



SUMMARY RECORD OF THE 46th MEETING

Chairman: Mr. MATHIAS (Portugal)

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AGENDA ITEM 122: INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES (continued)

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Distr. GENERAL
A/SPC/35/SR.46
12 December 1980
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 122: INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES
(continued) (A/35/242; A/SPC/35/7, A/SPC/35/L.21)

1. Mr. JELONEK (Federal Republic of Germany), introducing draft resolution A/SPC/35/L.21 on behalf of the sponsors, said that his delegation was grateful for the useful contributions made in the discussion on the question under consideration and for the support given to his Government's initiative. Canada, Guatemala, Italy and Zaire had become sponsors of the draft resolution.

2. The preamble drew attention to the human, political and legal context of the refugee question. Flows of refugees not only created individual human misery but also imposed heavy political, economic and social burdens on States. They could jeopardize the order and stability of the receiving countries or even destabilize entire regions. It was therefore necessary to appeal to the international community and to establish a system of international co-operation based on the relevant provisions of the Charter and of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. There was no question of establishing a system that would duplicate the efforts of existing bodies, or of interfering with their activities. The third, fourth and ninth preambular paragraphs of the draft resolution were designed to dispel any fears that the initiative was intended to infringe on the existing competence or responsibilities of the United Nations and its organs.

3. The operative part of the draft resolution, which had been formulated in a spirit of compromise so as to accommodate all those who had urged a cautious approach, was limited to a first procedural step. Member States were invited to convey to the Secretary-General their views on possible guidelines for the conduct of States and an appropriate institutional arrangement at the United Nations level, and those views were to be considered by the General Assembly at its thirty-sixth session. The draft resolution in no way prejudged any decisions the General Assembly might take in the future. Everything remained negotiable and subject to future debate. The objections of some delegations on certain points in the draft resolution therefore appeared unfounded and it was difficult to understand why a consensus on the text could not be achieved. In the view of the sponsors, nobody should stand aside from a proposal that was designed to translate into reality the purposes and principles of the Charter of the United Nations.

4. Mr. GABRIEL (Malaysia) said that the problem of refugees was becoming increasingly serious: the number of people fleeing from their countries had increased dramatically, and the international community had to assume the consequent heavy burden of providing the humanitarian assistance needed by those unfortunate and destitute people. It had done so in a remarkable way and the work of the relief organizations, particularly the Office of the High Commissioner for Refugees, had been admirable. Those efforts, however, were at best of a curative nature. Something must be done to attack the problem at its source and prevent any further exodus.

(Mr. Gabriel, Malaysia)

5. His delegation supported the initiative of the Government of the Federal Republic of Germany in bringing the question before the United Nations, as any effective measure would require the co-operation of the entire international community. Taking into consideration the adverse effects of the flow of refugees through South-East Asia and the way in which such flows had undermined peace and stability in the receiving countries, that initiative was timely and deserved universal support. The subject was essentially humanitarian and it was to be hoped that it would not become a matter of political controversy.
6. It was necessary to establish a set of agreed guidelines - a kind of code of conduct which all Governments should observe in order to avoid the creation of new flows of refugees; it should be clearly understood, however, that such guidelines must not infringe the principle of non-interference in the internal affairs of States. The guidelines should lay down the responsibilities of States from which refugees emanated. That was a delicate task and would need time, careful consideration and the participation of all Member States. The guidelines must also be accepted by consensus, which was the only means of ensuring their observance and implementation; any guideline that failed to command unanimity would be of little use. The same applied to any institutional machinery that might be created to promote international co-operation in that field. It was therefore encouraging that the widest possible support was being sought; his delegation was ready to co-operate with all Member States.
7. Mr. ADAN (Somalia) said that his country was deeply concerned at the magnitude and complexity of the refugee situation in the African continent, where approximately 5 million of the 10 to 12 million refugees throughout the world were to be found. Somalia, where, according to the Office of the High Commissioner for Refugees, the situation was the most serious, had an intimate knowledge of the tragic sufferings endured by the refugee population, which, in his country, was largely composed of uprooted and deprived women and children facing hunger, starvation, disease and death.
8. The assistance which had come from all quarters, and particularly from the Office of the High Commissioner for Refugees and various United Nations humanitarian bodies, as well as from intergovernmental, non-governmental and governmental organizations, was insufficient to solve the problems of refugees, who numbered some 1.5 million in Somalia, a country that was suffering from the constraints of under-development and world inflation and that had had to cancel its development plans and lower the already unsatisfactory standard of living of its population in order to cope with the unprecedented flow of refugees.
9. Only part of the refugee population could be accommodated in the refugee camps; the others were scattered throughout the country, and that situation heavily overloaded the social and economic services, seriously damaged the ecology of the country and brought about a dangerous reduction in national food and energy supplies. Somalia was a classic example of the problem which the proposal before the Committee sought to avert.

