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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 9th MEETING

Held at the Palais des Nations, Geneva  
on Friday, 6 February 1987, at 10 a.m.

Chairman: Mr. EVMENOV (Byelorussian Soviet  
Socialist Republic)

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The meeting was called to order at 10.15 a.m.

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (continued)

1. The CHAIRMAN informed the Commission that, having considered proposals concerning the organization of the work of the session, the Bureau called upon all members of the Commission to respect the time-limits laid down for statements in exercise of the right of reply, namely 10 minutes and 5 minutes. Concerning the list of speakers, the Bureau considered it appropriate to maintain the previous practice, while bearing in mind the suggestions which had been made and doing its utmost to achieve a more constructive solution.

2. Mr. PACE (Secretary of the Commission), replying to a question raised by various observers, explained that points of order concerning the conduct of the debate under rule 42 of the Commission's rules of procedure could only be raised by full members of the Commission and not by any other participants.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1987/3, 4 and Rev. 1, 5, 6 and 41; E/CN.4/1987/NGO/8, 19 and 20; A/41/680)

3. Mr. MAVROMMATIS (Cyprus) said that, for some years, the Commission had been dealing with the current agenda item as a matter of priority because it was a question of military occupation of a territory; such an occupation was irreconcilable with respect for human rights and fundamental freedoms. It was regrettable to note that the human rights situation in the occupied Arab territories, including Palestine, had still not changed and, indeed, had deteriorated as a result of the policies and practices of the occupying Power, which were a flagrant violation of the human rights and fundamental freedoms of the population of those territories. Regrettably, the highly repressive measures which had been implemented recently could only serve to prolong hostility and distrust between the peoples of the region and increase the suffering of the Arab population of the occupied territories.

4. The illegal annexation of Jerusalem and the Golan Heights was a flagrant violation of one of the basic norms of international law, namely the non-acquisition of territory by force. The establishment of Jewish settlements in the occupied territories in order to alter their demographic structure and the expulsion of the legitimate Arab inhabitants were a source of serious concern to the entire international community, and the Special Committee's report (A/41/680), which was before the Commission, confirmed the gravity of the situation. His delegation was convinced that political and security considerations could not be put forward as a pretext for the use of policies and practices which constituted flagrant violations of the human rights and fundamental freedoms of an innocent civilian population and which were, therefore, unacceptable. The restoration of the rights of the Arab population of the occupied territories, demanded in various United Nations resolutions, was necessary not only for humanitarian reasons, but also because it would establish an atmosphere of trust between the peoples of the region, which was essential if a just and lasting negotiated settlement were to be found for the political problems of the Middle East. History had shown that recourse to threats or force, the escalation of violence, terrorism and extremist attitudes could only lead to further violence and tension. The

political problems of the Middle East could only be resolved by peaceful means, by dialogue and negotiation, based on the principles of the Charter of the United Nations, the relevant United Nations resolutions and the generally accepted principles and norms of international law. Negotiations must be conducted in a spirit of genuine conciliation and compromise, so that all the peoples of the Middle East might, at last, live together in peace.

5. Cyprus had always followed developments in the Middle East with particular interest, in view of the threat which the situation posed to peace and security in a highly vulnerable area of the eastern Mediterranean, where the strategic and other interests of the modern great Powers overlapped. The question of Palestine was at the heart of the Arab-Israeli conflict, and his delegation was sure that a comprehensive, just and lasting solution to the conflict lay in the withdrawal of all Israeli forces from all the occupied Arab territories, the restoration of the inalienable rights of the Palestinian people and recognition of their right to a homeland and their right to establish an independent, sovereign State. It was essential that the Palestine Liberation Organization (PLO), the sole legitimate representative of the Palestinian people, should participate in any negotiations. In that spirit, and in accordance with that principle, Cyprus also recognized the right of all States of the Middle East to exist and live in peace within secure and internationally recognized borders.

