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SUMMARY RECORD OF THE 52nd MEETING

Chairman: Mr. ALFARO-PINEDA (El Salvador)  
(Vice-Chairman)

later: Mr. AL-SHAALI (United Arab Emirates)  
(Chairman)

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In the absence of the Chairman, Mr. Alfaro-Pineda (El Salvador), Vice-Chairman, took the Chair.

The meeting was called to order at 3.10 p.m.

AGENDA ITEM 98: HUMAN RIGHTS QUESTIONS (continued) (A/46/67, A/46/70, A/46/71\*-E/1991/9\*, A/46/72, 81, 83, 85, 95, 96, 99, 117, 121, 135, A/46/166-E/1991/71, A/46/183, A/46/184-E/1991/81, A/46/205\*, 210, 226, 260, 270, 273, 290, A/46/292-S/22769, A/46/294, A/46/304-S/22796, A/46/312, 322, 331, 332, 351, 367, 402, 424, 467, 485, A/46/486-S/23055, A/46/493, 526, 582, 587\*, A/46/598-S/23166; A/C.3/46/L.25)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/46/3, (chap. VI, sect. C), A/46/24, 473, 542, 543, 603, 609 and Add.1 and 2, 616 and Corr.1, 420, 421, 422, 504; A/C.3/46/L.2, L.3/Rev.1, L.26\*, L.34-L.36, L.38, L.39)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/46/3 (chap. VI, sect. C), A/46/401, 446, 529, 544, 606, 647; A/C.3/46/L.51)

1. Mrs. BARGHOUTI (Observer for Palestine) said that the situation in the occupied Palestinian territory had continued to deteriorate in every way, especially since the beginning of the intifadah in 1987. More than 1,500 Palestinians had been killed, 25 per cent of them children, and 118,000 wounded. The long curfews had made the Palestinians prisoners in their own homes. The use of tear-gas had caused 8,000 pregnant women to miscarry, and more than 2,000 houses had been demolished or sealed. Restrictions had been placed on the movements of Palestinians within the occupied territory. The Israeli authorities were speeding up the building of new settlements. Land owned by Palestinians had been confiscated. Israel currently controlled approximately two thirds of the land of the West Bank and 60 per cent of that in Gaza. By September 1990, an estimated 229,000 Israelis had settled in the occupied territory, including Jerusalem. The Israeli authorities planned to double the current settler population in the West Bank in the next five years.

2. The Israeli authorities were continuing their oppressive measures to control the water sources in the occupied Palestinian territory. Water for irrigation purposes was restricted in the case of Palestinians, who were also prohibited from drilling wells without the permission of the Israeli military authorities, which in most cases was denied.

3. The number of Palestinians imprisoned in Israeli jails at one time or another had reached 120,000. During the intifadah, 15,000 persons had been placed under administrative detention. The July 1991 report of Amnesty International had concluded that excessive force and punitive beating had been

(Mrs. Barghouti, Observer, Palestine)

used on a large scale in recent years by the Israeli military forces in the process of arresting suspects and taking detainees to detention centres and that, once brought into detention centres for interrogation, detainees were typically subjected to torture or ill-treatment with the aim of obtaining information or confessions.

4. His delegation drew attention to the tragic plight of the Palestinians who had been forced to leave Kuwait and those who were still living there under terrible conditions.

5. The Palestinian people would continue its struggle to achieve its inalienable right to self-determination and the establishment of an independent State on the basis of the relevant United Nations resolutions, which was only possible if Israel withdrew from the occupied Palestinian territory, including Jerusalem.

6. Mr. MAYCOCK (Barbados) said that his country was a party to almost all of the international human rights instruments. The Constitution of Barbados guaranteed fundamental freedoms to all persons, regardless of race, colour, creed or sex and his Government had amended domestic legislation, where necessary, to give effect to the human rights instruments to which it was a party.

7. Treaty bodies played a vital role in monitoring the implementation of human rights instruments. His delegation was gravely concerned about the funding crisis which was severely hampering the work of the Committee on the Elimination of Racial Discrimination and the Committee against Torture. In that regard, it took note of the remarks of the Secretary-General in document A/46/650 and his recent efforts to regularize funding for those two bodies and hoped that the appropriate action would be taken soon.