(Mr. Adan, Somalia)

10. The refugee situation, though tragic in itself, was but a symptom of more fundamental problems. The flow of refugees was brought about by flagrant violations of human rights, internal repression and foreign intervention in local conflicts. The efforts of the international community to deal with critical situations were not designed to promote solutions that went to the root causes of the problems, which constantly multiplied and became a chronic source of tension and instability. The victims were the innocent inhabitants of countries in South-East Asia, Central Asia, the Horn of Africa and elsewhere. The tragic plight of the Palestinian refugees, which had occupied the United Nations for over three decades, illustrated the difficulty of eliminating the need for humanitarian assistance when the underlying political issues remained unsolved. The search for a permanent solution to the refugee problem was thus imperative.

11. Flows of refugees would clearly continue if certain régimes persisted in following a policy of political, colonial or racial oppression and persecution and in disregarding the human rights of groups and individuals and the inalienable right of peoples to self-determination. Whenever the ideals of justice and human rights enshrined in the Charter of the United Nations were denied, there was bound to be resistance and a legitimate struggle for self-determination and independence. When oppression and persecution deprived groups of people of the means of existence, forcing their expulsion through threats, intimidation and violence, the situation thus created inevitably involved the sovereignty and internal affairs of the countries of first asylum and became a subject of regional or international concern.

12. The international community had recently seen armed intervention by surrogate forces carried out in collusion with self-serving régimes, as well as direct military aggression and occupation in violation of the basic principles of the Charter.

13. In the light of those serious developments, his delegation strongly supported the proposal that the Committee should study the question of establishing specific guidelines and mechanisms to enable the United Nations to take prompt action. Such guidelines should be drawn up on the basis of precedents of international law relating to refugees, of human rights conventions and of the provisions concerning friendly relations among States, particularly the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, which placed emphasis on the observance of human rights and fundamental freedoms, on the right of peoples to self-determination and on the need for States to seek a just settlement of disputes.

14. His delegation had listened carefully at an earlier meeting to the objections which the representative of the Soviet Union had raised to the proposed establishment of an appropriate institutional arrangement at the United Nations level and had been disappointed that that representative had proposed no alternative course of action open to the international community for dealing with the critical refugee problem. It hoped that serious consideration would be given to the proposals made by the Federal Republic of Germany and that Member States would make an active contribution to the development and implementation of those proposals.

15. Mr. PASTINEN (Finland) said that his Government had on various occasions expressed its concern about the serious refugee problem, which was assuming ever more alarming proportions. The international community as a whole bore the responsibility of solving the political and humanitarian problems arising out of constant flows of refugees. Some of the reasons for the flows of refugees were beyond human influence, and humanitarian work therefore preserved its pivotal importance. But, as the Minister for Foreign Affairs of Finland had stated before the General Assembly, the responsibility of the international community did not absolve the States that had created the problem, whether by external aggression or internal oppression. Since, unfortunately, nations were often at fault, it was necessary to strive for the elaboration of guidelines on how nations should act in order to avoid situations which were likely to lead to the mass exodus of refugees to other countries.