6. The Cypriot people had always expressed its solidarity with the war-torn people of Lebanon, particularly in recent years. Cyprus reaffirmed its full support for the independence, sovereignty, territorial integrity and unity of Lebanon and for the principle of complete withdrawal of all Israeli forces from its territory.

7. The international community should make a positive contribution to the quest for a just and lasting peace, for which the peoples of the Middle East had hoped for so long, by means of a process of negotiation which would enable a settlement to be reached. However, that would not be possible unless the parties concerned showed goodwill and a spirit of compromise and set aside their narrow national interests. The United Nations, particularly the Security Council, which was the main body concerned with the maintenance of international peace and security, should play an important role in those efforts. The Commission on Human Rights could also make a major contribution to efforts to restore peace, justice and freedom in the Middle East, on a basis of respect for the human person and human dignity.

8. In conclusion, his delegation reaffirmed the support of the Government and people of Cyprus for the population of the occupied Arab territories, and particularly for the Palestinian people which had suffered for so long.

9. Mr. LOMEIKO (Union of Soviet Socialist Republics) said that the question of the violation of human rights in the occupied Arab territories, including Palestine, concerned all the peoples of the world, whatever their sympathies or antipathies, since the modern world was an interdependent one. No one could fail to feel compassion for the victims of occupation; no one escaped the effects of violence, which eroded international stability and security. The explosive conflict in the Middle East was a dramatic manifestation of the interplay of various military, political, economic and humanitarian factors. In the Middle East, both Arabs and Jews, like all the peoples of the Earth,

strived to live in a safer and more just world, where they need not fear for their lives and dignity. Certain individuals and organizations which practised the cult of force and superiority cared nothing for the rights of others, on the principle "might is right". To be convinced of that, one need only read the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/41/680), dated 20 October 1986. It was remarkable to see the self-assurance of those who, while fully aware of the facts, persisted in defending Israel under all circumstances, and even tried to draw a parallel between the aggressors and their victims. Policies and philosophies based on violence, intimidation, inequality, oppression and discrimination on grounds of race, religion or colour were unacceptable, giving rise to intolerance and the negation of all human values. That had been one of the main points of the Delhi Declaration on Principles for a Nuclear-Weapon-Free and Non-Violent World. Some claimed that justice was impossible in wartime because war itself made repressive measures necessary. The invaders complained of meeting resistance, but what would they do if they were made to suffer as the Palestinian Arabs were suffering? It was intolerable that the 30 articles of the Universal Declaration of Human Rights, which had been adopted after the terrible ordeals of the Second World War, should all be violated in the Arab territories occupied by Israel. For the Soviet people the blood-soaked earth of Palestine symbolized the scourge of war which it, too, had suffered.

10. It was impossible to believe that, as some claimed, it was extremists rather than the State of Israel itself who opposed the existence of Palestine. It had definitely been the State of Israel which had taken Arab territory by force and established paramilitary settlements there. Those responsible for the assassination attempts on the mayors of Nablus and Ramallah on 10 June 1980 had admitted that they had acted with the full knowledge and co-operation of the West Bank military authorities, as stated on page 22 of the Special Committee's report (A/41/680). By a cruel irony of fate, it was the children and grandchildren of those who had known the horrors of genocide who practised a policy of annexation and repression and flagrantly violated the rights and human dignity of the people, merely because they were Palestinians. It must never be forgotten that violence and intolerance could only generate anger and hatred in return. The fate of an entire people, the Palestinian people, was at stake; they were refused the right to live in the land of their ancestors, the right to a homeland, the right to live in dignity. The State of Israel, which demanded recognition of its existence while denying the right to existence of its neighbours, thus demonstrating its arrogance and contempt for others, should cease its annexation policy and implement the United Nations decision on the establishment of an independent Palestinian State.

11. The Soviet delegation strongly condemned the systematic and repeated violations of human rights and fundamental freedoms in the occupied Arab territories, and considered that only a comprehensive solution to the situation in the Middle East could put an end to them. The Commission on Human Rights could contribute to the quest for a solution. It was essential that the peoples of the Middle East should at last be able to enjoy their right to sovereignty, security and development, and all the parties concerned must show their goodwill and change their attitude, taking into account the mutual interests of each party and working on the principle of equality and security for all.