8. The Human Rights Committee and the Centre for Human Rights played a vital role in safeguarding human rights worldwide, especially since States did not always comply in full with their obligations. The entry into force of new treaties, the spread of democracy and the reshaping of the international landscape presented new challenges to the Centre, which could only respond properly if it had the necessary resources. His delegation was therefore pleased to note that additional resources for the Centre had been allocated in the proposed programme budget for 1992-1993. The technical assistance programmes administered by the Centre were of critical importance and his country looked forward to hosting training seminars organized within that framework. The Centre should also be commended for its joint sponsorship in 1989 with the World Health Organization of international consultations on AIDS and human rights and for organizing in 1990 a global consultation on the realization of the right to development as a human right.

9. His delegation noted with appreciation the important role played by the various working groups set up by the Subcommission on Prevention of

(Mr. Maycock, Barbados)

Discrimination and Protection of Minorities and hoped that the recently completed draft body of principles for the protection of persons with mental illness and for the improvement of mental health care would be adopted by the General Assembly at its forty-seventh session. It also considered that the expertise of the non-governmental organizations and of the special rapporteurs and representatives was indispensable to the promotion of human rights.

10. In its consideration of human rights issues, the Third Committee had placed great emphasis on democracy, the rule of law and the holding of free and fair elections and had virtually ignored other aspects. A genuine debate should focus on the entire range of issues relating to the enjoyment of human rights.

11. As a country with over three hundred years of parliamentary tradition, Barbados deeply cherished the principle of genuine and periodic elections and had great respect for the rule of law. It firmly opposed any disregard for the will of the people, as freely expressed through the ballot. In that connection, it had been quick to condemn the recent overthrow of the democratically elected President of Haiti. While believing that States should not use the principle of non-interference in internal affairs as a shield for human rights abuses, his Government was strongly opposed to the use by any State of human rights as a vehicle to promote its own political agenda.

12. There was a strong link between democracy and development. No matter how much freedom people enjoyed, any democratic system would be undermined by persistent social and economic problems. His delegation agreed with the Secretary-General that democracy had to be supported by a minimum level of well-being.

13. The 1993 World Conference on Human Rights would offer an excellent opportunity to review the progress made in human rights over the past 40 years. He hoped that the Conference would explore all avenues to reach consensus so that the vital United Nations efforts in the field of human rights might be strengthened.

14. Miss BACH-TOBJI (Tunisia) said that, as the new world order took shape, human rights issues were coming to the fore once again. Her delegation wished to reaffirm its support for United Nations efforts in that field, including the elaboration of the various human rights instruments and the effective operation of the corresponding treaty bodies, despite their financial difficulties. The World Conference on Human Rights would offer an excellent opportunity for a constructive exchange of views on human rights questions and for reaffirming the basic principles enshrined in the Universal Declaration of Human Rights. In that connection, her delegation attached particular importance to the preparatory process for the Conference and was prepared to host the regional conference for Africa in 1992.

(Miss Bach-Tobji, Tunisia)

15. All human rights were indivisible and interdependent: economic, social and cultural rights were as important as civil and political rights. Furthermore, those rights were subsumed under the right to development, which was in its broadest sense a transcendent concept encompassing all human rights.

16. The growing importance of human rights required increased monitoring by the international community which, to maintain its credibility, should guard against politicizing the issues or making indictments. By definition, the promotion and protection of human rights implied a cooperative approach, based on respect for the principles of international law.

17. States, too, were responsible for the promotion and protection of the human rights of their citizens. Tunisia, which was moving in the direction of democracy and pluralism, was firmly committed to human rights and fundamental freedoms and worked ceaselessly to promote them. While recognizing that much remained to be done, her Government was developing legislation in that field and strengthening the mechanisms to guarantee those rights.

18. Individuals and the groups to which they belonged were also responsible for the protection of human rights. Unfortunately, the religious integrationist movements practised systematic violence against all those who did not embrace their system. Their ideology, which was fundamentally intolerant, was designed to inflict the most retrograde form of totalitarianism on individuals and deny them their civil and political rights. The extremism and violence of those movements represented a real threat to human rights; she therefore hoped that the international community would take note of and respond to that threat.

19. Mr. MAVROMMATIS (Cyprus) said that his Government considered the 1993 World Conference on Human Rights to be one of the most important meetings of the decade. The Conference and its Preparatory Committee must assess progress made in the field of human rights, examine ways of strengthening implementation of existing standards and break new ground in the relationship between sovereign States and the international community.

20. It was with great sadness that Cyprus once again drew the Third Committee's attention to the human rights situation in the northern part of the Republic of Cyprus in the wake of the Turkish occupation. Despite Security Council resolution 716 (1991), which reaffirmed the Security Council's earlier resolutions on the question, and notwithstanding similar resolutions adopted by the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities, systematic human rights violations continued unabated, and 37 per cent of the territory of the Republic of Cyprus remained occupied.