16. The Charter provided that all States should settle their international disputes by peaceful means and should refrain from the threat or use of force and that all States should give the United Nations every assistance in any action it took. Measures to stem the flow of refugees were one of the actions required. For that reason the Government of Finland was glad that the Government of the Federal Republic of Germany had proposed the inclusion of the item in the agenda of the thirty-fifth session of the General Assembly.

17. Mr. SOURINHO (Lao People's Democratic Republic) said that the question under consideration was extremely complex and, because of its political and humanitarian implications, was of concern to the entire international community. For the Lao delegation, the refugee problem was above all a humanitarian problem and should be tackled strictly as such, that was to say with an application motivated by concerns free of any ulterior political motive.

18. The Lao delegation had listened with great attention to the statements by the representative of the Federal Republic of Germany but, in spite of all the clarifications given, it was still apprehensive that such an initiative, particularly the proposal to establish a United Nations good offices committee, might only lead to involvement by the Organization in the internal affairs of States by virtue of the committee's supranational powers.

19. Furthermore, the functions envisaged for that commission were already performed by the Office of the United Nations High Commissioner for Refugees which, over the past 30 years, had acquired an inestimable fund of experience and which, in carrying out its activities, had shown itself, in keeping with its responsibilities and humanitarian vision, particularly effective in demonstrating the flexibility, discretion and neutrality required to find appropriate solutions to all aspects of the refugee problem. That had been borne out by the pleasing outcome of the two Geneva Conferences on South-East Asian refugees organized by UNHCR and the Secretary-General of the United Nations, by the agreement between UNHCR and the Government of the Socialist Republic of Viet Nam on arrangements for the departure of refugees, which had been signed following the first Conference, and by the agreements between UNHCR and the Lao Government concerning Lao refugees in Thailand, thanks to which several thousand refugees had been able to return home of their own

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

free will since 1977. A third and fairly large group had also been repatriated in accordance with the agreement reached in July 1980 between the Lao Government and UNHCR with the co-operation of Thailand. Those facts clearly demonstrated that the existing organs of the United Nations sufficed to enable the international community to resolve the refugee problem if all of its members co-operated fully.

20. A polemical debate on the question, or any attempt to exploit the problem in order to criticize the policy of certain countries, would do nothing to lessen the suffering of the millions of human beings who, for all kinds of reasons beyond their control, had been uprooted from their countries of origin and who created for host countries, particularly for the countries of first asylum which were often developing countries, serious economic, social and political problems.

21. The Lao People's Democratic Republic, deeply aware of those problems, was applying itself to their solution together with UNHCR and Thailand, the country of first asylum for the Lao refugees. It appealed to that country to participate in the search for a speedy and lasting settlement of all outstanding difficulties between the two countries by reverting to the strict application of the joint Thai-Lao communiqués signed in 1979. The fact that Thailand, taking advantage of a frontier incident which had occurred on the Mekong the previous June, had closed its frontiers with Laos except for two crossing-points, was not conducive to a solution of those problems and ran counter to the legitimate interests of the Thai and Lao peoples, united as they were by geographical, historical, ethnic and cultural ties. The international community had the duty to help the two countries live in harmony and in a spirit of good neighbourliness by persuading Thailand to honour its commitments and comply with the Charter of the United Nations.

22. The Lao People's Democratic Republic asked other countries, and particularly the United States and China, to put a halt to their subversive activities, which were causing the mass exodus of Lao nationals. It called upon the United States to help in the rebuilding of the economic and social structures disrupted by the long "special war" which it had conducted against the Lao people.

23. The Lao Government had adopted a humane policy towards all nationals outside the country: it welcomed all who wished to return and helped them to resettle; but it had never and would never obstruct the plans of those who wanted to settle permanently in the country of first asylum or any other country of their choice.