12. Mr. STROHAL (Austria) said that the question of human rights violations in the Arab territories occupied by Israel was at the heart of the Middle East conflict, which was one of the most serious threats to world peace and security. A lasting peace was impossible where human rights were systematically violated.

13. The Middle East question had taken on a new dimension in 1967, when Israel had occupied the West Bank, including East Jerusalem, the Golan Heights, the Gaza Strip and the Sinai. That new dimension had caused particular problems in the field of human rights. While Israel continued its occupation, which could, however, only be temporary, it should protect human rights and ensure the welfare of the population of the territories. Moreover, the chances of a negotiated settlement of the Middle East conflict also depended on the way in which the occupying Power governed the territories it had occupied.

14. International law laid down clear guidelines for cases of military occupation. The applicability of the relevant international conventions, particularly the fourth Geneva Convention of 1949, was incontestable, and the Austrian delegation would have liked to see clearer recommendations to that effect in the Special Committee's report (A/41/680). The settlements policy practised by Israel was the most disturbing manifestation of a tacit annexation process which caused serious confrontations with the Arab population. The Austrian delegation shared the Special Committee's concern at the escalation of violence caused by such a policy. The various repressive measures used by the Israeli authorities against the Arab population were clearly a violation of the human rights of those people. The Austrian delegation wished to stress the important role played by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in improving the economic and social conditions of the Palestinian population of the area, and he reiterated his country's support for the untiring efforts of UNRWA.

15. A settlement of the Palestine question would certainly clear the way for a comprehensive and lasting solution to the conflict in the Middle East. The essential preconditions for the resolution of the problem were the observance of Security Council resolutions 242 and 338, the withdrawal of Israeli forces from the occupied territories, respect for the right of all States to exist within secure and internationally recognized borders, recognition of the national rights of the Palestinian people and participation by its chosen representative, the PLO, in the negotiation process. Austria called upon Israel to abide by the norms of international law in the territories which it occupied and administered. Only an atmosphere of mutual trust among all parties could bring about a peaceful solution to the problem, and respect for human rights was an essential element of the attempt to establish lasting peace in the region.

16. Mr. MEZZALAMA (Italy) said that his country paid particular attention to events in the Mediterranean region because of the historical, cultural, economic and political links which had always characterized its co-operation with the countries of that area. Italy was, therefore, seriously concerned at the signs of deterioration in the current situation.

17. The Commission had often and urgently appealed for peace and mutual understanding but, despite those appeals, the violence continued and produced a sense of impotence and frustration. The statements of previous speakers and the documents before the Commission painted a dismal picture of the situation and emphasized the serious violations of human rights in the occupied Arab territories. Despite the obstacles which still prevented the display of any constructive political will, it would be unfair to deny that there were signs of a profound desire for peace and justice which should encourage dialogue; such a dialogue, in which all the parties concerned must take part, was the only way to overcome the barriers of incomprehension and hatred. Unfortunately, there was still no prospect that the two essential preconditions for a just and lasting solution to the Middle East conflict would be accepted, namely the right to a peaceful and secure existence for all the States of the region, including Israel, and the right of the Palestinian people to self-determination.

18. On the subject of human rights violations, it must be said that, despite the assurances of the Israeli authorities, a policy of severity in the occupied territories had led to a number of abuses. In the higher interests of respect for the fundamental rights of the human person, the Italian delegation appealed once again for responsible and constructive conduct which would not, of course, preclude the strict application of international norms and conventions, particularly the Geneva Conventions of 1949. The Italian Government would continue to monitor the human rights situation in the occupied Arab territories, and had recently discussed the issue in high-level contacts with the Israeli authorities.

19. The Italian Government was most concerned to note the increasing recourse to indiscriminate violence, which often provoked reprisals. In particular, certain infamous and detestable practices, such as the kidnapping of innocent hostages, should be unreservedly condemned, and the Commission on Human Rights would be shirking its responsibilities if it failed to do so.