21. In all, 200,000 Greek Cypriots had been forcibly uprooted from their ancestral homes and were still not allowed to return. Greek and Turkish Cypriots alike were prevented from travelling from one part of the island to

(Mr. Mavrommatis, Cyprus)

the other. Turkey was pursuing its policy of bringing in settlers, whose numbers were currently estimated to exceed 65,000. Greek Cypriots were not the only ones to suffer from that policy: since 1974, more than 30,000 Turkish Cypriots had left the island owing to increasing unemployment and human rights violations. Passport controls had been abolished between Turkey and Cyprus, thus facilitating the continuous flow of settlers. Furthermore, by changing the historical names in the occupied areas, Turkey was plundering the rich cultural heritage of Cyprus.

22. One of the most dramatic aspects of the Cyprus tragedy was the fate of the 20,000 Greek Cypriots who had been living in an enclave in the occupied area since 1974. Only a few hundred now remained. They were denied access to medical care and educational facilities; no Greek Cypriot doctor was allowed to settle there or to visit on a regular basis; and no schools of higher learning were allowed to operate, thus forcing all young people to move to free Cyprus, from where they were not permitted to return. That was in violation of the 1949 Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, as was the Turkish settlement policy.

23. More than 1,600 persons were missing, many of them women and children. There was evidence that many had still been alive after their arrest, and that had created reasonable hopes for a speedy ascertainment of their fate. It was essential for Turkey to cooperate with the Committee on Missing Persons in Cyprus, and ways must be found to strengthen that Committee. His Government would continue to cooperate in resolving that question. If Turkey persisted in its refusal to cooperate, his Government would be obliged to seek redress from the appropriate United Nations or regional bodies.

24. Recent international developments had raised the Cypriot people's hope that international law would eventually be respected by all States and that the United Nations would ensure implementation of the relevant Security Council resolutions on Cyprus. His Government called upon the new Turkish Government to inaugurate a new era in the region and to allow the two communities in Cyprus to coexist in peace.

25. Mr. QLIYNYK (Ukraine) said that the question of national minorities had repeatedly shown itself to be a major irritant in relations between States; it had been used as a pretext for intervening in the internal affairs of other countries, for destabilizing Governments and for instigating civil wars. The relevant conventions addressing the issue were inadequate for regulating such delicate matters.

26. In the view of his delegation, the human rights treaty bodies under existing international instruments, in particular the Human Rights Committee, were potentially well suited for addressing the question of non-discrimination and protection of national minorities. States parties should submit comprehensive reports on how they intended to protect the rights of national minorities under the International Covenant on Political and Civil

(Mr. Oliynyk, Ukraine)

Rights. Ukraine noted with satisfaction that the Human Rights Committee had been stepping up the pace of its work. Other treaty bodies must also focus on that question.

27. He referred to document A/46/273, which touched upon the needs of Ukrainian and Bulgarian minorities living in Bulgaria and Ukraine, and A/46/467, containing a declaration on the principles of cooperation between Hungary and Ukraine to ensure respect for the rights of national minorities, a document of interest from the legal point of view.

28. More than 100 national minorities lived in Ukraine. Just several days previously, the Parliament of Ukraine had adopted a declaration on the rights of nationalities that guaranteed all peoples, national groups and citizens living on its territory equal political, economic, social and cultural rights, as well as the right to remain in traditional settlement areas and to use one's mother tongue, including in the fields of education, industry and the reception and dissemination of information. In areas where several national groups lived close together in large numbers, the language acceptable for the whole population of a given area could be used alongside the State language of Ukrainian. All citizens of every nationality were guaranteed the right to worship, to use their national symbols and to celebrate their national holidays.

29. Ukraine was striving to devise international legal standards to govern the question of national minorities and supported adoption of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, which was the subject of draft resolution A/C.3/46/L.3/Rev.1. The international efforts to complete elaboration of the draft declaration should be the first step towards an international legal instrument on the rights of minorities. It was to be hoped that the Commission on Human Rights would complete its work on the draft declaration in time for the Third Committee to consider it at the forty-seventh session.