24. His delegation could not condone the conduct of certain countries which, while loudly deploring the fate of the refugees, had done little if anything to relieve their suffering, as could be seen from the results of the last conference for the announcement of voluntary contributions to the Programme of the United Nations High Commissioner for Refugees. Furthermore, some Governments whose human rights policies were among the most reprehensible made it their policy to attract as many refugees as possible to their territories for financial and political reasons. Others again - the very ones which had helped to cause the mass exodus of refugees by their subversive activities inside the countries of origin or from abroad, or as

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a result of their past acts of aggression and imperialist and hegemonistic expansion - had cynically shifted the blame for the flows of refugees onto the policies of the countries of origin. An article published in September 1980 by the Centre for International Policy in Washington gave telling examples of that and made any further comment on the interference of the United States in the internal affairs of the Lao People's Democratic Republic superfluous.

25. The Chinese leaders, who had massed several divisions on the Lao frontier, infiltrated spies into the country to spread information and rumours designed to create a climate of confusion and panic and sent a cargo plane to Thailand in July to take a sizable contingent of Lao and Hmong recruited in Thai refugee camps to China for training in subversive activities, bore particular responsibility for the state of insecurity which existed in some parts of the country.

26. That state of insecurity, and the effects of the special war conducted by the United States and the unprecedented natural disasters which had struck the country in 1977 and 1978, were the basic causes for the flow of Lao refugees. His delegation denied all the slanderous allegations which had been made with respect to his Government's policy towards its citizens.

27. It was clear that the best way of solving the problems posed by flows of refugees was not to create a new agency under the auspices of the United Nations but to strengthen the financial capacity of existing agencies, particularly UNHCR, and strictly observe the principles governing peaceful and friendly relations, in particular the principle of non-interference in the internal affairs of States and the principle of non-use of force or threat of force in international relations. In that connexion, he expressed regret that the Soviet Union's proposal for the conclusion of an international treaty on the non-use of force or threat of force in international relations had always encountered the reluctance of those who were now making much ado about the refugee problem. The same countries had stubbornly opposed the establishment of a new international economic order, which would have enabled developing countries to cope better with economic difficulties, another cause of flows of refugees. It was therefore of primary importance to find solutions to those problems and put an end to acts of subversion, aggression and interference in the internal affairs of States and to activities aimed at destabilizing developing countries. His delegation would firmly support any initiative which sought to achieve those objectives.

28. Mr. Mubarez (Yemen) took the Chair.

29. Mr. KALINA (Czechoslovakia) said that, from the time when the item under consideration had been placed on the agenda, his delegation had realized the dangerous consequences which might follow from that action. Its proponents had envisaged the establishment of a United Nations good offices committee to avert new flows of refugees and had explained its main functions. The important point, however, was not when such a committee should be established but the fact that the result of establishing a supranational body of that kind, whose functions would include making proposals concerning the conduct of Governments, might involve the United Nations in policing activities and in interference in the internal affairs of Member States.

(Mr. Kalina, Czechoslovakia)

30. Most of the Governments of sovereign States Members of the Organization desiring that international peace and security should be maintained, respected the principles of international law set forth in the Charter and would not allow any supranational body to dictate their conduct. It was clear from the statements made by many representatives that the underlying purpose in establishing such a committee was to set up a body which would stand above the existing United Nations machinery and, in the interests of "speedy action", would deal with matters that were within the competence of the Security Council or of the General Assembly and its organs.

31. In view of the proposals before the Committee, no constructive solution seemed readily apparent. The establishment of a United Nations good offices committee to avert new flows of refugees could have unforeseen adverse effects and be harmful to the vital interests of the majority of the States Members of the Organization.

32. Mr. SHAMMA (Jordan) said that his country was among those which had suffered most, and continued to suffer, from refugee problems. As in the past, its policy would be to favour any international co-operation aimed at solving the refugee problem, and from that standpoint it welcomed the initiative taken by the Federal Republic of Germany in proposing the inclusion of the item in the agenda.

33. His delegation wondered whether it was possible to reconcile the humanitarian and the political aspects of the problem, which could hardly be dissociated. Furthermore, since the refugee problem usually resulted from a political situation - internal unrest - or a military situation - armed conflict - it would be difficult to know about new flows of refugees before they occurred and take steps to prevent them without tackling their causes.