20. The protection of human rights in the occupied Arab territories was not an isolated problem, but was directly connected with the resolution of the Middle East crisis. Without losing sight of that priority, considerations of international solidarity made it essential to take initiatives in the meantime to relieve the plight of the Palestinian population. To that end, the Italian Government had decided to make a significant increase in its contribution to the aid programme for Palestinians in the occupied territories.

21. Given the serious and disturbing situation, the Commission should endeavour to ensure that the language of balance, co-operation and realism prevailed by contributing to the strengthening of human rights and thus serving the cause of peace which was the only way to give the Palestinians an independent and progressive future.

22. Mr. GERSON (United States of America), speaking in exercise of the right of reply, said that, contrary to what the representative of the USSR would have the Commission believe, the United States was quite capable of distinguishing between victim and victimizer, between aggressor and victim of aggression. He wished to remind the Soviet representative that the USSR, and not his own country, had been behind the growing suspicion which had provoked a series of miscalculations which, in their turn, had caused the 1967 war.

In 1967, it had been the USSR, and not the United States, which had spread unsubstantiated rumours, convincing Egypt that Syria intended to attack Israel. Again, it had been the USSR, and not the United States, which had helped to inflame passions in 1973 and had thus contributed to the outbreak of hostilities in that year.

23. The United States could make distinctions in law as well as in history. His delegation noted with interest that the representative of the USSR had quoted only the Universal Declaration of Human Rights as a yardstick for deciding the issue of respect for human rights in the territories occupied by Israel. The instruments which should be cited in that respect were the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Hague Regulations of 1907. Even a cursory glance at those texts showed that the norms which they defined were substantially different from those laid down in the Universal Declaration of Human Rights. The latter embodied the aspirations of all peoples at times of regional and international peace. The Geneva Convention and the Hague Regulations took into account the reality of occupation; thus, they covered the interests of the population and the protection of its basic human rights, but also the right of the occupying Power to guarantee the safety of its armed forces and the maintenance of public order.

24. Such distinctions were neither technical nor procedural. They were essential for a fair and adequate consideration of the question of human rights under present circumstances. The conclusion of peace treaties by direct negotiation between Israel and its Arab neighbours was the best way to ensure full enjoyment of human rights by the Palestinian population. The United States would always be prepared to contribute to the quest for an Arab-Israeli peace.

25. Mr. LOMEIKO (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that the USSR left it to others to judge how they should react to certain problems. The Soviet delegation's statement had been framed in general terms and had not mentioned any country by name.

26. The CHAIRMAN said that the Commission had concluded its consideration of agenda item 4.

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (agenda item 9)  
(E/CN.4/1987/12 and Add.1, 39 and 40; A/RES/41/100)

27. Mr. HERNDL (Assistant Secretary-General for Human Rights), introducing agenda item 9, recalled that, in recognizing the right of peoples to self-determination, the Charter of the United Nations had made one of its most valuable contributions to international law. Since its inception, the United Nations had established machinery to help colonial peoples to realize that right, and the Organization had played a historic role in that regard throughout the world. The human rights implications of the right to self-determination had been progressively realized, and it had become the cornerstone of the two International Covenants on Human Rights.

28. The General Assembly, the Economic and Social Council and the Commission on Human Rights had all recognized the importance of universal realization of

the right of peoples to self-determination and had realized that denial of that fundamental right might lead to serious violations of other basic human rights. Accordingly, since 1975, the Commission on Human Rights had given careful consideration to the question of the realization of the right to self-determination. At its previous session, it had held a wide-ranging discussion on the right to self-determination and its application to peoples under colonial or alien domination or foreign occupation, and it had adopted five resolutions on specific situations of international concern (resolutions 1986/21, 22, 23, 24 and 25).

29. The Commission had also considered the problem of the use of mercenaries, which was an obstacle to the realization of the right to self-determination. It had adopted resolution 1986/26, in which it had recognized that the activities of mercenaries were a threat to international peace and security and seriously impeded the process of self-determination of peoples struggling against colonialism, racism and apartheid and all forms of foreign domination. It had called upon all States to exercise the utmost vigilance against the menace posed by the activities of mercenaries. Subsequently, at its first regular session of 1986, the Economic and Social Council, taking note of the concerns expressed by the Commission, had called upon the latter to appoint a special rapporteur to prepare a report for consideration by the Commission at its forty-fourth session (Economic and Social Council resolution 1986/43).

30. Furthermore, at its previous session, the General Assembly had adopted three resolutions directly connected with the right of peoples to self-determination. In resolution 41/100, the General Assembly had reaffirmed the importance of the universal realization of the right of peoples to self-determination for the effective guarantee and observance of human rights, and had requested the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, as a result of foreign military intervention, aggression or occupation. In resolution 41/101, the General Assembly had dealt with some of the consequences of the non-application of the right to self-determination in specific situations, including southern Africa. In resolution 41/102, the General Assembly had considered the question of mercenaries and urged all States to take the necessary measures under their respective domestic laws to prevent the recruitment, financing, training and transit of mercenaries on their territory; it had also taken note of the resolution of the Economic and Social Council.

31. The Commission also had before it a report of the Secretary-General (E/CN.4/1987/12), pursuant to paragraph 5 of Commission on Human Rights resolution 1986/26 on the use of mercenaries to impede the exercise of the right of peoples to self-determination.

32. Mr. RAMLAWI (Observer, Palestine Liberation Organization) recalled that, in its resolution 1986/22, the Commission had reaffirmed the inalienable right of the Palestinians to return to their homes and property and the inalienable right of the Palestinian people to self-determination and to regain their rights by all means in accordance with the purposes and principles of the Charter of the United Nations and with relevant United Nations resolutions. The Commission had also affirmed its support for the call for an international



peace conference on the Middle East in accordance with General Assembly resolution 38/58. Like other international and regional bodies, the Commission had acknowledged its responsibilities and reaffirmed the principles to which it adhered. It was, however, regrettable that no organization had yet been able to implement its resolutions, since that would require the consent of all the parties involved. Israel was one of the main parties concerned in the application of the principle of self-determination for the Palestinian people. The Palestinians should be allowed to exercise their rights in accordance with the Universal Declaration of Human Rights, the International Covenants on Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the many resolutions adopted by the United Nations on the subject. However, Israel's obstinacy, its negative attitude, its true intentions which were familiar to everyone, its refusal to abide by the principles of the Charter and United Nations resolutions meant that in fact no notable progress had been made. As everyone knew, Israel had occupied the whole of Palestine by force, insisted that the occupied territories were an integral part of its territory and continued to violate the Palestinians' rights, forcing them by terrible means to accept a situation of violence. The existence of Israel went hand in hand with the aggression of which the Palestinian people was the victim.

33. Since 1953, the Security Council had condemned Israel on 32 occasions. Since the adoption of resolution 181 (II) by the General Assembly, in which it had recognized the right of the Palestinian people to establish their own State, the international community, through the United Nations, had reaffirmed that right many times. The General Assembly had requested the Security Council to work towards the implementation of the resolutions it had adopted, but the Security Council had not been able to do so. When it had recommended that Israel should be admitted to membership of the United Nations, it had not taken into account the tragic situation of the Palestinian people.

34. The international community had now realized that the Palestinian people were at the heart of the Middle East problem. There was a risk of conflicts in the near future which would go beyond the boundaries of the Middle East. All the forces of peace must unite in support of the Palestinian people. The acts of terrorism, which were encouraged by United States policy, must also be stopped. Peace could not be restored in the Middle East until the Palestinian people had realized its inalienable rights and returned to its territory.

35. Mrs. ABDALLA (Observer for the Syrian Arab Republic) remarked that, in adopting the Charter of the United Nations 40 years before, the peoples of the world had expressed their optimism, believing that a new era of peace and equality between peoples had begun. The Syrian Arab Republic had participated in the creation of the United Nations, and believed in its objectives, but those hopes had not been completely fulfilled. The liberation which had been achieved had required enormous sacrifices, since the colonialist and imperialist forces had not willingly submitted to the principles of international law, which were those of the Charter. Admittedly, more than 100 countries had achieved independence in those 40 years, but the Palestinians and those in the power of the racist South African régime were two examples of defiance of the will of the international community.

36. In Palestine, the mandatory Power, the United Kingdom, had not shouldered its responsibilities: instead of allowing the Palestinians to determine their own destiny, it had handed them over to the Zionist gangs. The result had been the partition and occupation of the Arab region; the United Kingdom had created an explosive and catastrophic situation and bore a particular responsibility.

37. The situation in southern Africa, where the Republic of South Africa was illegally occupying a territory, had similarities with the situation in Palestine which had created links between the two occupying régimes. Both régimes were based on racial intolerance and religious nationalism; they both rejected United Nations resolutions. Those similarities had led the two countries to a total collaboration, even extending to nuclear terrorism. They could not conduct such a policy without the support of the imperialists, particularly the United States. However, they must realize that no nuclear threat would stop the people's struggle.

38. For 20 years, Israel had occupied Palestine and treated the West Bank, Gaza and the Golan as part of its territory. It had declared war on Lebanon, destroyed the Arab identity, rejected Security Council resolutions declaring its annexation of the Syrian Golan Heights null and void and defied world public opinion in order to continue its insane expansion and gain supremacy over the Arab world. If Israel's present frontiers were compared with the frontiers of the Plan of Partition laid down by the General Assembly in resolution 181 (II), Israel's real objective was obvious. Israel justified its expansion under the pretext of security, but it was hard to see where security ended and expansion began.

39. Expansion by force had been the doctrine of all Israeli statesmen from Ben-Gurion to Begin. Israel's current reasoning ran thus: if Egypt were divided, and a Coptic State created, it could no longer exist. The division of Lebanon into five regions and Iraq into distinct religious factions was also a solution for the future. That was Israel's objective.

40. However, Israel and the United States, which, besides its obligation to act in accordance with the Charter, had a responsibility to implement Security Council decisions, should realize that the Palestinian people would continue their struggle, that the Syrian Arab Republic would fight to free its territory in the occupied Golan and would support the Palestinian people and Lebanon. In that fight, Syria relied on the support of the socialist countries, non-aligned countries and free countries throughout the world, including those of the Western bloc. Her country would campaign for the implementation of the United Nations resolution on a just and lasting peace in the Middle East, and support all persecuted peoples.

41. Mr. HACENE (Algeria) said that no one could now deny that the persevering work of the United Nations to further the decolonization process had publicized the liberation struggle of oppressed peoples in a way which the colonial Powers would have liked to restrict; however, the present debate showed that the United Nations had not yet been able to realize all the hopes which had been placed in it. The Organization still came up against the persistent denial of the right to self-determination, for instance in Palestine, the occupied Arab territories, Western Sahara and Namibia. The peoples fighting for their national liberation in those territories had the support of Algeria, which had long been denied the right to self-determination.

42. In the Middle East, where the denial of the right to self-determination of the Palestinian people had led not only to an intolerable violation of their most basic rights, but also to a growing threat to international peace and security, the division of Palestine had been followed by a tragedy; the exile of the Palestinian people and the campaign of repression and extermination against them by the Zionist régime of Israel. If an effort were made to pinpoint responsibilities by a detailed analysis of the motives behind that threat to the rights of the Palestinian people, Israel stood out immediately; Israel had undertaken a systematic and determined campaign, with continual acts of terror and aggression, a planned settlements policy in the occupied Arab territories and annexation and Judaization measures adopted in defiance of the fourth Geneva Convention.

43. It was not surprising that the Palestinian people, deprived of their land and rights and threatened with genocide, should conduct a heroic campaign, under the leadership of their sole and legitimate representative, the PLO, to force Israel to recognize their right to self-determination and independence. That right was fully acknowledged by the entire international community, as shown by the many resolutions adopted by various United Nations bodies, including the Commission on Human Rights.

44. The main reason why it had not been possible to defuse the Middle East crisis was that the central parameter - the failure to satisfy the national rights of the Palestinian people - had been ignored. A just and lasting solution to the Middle East crisis would only be possible if those rights were taken fully into account. That solution entailed the fulfilment of certain particularly important preconditions, such as the complete and unconditional withdrawal of Israeli troops from all the occupied Arab territories, including Al-Quds (Jerusalem), the convening of an international Middle East peace conference in which the sole and legitimate representative of the Palestinian people, the PLO, must participate, and recognition of the fundamental rights of the Palestinian people (self-determination, return to their ancestral lands, national independence, etc.).

45. The same logic held good in respect of the exercise of the right to self-determination in the southern part of the continent of Africa, where the offensive system of apartheid and the illegal occupation of Namibia had continued for many long years. The Commission had continually noted the flagrant violation on Namibian territory of the right of peoples to self-determination, and had regularly called for the process of independence to begin. However, those appeals and the calls for the unconditional implementation of Security Council resolution 435 (1978) had produced no response. South Africa showed its deep contempt for United Nations decisions by its many acts of military aggression, its attempts to destabilize the front-line States, its repression of the people of Namibia, its wanton looting of the natural resources of the Territory and its manoeuvres to delay the implementation of United Nations decisions.

46. Under those conditions, it was understandable that a popular resistance should have sprung up under the aegis of SWAPO, which had led a liberation movement for almost 26 years. Algeria reaffirmed its strong support for the Namibian people's inalienable right to self-determination and independence and its commitment to Namibia's right to keep its territory intact, including Walvis Bay, Penguin Island and the other offshore islands.

47. Algeria's solidarity with the Namibian people was matched by its solidarity with its brothers in South Africa, who endured the grim reality of the apartheid system, which was doomed to follow the worst possible policy. The many states of emergency which had been declared by the racist South African authorities in recent years were one of the most disturbing manifestations of that policy, which compounded oppression and the repression of the black majority by restricted residence, internal exile and banishment. There was no doubt, however, that events were gaining pace in South Africa and some established certainties were being questioned as was demonstrated by the growing influence of the national resistance under the leadership of the African National Congress (ANC). The measures taken by some countries and multinational companies to end their co-operation with South Africa went well with the call for comprehensive, mandatory sanctions which Algeria had consistently advocated. If fully applied, such sanctions would increase the pressure on the South African authorities and reflect the desire of the international community to establish the rule of law and justice in southern Africa.

48. A conflict persisted in north-west Africa because of the failure to realize the right of the people of Western Sahara to self-determination and independence. Since 1975, when the natural course of independence in Western Sahara had been perverted, efforts to unify the Maghreb, which had begun to benefit all the peoples of the region, had sustained a serious setback. The conflict between Morocco and the Polisario Front gravely affected peace and security in the region. As the conflict escalated and Morocco persisted in its refusal to accept the verdict of the law, the efforts of the Organization for African Unity (OAU) and the United Nations to achieve a negotiated political settlement had taken on particular significance, ending in the establishment of an international consensus designed to restore the right of the Sahrawi people to self-determination and independence. In 1983, the African Heads of State and Government had formulated a basis for a solution, which had then been appropriately endorsed by the Movement of Non-Aligned Countries and the United Nations General Assembly. With the OAU and the General Assembly, the Commission had constantly urged both parties to the conflict to think in terms of a peace plan providing for direct negotiations between Morocco and the Polisario Front, which would facilitate a ceasefire and establish the conditions for a peaceful and just referendum under the auspices of the OAU and the United Nations. However, those appeals had been ignored by Morocco; the Commission should take the opportunity at its current session to reiterate the imperative need to allow the Sahrawi people to determine their own destiny.

The meeting rose at 12.05 p.m.