30. Mr. MAYORGA-CORTES (Nicaragua) said that human rights were fundamental to building a lasting peace. At the same time, peace, democracy, the responsible use of freedom and the promotion of development were necessary to attain the full enjoyment of human rights. Those objectives, applied within the rule of law, constituted the basis of his Government's actions at both the national and international levels. In that regard, it had particularly welcomed the Declaration of Puntarenas, issued in December 1990 by the Central American Presidents declaring Central America a region of peace, freedom, democracy and development, thereby giving new impetus to regional integration, arms control and the promotion of human rights.

31. The end of the bloody conflict in Nicaragua had brought about the demobilization of the resistance movement, a reduction in the armed forces and general disarmament, all of which had led to a substantial decrease in violations of human rights. While the pacification process was still

(Mr. Mayorga Cortes, Nicaragua)

incomplete, the overwhelming majority of the people supported the Government's efforts at dialogue and reconciliation. Firmly committed to establishing a democratic regime, his Government had set in motion a process of genuine political pluralism, which had stimulated confidence and opened the way for all sectors to express their views.

32. In order to promote development, the Government had begun to decentralize, reducing the bureaucracy and transferring resources and responsibilities to regional, municipal and local levels. The cornerstone of its development efforts was the national reconciliation programme, which included reintegration into productive life of individuals affected by the conflict, consolidation of the national identity and reconstruction, and strengthening of the social fabric, with special protection for the rights of vulnerable groups.

33. It was well known that human rights instruments and legislation were of no real value unless they were backed by effective implementation mechanisms. His delegation therefore appreciated the efforts of the Voluntary Fund for Advisory Services and Technical Assistance, which helped States create solid legal bases on which they could build democracy and promote development.

34. His Government believed that human rights, political development and economic progress were inseparably linked. It had thus adopted a plan for economic and social stabilization and had established a national programme for economic reconciliation and rehabilitation, designed to integrate the most vulnerable groups into society as quickly as possible. His country had paid particular attention to respect for the human rights of refugees and other groups which had suffered as a result of the conflict. It was a matter of pride that, despite the difficult post-war situation, the Nicaraguan people enjoyed basic rights, including the freedoms of movement, expression, association and religion. For the first time in his country's history, opposition political parties had been organized and were free to express their views. There were no political prisoners in Nicaragua.

35. In its first year and a half, the Chamorro Administration had taken a number of steps to ensure the protection of human rights. Among them were development of a comprehensive peace policy; reinstatement of full civil and political rights; recognition of the competence of the Inter-American Court of Human Rights; establishment and implementation of economic and social harmonization mechanisms; promulgation of an amnesty law; abolition of military service; legal review of confiscations; ratification of the Convention on the Rights of the Child; and creation of a fund for social investment and a fund for assistance to oppressed groups.

36. One of Nicaragua's principal limitations was the absence of a democratic culture and education on human rights issues. None the less, the Government had instituted a policy to safeguard public order and security. It would in the near future be working to narrow the gap between existing legislation and

(Mr. Mayorga-Cortes, Nicaragua)

international instruments on the rights of various groups. It welcomed the convening of the 1993 World Conference on Human Rights, which would provide a valuable opportunity to raise awareness worldwide and to transform ideas into reality. Nicaragua was willing to cooperate with other countries to ensure proper follow-up to the Conference. It was important in that regard to depoliticize the human rights debate.

37. Developing countries continued to be the subject of discrimination and inequities; that situation undermined international security and constituted a permanent source of tension and conflict. It was therefore more important than ever for concerted international action to promote development. In that connection, his country favoured the holding of an international conference on development financing and a world summit for social development.

38. Mr. REINO (Portugal) said that his country had for several years been condemning the systematic violation by Indonesia of human rights in East Timor, including extrajudicial executions, torture, disappearance, arbitrary arrests and political imprisonment. Although those facts had been verified on numerous occasions by reliable sources, the campaign of disinformation carried out by the Indonesian Government had led some members of the international community to doubt the veracity of Portugal's allegations. The recent massacre by Indonesian security forces of several dozen innocent people in East Timor had confirmed his country's view that the Indonesian Government continued to engage in genocide.

39. Apparently in response to international outcry, the Indonesian Government had appointed a commission of enquiry, chaired by a former general and member of the Supreme Court and composed of members who were attached to or dependent on the Government. Indonesia did not have the legitimate authority to conduct such an investigation: the commission was neither impartial nor credible and would therefore make a mockery of the investigation. His country reiterated its view that the only legitimate way to clarify the circumstances of the massacre was through an independent investigation, carried out under international supervision.

40. He wished to draw attention to the increasingly threatening tone of statements from top Indonesian military leaders. While Indonesian military sources had admitted that killings were to be regretted and had been the result of a "misunderstanding" by the soldiers, a high-level military official had stated publicly after the massacre that agitators had to be shot and that people who refused to obey had to be killed. That and similar statements demonstrated the contempt in which top military officials held human life and human rights; they revealed moreover that such officials considered indiscriminate shooting of civilians, including women and children, to be a necessary and acceptable procedure. From the evidence, it was clear that the massacre was not an isolated incident but a deliberate attempt to suppress any opposition.

(Mr. Reino, Portugal)

41. Despite the international outcry at the massacre, the situation in East Timor had worsened. The wounded would not seek treatment in hospitals for fear of reprisals, hundreds of people had been taken prisoner and had not been heard from since, and the access of the International Committee of the Red Cross to prisoners and the wounded had been restricted, in flagrant violation of Indonesia's obligations under international conventions. Also alarming were allegations that some eyewitnesses of the massacre and of executions of prisoners had been killed as part of the cover-up. In addition, dozens of Timorese students had been imprisoned for peacefully demonstrating in condemnation of the massacre.

42. There was disturbing information that the Indonesian Government was again trying to isolate East Timor from the rest of the world. It was very difficult to contact persons there by telephone and Indonesian officials had suggested that access to the territory by journalists and diplomats would be prohibited. Non-governmental organizations such as Amnesty International and Asia Watch had been denied access to the territory. There was every reason to believe that the Indonesian Government was trying to hide from the international community the continuing violence directed against a defenceless population.

43. The brutality committed by the Indonesian armed forces on 12 November 1991 had been strongly condemned by the international community, which was demanding an immediate impartial inquiry under international supervision. The root cause of the tragedy of the people of East Timor was denial of the basic right to self-determination. That right had been violated by the military invasion of the territory and the permanent denial of the will of the East Timorese people. He asked the international community how many more massacres were necessary before it decided to help the people of East Timor.

44. Mr. MOR (Israel) underscored the suffering that his Jewish brothers and sisters had been enduring for the past 40 years in Syria. About 3,800 Jews lived in Syria today, most of them in the Jewish quarter of Damascus. That small and defenceless minority was in dire need of protection. In spite of promises made by the Syrian regime, the situation of Syrian Jewry remained as difficult as ever. The Mukhabarat, the Syrian intelligence service, subjected Jews to continuous surveillance, intimidation and harassment. Any Syrian Jew wishing to visit the West must first apply for a passport in the Jewish branch of the Mukhabarat and was required to leave his immediate family behind as human collateral as well as a substantial amount of money as security for his return.

45. Unlike the Jews of other Arab countries, Syrian Jews had not been granted the right to emigrate since the establishment of the modern State of Syria in 1947. Those who had been allowed to leave had had to renounce all claims to property before emigrating. That practice continued today. The tragic paradox was that Syrian law, which should protect rights, had become another

(Mr. Mor, Israël)

instrument of State repression. Jews who invoked principles enshrined in the national Constitution or Syrian obligations under international law found that their rights were denied and that the very attempt to exercise them was an invitation for punitive reprisals. The systematic policy of the Syrian Government with regard to its Jewish citizens was contrary to the international conventions to which Syria was a party, including the International Covenants on Human Rights, and to fundamental norms of international customary law, such as the right to emigrate and the right to be protected against torture and other forms of cruel, inhuman or degrading punishment.

46. Although Syria was a signatory to the International Convention on the Elimination of All Forms of Racial Discrimination, there were persistent and pervasive violations of human rights in that country, particularly the rights of the Jewish minority. Since 1968, the male members of various Jewish families had been imprisoned for many months at a time with no indication as to when they would be released. They were often held incommunicado and their families suffered mental anguish and severe economic hardship as a result. Currently, six Syrian Jews were in prison for attempting to leave the country. Two of them had been incarcerated since 1987 and reportedly had begun a hunger strike, an unprecedented act in Syria.

47. Syria therefore violated its own laws. The Constitution emphasized the importance of the rule of law as a basis of society and the State. Citizens were guaranteed freedom of religion and association; and torture and degradation of detainees were prohibited. However, since the Baath Party had come to power in 1964, the regime had severely limited the movements of Jews within Syria itself and inside Jewish residential areas. Any unusual movements still led to arrest, degradation and torture. Syrian Jews had not yet been granted the right to emigrate in order to be reunited with their families.

48. Syrian attitudes towards the Jewish minority and Judaism were manifest in the ruling Baath Party's admiration for the Nazi ideological emphasis on racial purity. Syria demonstrated its sympathy for that cause by continuing to harbour a well-known Nazi war criminal, who had lived in that country since the 1950s under the protection of the Syrian Government.

49. The plight of Syrian Jews should be well known to the world, in view of the action taken on their behalf at the bilateral and multilateral levels. The time had come for everyone who supported humanitarian causes to speak against that evil. The exploitation of human lives for political reasons must stop. Once before, nations had overlooked evil done to the Jews. Keeping silent in the face of the same evil twice was unforgivable.

50. Mr. ALFARO-PINEDA (El Salvador) said that for too many years his country had been involved in an armed conflict that had brought suffering, death and the destruction of its economic infrastructure. The Salvadorian people had

(Mr. Alfaro-Pineda, El Salvador)

chosen the path of peace and supported the Government's decision to enter into peace negotiations with the Frente Farabundo Martí para la Liberación Nacional (FMLN). With the assistance of the Secretary-General and friendly Governments, those negotiations had yielded real results indicating that peace in El Salvador was near at hand.

51. His Government was committed to eliminating the principal cause of human rights violations in the country by bringing the war to an end. Freedom could be guaranteed only on the basis of the rule of law. The democratic process in El Salvador was creating the necessary political, economic and cultural conditions for the full development of the individual. The international community was gradually coming to a more objective consideration of the situation in his country. The end of the armed conflict, which was the overall cause of human rights violations and created a climate conducive to disregard for human rights, was in sight. The United Nations Observer Mission in El Salvador (ONUSAL) was designed to operate in conditions of peace. Once a definitive peace agreement was signed, the overall situation would become more propitious for greater implementation of human rights in the country. Achieving peace through dialogue, therefore, was essential for promoting those rights.

52. The draft resolution on the situation of human rights and fundamental freedoms in El Salvador (A/C.3/46/L.51) supported the continuation of negotiations until the necessary political agreements were arrived at to put an end to the armed conflict as the best way to guarantee full respect for human rights. His delegation therefore expressed appreciation to the sponsors of the draft resolution for their careful consideration of the situation and hoped that it would be adopted by consensus.

53. Mr. Al-Shaqli (United Arab Emirates), Chairman, took the Chair.

54. Mr. HUSSAIN (Pakistan) said that the past few years had witnessed momentous transformations in the international political landscape. After a long and arduous struggle the valiant people of Afghanistan had succeeded in freeing their homeland from foreign occupation. The signing of the Geneva Accords and the subsequent withdrawal of foreign troops from Afghanistan had been welcome developments but had failed to bring peace to that ravaged land. A broad-based government representing the will of the Afghan people was essential for settling the conflict. Pakistan had repeatedly underscored its commitment to a comprehensive political settlement of the Afghanistan problem and had undertaken a series of initiatives, including consultations with the countries concerned and talks on a trilateral basis with the Islamic Republic of Iran and the Afghan mujahidin. His country had also extended its full support to the Secretary-General's five-point peace plan and the joint United States/Soviet Union statement concerning a simultaneous cut-off of arms deliveries to their respective Afghan allies by 1 January 1992.

(Mr. Hussain, Pakistan)

55. The continued presence of over 6 million refugees in Pakistan and the Islamic Republic of Iran was a sad reflection of the state of human rights inside Afghanistan. The refugee situation was a human rights problem in itself since it involved the right to self-determination, the right to life and the right to freedom of movement. As long as those refugees, who represented one third of the entire Afghan population, could not voluntarily return to their homeland, the exercise of their right to self-determination could not be fully realized.

56. Pakistan, which wished to see a speedy return of the Afghan refugees to their homeland in safety and honour, had been providing shelter to over 3 million Afghan refugees for more than 12 years. The recent decline in international humanitarian assistance not only aggravated the hardships of the refugees, but also severely strained his country's already meagre resources. Accordingly, his delegation called upon the international community to continue to fulfil its humanitarian obligations until the voluntary return of the Afghan refugees had been completed.

57. Massive violations of human rights, brutal repression and indiscriminate killings had become the order of the day in the Indian-occupied state of Jammu and Kashmir. The demands of the Kashmiri people for recognition of their right to self-determination had been met with ruthless repression by the Indian military and paramilitary forces. Since January 1990, Indian-occupied Kashmir had been in a state of complete turmoil. The political and administrative system had broken down and the economy was in a state of collapse. The world was apathetically witnessing the systematic destruction of the very fabric of society there. There were consistent reports of indiscriminate killing, torture, arbitrary arrests, unlawful house-to-house searches and gang-rape of women. During the past 22 months, over 5,000 innocent civilians had been killed and many more seriously injured. Thousands had been made homeless by the scorched-earth policy of the Indian authorities, who destroyed whole neighbourhoods where so-called militants were suspected to have hideouts.

58. Recent reports published by Amnesty International, the United States State Department and Asia Watch had chronicled the human rights violations in occupied Kashmir. Even human rights organizations and men of conscience in India had gathered information on the atrocities being committed in that territory. A team appointed by four Indian human rights organizations to assess the situation there reported that the entire Muslim population was wholly alienated from India and because of the highly repressive policies pursued by the administration, their alienation had turned into bitterness and anger. A report by the Committee for Initiative on Kashmir, referring to the atrocities committed there, concluded that the cases of blatant human rights violations were the result of an official policy. That had become evident to the team when they had met senior administrators who justified such actions as necessary to contain "terrorism".

(Mr. Hussain, Pakistan)

59. Various reports had documented the numerous atrocities committed by the Indian security forces and had demanded effective measures to stop such acts, as well as judicial inquiries into all the allegations, the release of detainees held without charge and permission for Amnesty International and other human rights organizations to visit occupied Kashmir to investigate human rights violations. Those demands had been echoed by the European Parliament and by the Congress of the United States and the Parliament of the United Kingdom, which had also affirmed Kashmir's right to self-determination.

60. The spontaneous uprising in occupied Kashmir was concrete evidence of the people's will to throw off Indian rule and determine their own destiny. The ghastly situation currently prevailing clearly exposed the inauthenticity of the so-called elections held in the territory. Moreover, the Security Council had already affirmed, in its resolutions 91 (1951) and 122 (1957), that any action by the so-called constituent assembly convened in occupied Kashmir would not reflect the will of the people of Jammu and Kashmir, since it did not constitute a free and impartial plebiscite conducted under the auspices of the United Nations. Although India had tried to attribute the turmoil in the area to interference by Pakistan, its refusal to accept Pakistan's proposal to establish a neutral mechanism to monitor and investigate the situation independently showed that its allegations were groundless.

61. The human rights violations in Indian-occupied Jammu and Kashmir would continue to undermine the renewed global commitment to human dignity until India agreed to implement the relevant United Nations resolutions by accepting the right of the area's people to self-determination.

62. Mr. VASSILAKIS (Greece) said that his delegation fully agreed with the statement made at an earlier meeting by the representative of the Netherlands, on behalf of the European Community and its member States, on item 98 (c).

63. Unfortunately, the problem of human rights violations in Cyprus had not been alleviated by the new international climate of respect for such rights, owing to Turkey's refusal to implement United Nations resolutions on Cyprus. Seventeen years after the Turkish invasion, almost 40 per cent of the territory of Cyprus remained under occupation. Moreover, Turkey had curtailed freedom of movement and the right to acquire property in Cyprus by dividing the country into two halves. The 200,000 Greek Cypriots who had been forced to flee from northern Cyprus remained refugees in their own country and were still deprived of their property.

64. Turkey had also deliberately altered the demographic structure of the occupied areas of Cyprus. Prior to the 1974 invasion, Greek Cypriots had comprised 82 per cent of the population and Turkish Cypriots, 18 per cent. Subsequently, Turkey had effected a massive transfer of settlers to the area, giving them the homes and properties of the evicted Greek Cypriot refugees. The fact that thousands of Turkish Cypriots had emigrated from the island showed that the influx of settlers, who currently numbered 80,000, and of

(Mr. Vassilakis, Greece)

35,000 Turkish soldiers was detrimental to the entire Cypriot population. Turkey's policy was in clear violation of article 49 of the Fourth Geneva Convention.

65. The drastic reduction in the number of Greek Cypriots who remained enclaved in the occupied area, from over 20,000 in 1974 to less than 600 at the current time, was a result of Turkish oppression, discrimination, harassment and violence. Despite the adoption of a number of United Nations resolutions and the establishment of a Committee on Missing Persons in Cyprus in 1981, not one of the over 1,600 missing persons in Cyprus had been found, owing to Turkey's unwillingness to cooperate. Its systematic plundering of the cultural heritage of the occupied Cypriot territory was yet another example of the human rights violations it was perpetrating.

66. There could be no just and viable solution unless the Turkish occupying forces and settlers withdrew from Cyprus. In resolution 716 (1991), the Security Council had reaffirmed the principle, in line with high-level agreements between the parties in Cyprus, that a settlement must be based on the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and the exclusion of union in whole or in part with any other country and any form of partition or secession. While the Greek Government had welcomed the resolution, Turkey had interpreted its provisions selectively in document A/46/584-S/23156. He reiterated his Government's intention to provide constructive support to the Secretary-General's mission of good offices in Cyprus so that the relevant Security Council resolutions could be implemented, and urged the Turkish Government to do likewise.

67. The Turkish representative, in his statement on item 98 (c), had referred to alleged human rights violations against the Muslim minority in Greece. Those allegations were not only an attempt to divert attention from Turkey's ill-treatment of minorities in its territory, but also a distortion of the facts. Under the 1923 Treaty of Lausanne, both the Muslim minority in Greece and non-Muslim minorities in Turkey were entitled to the same protection. However, Turkey's systematic policy of uprooting the Greek Orthodox minority in its territory was illustrated by the reduction of that minority population from over 200,000 in 1923 to only 3,000 in 1991.

68. In contrast, the Muslim minority population in Greece had risen from 106,000 to 120,000 and the number of schools catering to their needs from 86 in 1923 to about 300 in 1991. They were free to use the Turkish language, both spoken and written, in public and private life. In addition, the Muslim minority currently had two representatives in the Greek Parliament, who had been allowed to take their oath of office on the Koran. Greece also deferred to the wishes of its Muslim citizens by appointing the legally recognized heads of the Muslim clergy not directly, but on the basis of recommendations from a committee of Muslim clergy and laymen, and by accepting their jurisdiction in matters of family law.

(Mr. Vassilakis, Greece)

69. Instead of making false accusations against Greece, Turkey, which was constantly under review by international human rights mechanisms, should focus its efforts on improving its poor human rights record.

70. Mr. MORA GODQY (Cuba) said that, although the recent changes in the structure of international relations had had some positive effects, not all of them boded well for the future of third world peoples. The so-called triumph of universal values, largely owing to the decline of socialism, could be interpreted as a threat to the national sovereignty and self-determination of third world countries and as a pretext for discriminatory international economic policies. He was therefore troubled to note that the new initiatives proposed by the representatives of industrialized countries at the current General Assembly session all tended to reinforce that new world order, which had nothing to do with the interests of the developing countries. The doctrine of limited sovereignty, which emerged in such concepts as humanitarian and electoral assistance, sought to justify interference in the internal affairs of States.

71. In the Third Committee, representatives of developed countries had condemned human rights violations in the South, while ignoring racism, xenophobia and anti-communism in the North. The developed countries had a responsibility to address those phenomena, which had, in the past, led to the Second World War.

72. The North was trying to manipulate United Nations mechanisms and concepts to establish the supremacy of a single political system which did not answer the needs of third world peoples. That practice was apparent in the imposition of so-called human rights conditionalities for the provision of development aid and operational activities for development. It was clear, however, that the North had no real concern for human rights in the South, since its economic policies were depriving third world peoples of the basic human right to life.

73. True democracy and justice could only prevail if inequalities in the distribution of wealth were rectified and conditions were created to guarantee the full access of all peoples to social benefits and political rights. Those objectives, in turn, could only be met through genuine international cooperation that respected the right of peoples to choose their own social and political structures, and not through such mechanisms of interference as the so-called electoral assistance of the United Nations.

74. He wondered why the establishment of an office of Coordinator for Electoral Matters had been proposed, when the Secretary-General had indicated in his report (A/46/609) that most Member States opposed the establishment of a new United Nations structure to verify elections or provide electoral assistance. In the event that such a mechanism was established, he would like to see it applied to such Western countries as the United States, where those in power were elected by only 21 per cent of the electorate and democracy was reduced to the well-being of a select few.

(Mr. Mora Godoy, Cuba)

75. Those who called themselves champions of human rights could not be considered sincere until they had denounced the injustices perpetrated in the one remaining super-Power and had appointed a special rapporteur to investigate human rights violations against Puerto Rican political prisoners in the United States. In Cuba, no prisoner had ever suffered physical violence, nor had anyone ever disappeared. Cuba had managed to build a more just and humane society in spite of its status as a developing country which faced the hostility and aggression of the world's most powerful country. The United States had, through duplicitous means, imposed against Cuba an economic embargo of the type used only for the most serious human rights violations. Only when that action had been condemned could there be true objectivity, cooperation and dialogue on the subject of human rights.

The meeting rose at 6 p.m.