34. Alleviating the sufferings of refugees from the humanitarian standpoint while preserving international peace and security, which was a fundamental element of relations between States, involved a factor of confidence; faith in the principles of the Charter and their implementation in international relations required that States should have confidence in the United Nations and provide it with the means to carry out its mandate.

35. Jordan was deeply concerned at the inhuman means employed in the occupied Arab territories by the Zionists, in keeping with their Satanic ideology, to drive the Palestinians from their lands and swell the ranks of the refugees. Although that attitude was not something recent, no preventive measures had yet been taken against Israel. Certain States had even objected to the possibility of such measures, for example during the consideration of draft resolution A/SPC/35/L.19, claiming that the United Nations had no right to act "prematurely". The question was why the Organization should not have the right to take preventive measures to avert developments which might threaten international peace and security but should be entitled to take preventive measures to avert new flows of refugees.

36. The German initiative was proof enough that the United Nations was entitled to take preventive measures for the preservation of peace and security in any part of the world, and draft resolution A/SPC/35/L.21 was a preventive measure to deter Israel from actions which might result in a new flow of Palestinian refugees.

(Mr. Shamma Jordan)

37. Nevertheless, the draft resolution was open to some reservations, and he wished to propose a number of amendments on behalf of the Arab Group. 1/ In the second preambular paragraph, the words "or are forcibly expelled" should be inserted after the word "flee"; a new paragraph should be inserted to become the third preambular paragraph, reading: "Reaffirming the right of refugees to return to their homes in their homelands"; and the words "and to facilitate the return of those refugees who wish to do so" should be inserted after the words "new flows of refugees" in operative paragraph 1. If those amendments were accepted, his delegation would support the draft resolution.

38. Mr. AL-ELFI (Democratic Yemen) said that the inclusion of item 122 in the agenda of the thirty-fifth session had caused confusion from the very beginning; those supporting its inclusion had emphasized "new" flows of refugees and called for the preparation of guidelines based on past experience, without mentioning how old conflicts were to be ended.

39. It was reasonable to ask whether the problem of the people driven out of Palestine, Namibia and South Africa by two racist régimes was an unimportant and non-urgent question, even though those two régimes were, as the international community had recognized, the ones mainly responsible for flows of refugees in the world. Were not the majority of the States which stressed the significance of new flows of refugees the same countries which opposed the resolutions of the international community, refused to recognize the political nature of the refugee problem in Palestine, Namibia and South Africa and gave political, economic and military support to the two chief culprits, Israel and South Africa? Were they not the same States which had objected to the establishment of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and which, in the Security Council, were preventing the imposition of economic sanctions on the racist régime in South Africa and hindering the implementation by the Security Council of General Assembly and Security Council resolutions on the question of Palestine and the Middle East? Was not that stress on new flows of refugees a cover for distinctly political intentions?

40. Moreover, many capitalist countries, which attached political conditions to their aid to developing countries, perhaps saw that the time had come to treat humanitarian aid to refugees in the same way. In recent years - and 1980 was no exception - the United Nations Relief and Works Agency for Palestine Refugees in the Near East had been facing a growing deficit which threatened the future of thousands of Palestinian refugees, but the capitalist countries did not seem worried by that.

41. If that state of affairs was to be corrected, the decisions of the international community must be implemented and the need to establish a new international economic order, so as to strengthen respect for human rights and fundamental freedoms must be acknowledged. The question was closely linked with the struggle

1/ The text of the amendments was subsequently issued as document A/SPC/35/L.22.

(Mr. Al-Elfi, Democratic Yemen)

of developing countries to establish a new world information order. The monopoly of information media by the capitalist countries tended to distort the reality of the struggle of peoples for independence and social progress, and was a source of instability in the world.

42. The brain drain from developing countries to capitalist countries was another factor which hindered the development efforts of third world countries. There again, it was reasonable to ask whether the capitalist countries were perhaps aiming, by means of the proposal under discussion, at increasing the flow of skilled personnel to their own territories.

43. Furthermore, the proposal before the Committee was aimed at the establishment of a supranational body, or good offices committee, to strengthen international co-operation so as to avert new flows of refugees. The objective was in fact to establish a body empowered to intervene in the internal affairs of States, in violation of the principles of the United Nations Charter. What the international community needed was not so much to establish a supranational body as to ensure the implementation of the resolutions it had adopted, particularly on the struggle of the Palestinian people to recover their right to self-determination and the struggle of the peoples of Namibia and South Africa against the Pretoria régime.

44. The focusing of attention on new flows of refugees, in disregard of the purely political problems of those regions of the world and the clearly expressed wishes of the international community, revealed the true intentions of the proponents of the inclusion of the item in the agenda. Democratic Yemen could not agree to that action, and would emphasize once again the need to observe the principles of the Charter and to reject all interference in the internal affairs of States.

45. Mr. Mathias (Portugal) resumed the Chair.

46. Mr. ROA KOURI (Cuba) said that his delegation had listened with particular interest to the analysis of the causes of migratory flows - deportations, destruction of the economic and social infrastructure, discrimination on grounds of race, religion, ethnic origin, political opinion and so on - made by the representative of the Federal Republic of Germany in his statement on item 122. The Cuban delegation wondered whether the Federal Republic of Germany and its Western friends had finally realized the dimensions of the tragic plight of the South African, Namibian and Palestinian peoples and were finally coming to acknowledge that exploitation was an intrinsic part of the existing international economic order. Were the Federal Republic and its Western friends now ready to condemn the monstrous apartheid régime in South Africa, which was the cause of the exodus of South African and Namibian refugees and migrants, and the equally detestable Zionist régime in Israel, which was responsible for the unending sufferings of the Palestinian refugees and migrants, and to impose on those two régimes sanctions which only the Western veto had prevented the Security Council from voting? Were the Federal Republic and the other Western countries going to condemn the genocide committed by the military junta in El Salvador, which had

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caused and was causing floods of refugees? Were those countries going to vote for the draft resolution, now under consideration in the Third Committee, denouncing the savagery of the junta, whose latest despicable crime had been the murder on 27 November of Dr. Enrique Alvarez, President of the Frente Democrático Revolucionario of El Salvador? It was true that on 29 November the Minister for Foreign Affairs of the Federal Republic of Germany had expressed his Government's dismay and revulsion at that abominable crime. Was that dismay going to be transmuted into such constructive action as, for example, calling on the Governments of the United States and Israel to stop sending arms to the fascist junta? Had the Federal Republic and its Western friends finally realized that the only way of curbing migratory movements was to redistribute wealth and end the imbalance between the world of affluence and the world of starvation?

47. The statements by the representative of the Federal Republic of Germany and other representatives of Western countries had soon dispelled any such illusions. Behind the sham "humanitarian altruism" of item 122 lay nothing but political manipulation by means of which the very States that were responsible for the exodus of refugees because of their exploitation of the third world and their support for racist régimes were seeking to create machinery to protect themselves from the economic consequences of the migrations they were causing. That was a grotesque undertaking which insulted the intelligence of the developing peoples, a gross violation of the sovereignty and the human rights of those peoples and an attempt to confer supranational powers on a new organ of the United Nations system or on one of its existing subsidiary organs. That was unacceptable.

48. The Minister for Foreign Affairs of the Federal Republic of Germany had spoken in the General Assembly of the need to elaborate rules governing the conduct of States. One might reasonably ask whether the aim was not to legalize the creation of a huge bantustan for all the deprived, humiliated and starving people of the third world, whose movements would be strictly controlled so that the developed world might continue its lavish feast undisturbed. Fortunately, the time when conquerors could presume to order the conduct of States had been finally relegated to the history books. The last of those hideous attempts had occurred more than 35 years previously, when an evil house-painter in Europe had attempted to erect an impenetrable barrier between the "elect" race and other ethnic groups regarded as intolerably inferior.

49. Even if that odious form of "immunization" had disappeared, there was no lack of examples to show that human beings from the developed world and the developing world were not measured by the same yardstick. Three years previously, when a group of civil aviation pilots, together with a vast array of journalists and television staff, had visited the United Nations to condemn the admittedly regrettable deaths of several of their colleagues of Lufthansa Airways who had been killed when their aircraft had been hijacked, a resolution condemning that crime had been adopted by consensus. A few months prior to that, a bomb placed on board an aircraft of the Cubana de Aviación Company had exploded in mid air, causing the death of the crew and 77 passengers - Koreans, Guyanese and Cubans.

(Mr. Roa Kouri, Cuba)

On that occasion no one had seen fit to organize a delegation of pilots, summon journalists or adopt a resolution. Should such silence be attributed to the "pigmentation" of those 77 developing-country nationals, who were not Aryians? In the case of the matter under consideration, it was obvious that the proponents of the item were concerned only about the countries that were liable to receive refugees from the developing world. Not the slightest reference could be found in the statement by the representative of the Federal Republic of Germany to the poor, starving, unemployed and sick human beings who were compelled to emigrate in search of better prospects and whose numbers were out of all proportion to the number of those about whom the delegation of the Federal Republic of Germany was concerned.

50. According to FAO, more than 50 million inhabitants of one Latin American country would be living below the poverty line by the end of the century. Such were the figures of underdevelopment - an underdevelopment that was due not to any so-called "incapacity" or "inferiority" of the peoples of the third world, as western "sociologists" claimed, but to the colonial and neo-colonial exploitation practised by developed countries which lived in affluence owing to the plunder of the human and material resources of the developing countries and the maintenance of unjust international economic relations. If, instead of seeking forms of international co-operation designed to stem the flow of refugees, the developed capitalist countries attacked the evil at its roots and sought such co-operation in order to achieve a massive transfer of resources to the developing countries, that would be a legitimate concern and a constructive proposal on their part.

51. There was talk of averting new flows of refugees but care was taken, on the other hand, to avoid any mention of the "brain drain". That was not surprising considering that the transnational corporations, which were the principal beneficiaries of the existing economic order, encouraged that outflow by all kinds of measures in the areas of migration, wages and ideology.

52. On the other hand, it was more surprising to see the representative of the Federal Republic of Germany setting himself up as the champion of fundamental freedoms and quoting Article 1 of the Charter in that connexion. Since the industrial revolution in Europe, freedom of movement of individuals had been considered by the bourgeoisie as one of the most precious of those fundamental freedoms. How, then, could it be explained that freedom to emigrate had now fallen out of favour? Had Emma Lazarus been mistaken in extolling the open-door policy for immigrants, or was it not rather the case that such immigration posed a threat to the affluence of the developed world?

53. As far as the migratory movements from Cuba were concerned, his delegation had explained its position when speaking in exercise of the right of reply. It had attributed such migration to the United States policy of taking in war criminals and Batista supporters and systematically attracting young Cubans in order to destabilize the country economically and politically by depriving it of its most highly qualified personnel. In addition, the United States had persistently encouraged Cubans to leave their country illegally while at the same

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time restricting immigration, and even halting it completely in 1962. Consequently, it was the United States itself that was really responsible for the hijacking of aircraft and vessels of which it was now complaining. In addition to the trade embargo which it had imposed on Cuba for the previous 21 years, the United States had used every possible means - invasion by mercenaries, pirate attacks, industrial and agricultural sabotage and blocking of all access to credit - to hamper Cuba's economic development, not to speak of the enormous sums which his country was forced to invest in its defence in view of the maintenance by the United States of a military base on the island against the express will of the Government and people of Cuba and in violation of the principles of international law.

54. The United States representative had referred to the recent influx of Cuban "refugees". The term used was incorrect since the people concerned were emigrants who had left the country in a perfectly legal manner, provided with passports and visas. In any case, to discuss the ins and outs of emigration from Cuba to the United States was a pointless exercise. It would be more worth while to consider the real causes of the problem. He who sowed the wind reaped the whirlwind. