoeuvring continued to permit the exploitation of Hispanics and other non-whites as cheap labour. The United States judicial system had always been used by the Government to condemn political activists as criminals before national and world public opinion.

121. The United States Government had sought through its vicious campaign of lies to induce other countries to join its anti-Cuban propaganda campaign. He urged those States not to allow themselves to be tricked into adopting such a position, because it would undermine respect for them in the international community. The resolution adopted in the Commission on Human Rights against his country was based solely on lies and fabrications and had nothing to do with human rights. It was simply one more example of the attacks directed by the United States Government against his people for over 30 years.

122. He recalled that in 1979 the Sub-Commission on Prevention of Discrimination and Protection of Minorities had found that a pattern of violations of the human and legal rights of minorities existed in the United States. The United States Government had ignored the condemnation of those violations, and in subsequent years the situation had grown worse.

123. His country would not tolerate the manipulation of human rights or permit the powerful to impose their will by force under any pretext, and would continue to denounce injustice, immorality and illegality wherever it occurred.

124. Mr. CHRYSSANTHOPOULOS (Greece), referring to continuing human rights violations in Cyprus, said that it was a matter of great concern that Cyprus continued to be subjected to the occupation of almost 40 per cent of its territory and to serious and massive violations of human rights and fundamental freedoms. Referring to the report of the Secretary-General on the implementation of the resolution of the Commission on Human Rights pertaining to Cyprus (E/CN.4/1990/21), he noted that Commission resolution 1987/50 and the relevant resolutions of the General Assembly and the Security Council had never been implemented by Turkey.

125. Consequently, 200,000 Cypriots remained refugees in their own country, following the Turkish invasion of July 1974 and the continuing occupation of part of the Republic of Cyprus. Their homes and property had been seized and given away under false titles to persons other than their lawful owners. Missing persons were still unaccounted for after 16 years. It was absolutely necessary to enhance the effectiveness of the Committee on Missing Persons, and his delegation therefore fully supported the three-point proposal put forward in that regard by the representative of Cyprus.

126. Greek Cypriots in the occupied part of Cyprus were subject to systematic harassment and were thus being forced to leave their homes. There had been 22,000 Greek Cypriots in the occupied area after the 1974 invasion; the number had now decreased to 593. Turkey was also trying to change the demographic structure of the occupied areas through the massive transfer of settlers from eastern Turkey, generating pressures and even violence between the settlers and the Turkish Cypriot community. Turkey had blatantly disregarded Security Council resolution 541 (1983) and other United Nations resolutions and also article 49 of the Fourth Geneva Convention. The European Commission of Human Rights had also found that Turkey had violated fundamental articles of the European Convention on Human Rights. The cultural heritage of Cyprus in the occupied territory was also being pillaged, sold and even destroyed.

127. Because the individual was the sole beneficiary of human rights and fundamental freedoms, it was imperative to give paramount importance to safeguarding human rights and fundamental freedoms in Cyprus, particularly freedom of movement, freedom of settlement and the right to property, which were basic components of the rights which an individual should enjoy in a free society. Turkish Cypriot intransigence had caused the intercommunal talks to collapse in March. The report of the Secretary-General on his mission of good offices in Cyprus (S/21183) noted that the current impasse had raised questions about the essence of the mandate of good offices entrusted to the Secretary-General by the Security Council and, therefore, about the basis of the talks. The Security Council, by its resolution 649 (1990), had rejected the attempt to change the basis of the talks. Thus, the likelihood of an overall settlement of the Cyprus problem had diminished.

128. In April and June 1990, the Heads of State or Government of the European Community had expressed deep concern at the situation and reaffirmed their previous declarations and their support for the unity, independence, sovereignty and territorial integrity of Cyprus in accordance with the relevant United Nations resolutions. They had reiterated that the Cyprus problem affected relations

(Mr. Chryssanthopoulos, Greece)

between the Community and Turkey and, bearing in mind the importance of those relations, had stressed the need promptly to eliminate the obstacles to effective intercommunal talks aimed at finding a just and viable solution to the situation in Cyprus on the basis of the mission of good offices of the Secretary-General as reaffirmed by Security Council resolution 649 (1990). The Secretary-General was continuing his efforts to implement his plan of action. Greece, for its part, in close co-operation with the Government of Cyprus, would continue to give its full support to his mission and hoped that it would soon be successful.

129. The problem of Cyprus could not be solved until the Turkish occupying forces and settlers withdrew from Cyprus and the people of Cyprus as a whole could enjoy their fundamental freedoms and the fruits of co-operation and unity without external intervention. He once again urged Turkey fully to implement the relevant resolutions of the Commission on Human Rights and other United Nations bodies.

130. Mr. ALI (Iraq), speaking in exercise of the right of reply, said that it was truly to be regretted that such a lofty issue as human rights should be exploited for the political purposes of interfering in the internal affairs of States and pillorying other countries. The same delegations that had voted against or remained silent on draft resolutions calling for respect for the human rights of the Palestinian people in the occupied Arab territories had lamented the human rights situation in various other parts of the world. The adoption of such political double standards evinced a transparent hypocrisy among nations.

131. The United States of America, whose representative had decried the human rights situation in Iraq in his statement to the Committee on 21 November 1990 (A/C.3/45/SR.49), conducted its international relations with a cowboy mentality. In his statement, that representative had reiterated lies and allegations concerning Iraq based on no objective evidence, while closing his eyes to the crimes of Israel, the strategic ally of the United States, against the Palestinians and the Arabs in Lebanon and the other occupied Arab territories.

132. While the United States was perhaps the wealthiest country in the world, it was the most impoverished with regard to respect for human rights, whether within the country or in connection with its military crimes and police actions in various parts of the world. Everyone knew how many millions of Americans were living on refuse in the streets and dying of poverty, lack of access to medical treatment and drug addiction. Such were the human rights enjoyed by Americans of which the United States representative had been ashamed to speak. The acts of murder, seizure, terrorism and disregard for human rights committed by the United States in Latin America, the Middle East and Asia were well known to all. It was sufficient to point to the tens of thousands murdered by United States military forces in Panama. Those who lived in glass houses should not throw stones.

133. Mrs. DINH THI MINH HUYEN (Viet Nam), speaking in exercise of the right of reply, said that there were no political prisoners in Viet Nam, contrary to the assertion made by the representative of Italy at an earlier meeting. Since the liberation of South Viet Nam in 1975, her Government, as part of its lenient and humanitarian national reconciliation policy, had freed and restored citizenship to approximately 1.3 million people who had collaborated with foreign armed forces during the Viet Nam war. There had been no reprisals in Viet Nam like those that had occurred in Europe after the Second World War. Persons who remained in detention had committed serious crimes during the Viet Nam war and were war criminals, not political prisoners. Had they been brought to trial, they could not have escaped capital punishment or life imprisonment. Most of them had been released following the annual amnesties, and the Government had helped them to reintegrate into society. Only 128 such persons remained in detention and the Government was considering their cases with a view to their release. People who were in detention in Viet Nam had violated the law; they were not in detention because of their ideology or beliefs.

134. Mrs. KUNTJOROJAKI (Indonesia), speaking in exercise of the right of reply to the remarks made by the representative of Italy on behalf of the 12 States members of the European Community, said that allegations of human rights violations in East Timor were totally unfounded. She drew the Committee's attention to a letter from the Permanent Representative of Indonesia concerning East Timor, which had been circulated as document A/45/549.

135. Since the decision of the people of East Timor to integrate with Indonesia 14 years earlier, certain factions within and outside East Timor had sought to deny that legitimate right. It was those disgruntled factions that had made unfounded allegations in an effort to destabilize the province and detract from the real progress that had been made in political, economic, social and cultural development, in other words, the increasing enjoyment of human rights in all their aspects.

136. Freedom of movement to, from and within East Timor was guaranteed and her country had always welcomed the contributions of genuine and responsible human rights organizations to efforts to improve and protect human rights. Such co-operation was consistent with her country's past actions in promoting respect for human rights throughout the world.

137. Mr. ABOU-HADID (Syrian Arab Republic), speaking in exercise of the right of reply, said that his delegation regretted the fact that the representative of Italy, in his statement on behalf of the 12 States members of the European Community, had referred to the domestic situation in Syria. That representative was not in a position to be informed of the situation in Syria and his allegations were unfounded.

138. Mr. SIDDIG (Sudan), speaking in exercise of the right of reply, said that he wished to respond to the statement made by the representative of Norway in his capacity as special adviser on human rights, to the effect that the situation of human rights in the Sudan was not improving. Successive Sudanese Governments had endeavoured to negotiate with a segment of society that had chosen to resort to armed struggle to change the Government and constitutional, political, economic and social systems in his country. Efforts by the current Government to negotiate with the rebels had failed, primarily because of foreign interference. A national conference for peace and development held at Khartoum in 1989, had recommended a basic programme for peaceful negotiations with the rebels. Successive Governments had also paid special attention to the welfare of citizens affected by the armed conflict in southern Sudan. His country was particularly proud of Operation Lifeline Sudan, which had set a historical precedent.

139. He was pleased to announce that in recent weeks his Government had decided to release all political detainees, despite the fact that they had been held on justifiable legal grounds. Moreover, at a recent meeting in New York with the Secretary-General of Amnesty International, the President of the Sudan had extended an invitation to visit his country to verify all allegations concerning the Sudan's so-called human rights violations. He urged all those concerned with the issue of human rights to endeavour to obtain the facts concerning human rights in the Sudan and elsewhere from reliable, admissible sources.

140. Mr. GATHUNGU (Kenya), speaking in exercise of the right of reply, said that at the Committee's 52nd meeting, the Norwegian representative had said that Norway had found it dispiriting to observe imprisonments and detentions of advocates of human rights and democratization in Kenya. In fact, no Kenyans were currently being detained because of their advocacy of human rights or democratization. Three people, whose names had been published in accordance with the provisions of the Constitution, had been detained under the Preservation of Public Security Act, and their detention was constantly under review by a tribunal headed by a high-court judge.

141. The decision of the Government of Kenya to sever diplomatic relations with Norway was a bilateral issue that need not concern the Committee. The Government of Norway had been duly informed of the circumstances leading to that difficult decision, circumstances that had been provoked by unfriendly, hostile activities and an arrogant attitude on the part of the Norwegian Government.

142. Kenya was an open society governed by the rule of law. Like every other country, including Norway, it had a responsibility to safeguard its security. Individuals who engaged in activities inimical to national security were dealt with according to due process of law as set forth in the code of criminal procedure. Kenya had nothing to hide as regards its human rights record.

143. Mrs. FERNANDO (Sri Lanka), speaking in exercise of the right of reply, said that, at the Committee's 53rd meeting, the representative of Australia had referred to a recent incident in Sri Lanka in which documents intended for the Working Group on Enforced or Involuntary Disappearances had been seized by a police officer. The documents in question had been returned, and the person concerned would be free to use them in accordance with the laws of the country, under which tampering with evidence by anyone, including a police official, was a punishable offence. It was not government policy to hinder the free flow of information, and there was free and open discussion of all issues in Parliament and in the press. The Government would continue to co-operate with the relevant United Nations bodies and had extended an invitation to the Working Group on Enforced or Involuntary Disappearances to visit the country and witness the open discussion of human rights issues by the many national human rights organizations.

144. Government efforts in the north and east of the country were directed towards restoring law and order and persuading the Liberation Tigers of Tamil Eelam (LTTE) to participate in elections. The Government was deeply conscious of the suffering inflicted on civilians in those areas, and it had taken all possible measures to protect life and property and alleviate hardship there.

145. Her Government would continue to welcome constructive criticism with a view to strengthening its efforts to preserve and promote constitutionally guaranteed fundamental freedoms and international human rights norms. It nevertheless felt that it had to reject reports that failed to take account of the complexities of the situation in Sri Lanka, particularly at a time when the Government and Tamil and Muslim groups were engaged in an all-party conference to seek political solutions that would address the fundamental causes of the violence.

146. Mrs. ZAMERESCU (Romania), speaking in exercise of the right of reply, said that, in all its statements to the Third Committee, her delegation had explicitly affirmed that while Romania was irreversibly embarked on the road to democracy, it had yet to cross the border separating a democratizing country from a democratic one. Her delegation welcomed the statement made by the representative of Canada to the effect that the Romanian Government had made a real effort to overcome the difficult and painful legacy of the past, not because such a perception would save the Government further and more systematic efforts in bringing its legislation and practice in the field of human rights up to the level of the highest international standards, but because it correctly suggested that Romania had the political will to carry that process through. The achievement of an all-inclusive democratic framework was first and foremost a matter of time, and the elaboration of a new constitution was undoubtedly of vital importance in that respect. At the same time, Parliament was considering new laws to complement and strengthen existing legal norms for the promotion of human rights, including a law on national minorities.

147. The allegations made in the statement by the representative of another country in connection with the human rights situation in Romania revealed a regrettable failure to adhere to objective, internationally accepted criteria in assessing the difference between respect for and violation of human rights.

148. Mr. VAJPAYEE (India), speaking in exercise of the right of reply, said that his delegation rejected the unwarranted allegations made by the representative of Pakistan. Pakistan's espousal of human rights in the Indian state of Jammu and Kashmir while at the same time aiding and abetting terrorism, secessionism and fanaticism was a dangerous paradox that it should abandon. The terrorists in question had maimed and murdered thousands of innocent people, and the Indian authorities were striving to punish the guilty and restore normalcy. Selective references to disturbances in Jammu and Kashmir could not conceal the fact that Pakistan was behind those who incited such disturbances.

149. Moreover, Pakistan's human rights record in its own provinces of Sind and Baluchistan was tarnished. Its self-serving definition of self-determination, which did not apply to integral parts of sovereign nations, could only be a recipe for disintegration in Pakistan itself, as well as elsewhere. Various linguistic groups within Pakistan had expressed their discontent, and if Pakistan's doctrine of self-determination were to be applied to itself, the implications for that country could be serious.

150. India sought to promote its agreement of friendship and co-operation with Pakistan, whereas Pakistan gave every indication of attempting to undermine it. In a world where mistrust and confrontation seemed to be giving way to trust and co-operation, the two countries should be working to strengthen security and confidence. Pakistan's incessant attempts to inflame matters by interfering in India's internal affairs ran counter to the forceful and constructive direction that the rest of the world wished to take.

151. Mr. HUSSAIN (Pakistan), speaking in exercise of the right of reply, said that although answers to most of the issues raised in the statement by the representative of India were contained in the statement made by his delegation earlier in the meeting, a few points needed to be made in order to set the record straight. The question of Jammu and Kashmir was still on the agenda of the Security Council, and the Kashmiri people had yet to exercise their right to self-determination through a plebiscite held under United Nations auspices, as required by the relevant Security Council resolutions. Elections under Indian control could not be a substitute for such a plebiscite, as had been recognized by the Security Council in its resolutions of 1951 and 1957. Kashmir was a disputed territory, the uprising of the Kashmiri people against Indian occupation was not an internal problem of India, and India could not evade its responsibility for grave violations of human rights and fundamental freedoms by making baseless allegations of interference against Pakistan.

152. A report by an Indian human rights organization issued in August 1990 had revealed harassment and torture of innocent people by the Indian authorities and cases of arson on a massive scale. Another report, also issued in August 1990, had described the indiscriminate killing of some 300 to 400 people in May of the same year.

(Mr. Hussain, Pakistan)

153. The representative of India had made unwarranted remarks about Pakistan which constituted gross interference in its internal affairs. His delegation had confined its comments to events in Kashmir, which was a disputed territory, and had said nothing of the violence in the Indian Punjab, where more than 3,000 people were reported to have been killed since the beginning of 1990, or in other parts of India. Those were internal Indian problems, and Pakistan had every sympathy with India in the problems with which it had to contend. With respect to Kashmir, however, India had a moral obligation to abide by the relevant Security Council resolutions and to honour its commitment to the people of Kashmir and to the international community. The representative of India had alluded to terrorism. The only terrorism that existed in Kashmir was that launched by Indian forces against unarmed men, women and children.

154. Mr. BURGUOGLU (Turkey), speaking in exercise of the right of reply, said that his delegation had stated on numerous occasions that the hostile allegations made on the issue of Cyprus could in no way be helpful to efforts to find a solution. The Cyprus problem had originated in 1963, when the Greek Cypriots, encouraged by Greece, had forcibly removed all Turkish Cypriots from all the organs of state established in 1960 to give effect to the respective rights of the two communities to self-determination. That act of aggression, which had put an end to the Cypriot State, had been followed by armed attacks by Greek Cypriots against Turkish Cypriots that had forced the latter to leave their villages and neighbourhoods and live in enclaves cut off from the rest of the world. The Greek Cypriot Administration had then continued to commit gross violations of the human rights of Turkish Cypriots throughout the next 11 years.

155. As long as the Greek Cypriots harboured such animosity against the Turkish Cypriots, it would be impossible to create the atmosphere of confidence between the two parties that was essential for a solution. As long as the Greek Cypriots continued to attack the Turkish Cypriots, the future partners with whom they must inevitably reach an accommodation, no rapprochement between the two peoples of the island that might lead to a solution could be envisaged. As long as the Greek Cypriots continued to sustain a mentality based on a felt need to subjugate the Turkish Cypriots, which had caused nothing but suffering for 27 years, it would be impossible to create a bi-communal and bi-zonal federation based on the equality of the two parties, as stipulated in Security Council resolution 649 (1990).

156. The allegations that had again been made did not give cause for optimism. The Greek Cypriots would be well advised to abandon their harmful and dangerous mentality for ever. By virtue of Security Council resolution 649 (1990), they were called upon to refrain from any action that could aggravate the situation and prejudice the mission of good offices of the Secretary-General.

157. In connection with the statement made by the Secretary-General at the summit meeting of the Conference on Security and Co-operation in Europe, no mention had been made of the fact that the Secretary-General had also said that the question of Cyprus had persisted for 27 years. Those had been the key words of his statement, and the Turkish delegation was in full agreement with the Secretary-General on those key words.

(Mr. Burguoglu, Turkey)

158. Greece too was continuing to opt for the same rhetoric that had led nowhere. It had done everything in its power to annex Cyprus and had even fomented a coup with that purpose in mind in July 1974. It therefore bore a very heavy responsibility for the problem and was in no position to accuse others.

159. The way to a settlement of the question was indicated in Security Council resolution 649 (1990), which called upon the two communities to pursue their efforts to reach freely a mutually acceptable solution by means of negotiations conducted by the two peoples of the island on an equal footing.

160. Mr. RAZZOONI (Kuwait), speaking in exercise of the right of reply, said that the Iraqi delegation did not deserve the dignity of a response. The Iraqi régime was an outcast, its brutality was well known, and its representative should be ashamed to take the floor on any issue involving human rights.

161. His delegation would like to commend all those who had spoken of the violation of human rights in Kuwait and to offer them its sincere gratitude. Special gratitude was due to the representative of the United States and to the United States Government, which had done so much in its attempt to alleviate the sufferings of Kuwait and to restore legitimacy.

162. Mr. ELIADES (Cyprus), speaking in exercise of the right of reply, said that the representative of Turkey had made a feeble attempt to evade his country's responsibility for the gross and continuing violation of human rights in Cyprus. Turkey was likewise unconvincing when it spoke of its acceptance of European principles in seeking admission to the European Community, and its true character could be seen in its policy on the question of Cyprus.

163. The Turkish Cypriot pseudo-State was totally dependent on Turkey's political, military and financial support, in flagrant violation of United Nations resolutions. As long as it continued to occupy a substantial part of the Republic of Cyprus, Turkey was unable to demonstrate respect for the human rights and fundamental freedoms of all Cypriots and could only do so by withdrawing its 35,000 troops and 80,000 colonialist settlers from the island. Turkey lacked the moral standing even to allude to human rights, having been found guilty by the European Commission of Human Rights of gross, systematic and massive violations of the human rights of the Cypriot people and of its own citizens on the mainland.

164. Mr. CHRYSANTHOPOLLOS (Greece), speaking in exercise of the right of reply, said that it was astonishing that the coup of 15 July 1974, which had been staged by conspirators who were now serving life sentences in Greece, had been invoked by the representative of Turkey. That representative should be reminded that, in the second preambular paragraph of its resolution 649 (1990), the Security Council recalled its relevant resolutions on Cyprus, resolutions which his country continued to violate. Turkey must abide by all the relevant United Nations resolutions on Cyprus without exception

165. Mr. MENON (India), speaking in exercise of the right of reply, said that neither the status of Jammu and Kashmir as an integral part of India nor India's commitment to human rights could be altered by Pakistan's provocative statements. It was to be hoped that Pakistan would desist from interfering in the internal affairs of India, that it would cease foiling India's efforts to maintain relations of good-neighbourliness by opting for confrontation and violence and that it would grasp the need for developing countries to work for the good of their peoples rather than indulging in perilous, provocative and mischievous activities.

166. Mr. HUSSAIN (Pakistan), speaking in exercise of the right of reply, said that, in response to the issues raised by the representative of India, he would merely like to draw attention to the points made earlier by his own delegation.

167. A team of four women sent to Kashmir by an Indian human rights organization in June 1990 had reported that the security forces were being used by the State to terrorize the Kashmiri people into submission. The dismal situation in occupied Kashmir has also been described in a recent newspaper article in the United States.

168. While Pakistan would continue to pursue its policy of developing relations of good-neighbourliness with India and other countries of the region, it would like to be assured of India's intentions in that regard. A peaceful settlement of the Kashmir dispute in accordance with the relevant Security Council resolutions would attest to its sincerity.

The meeting rose at 8.45 p.m.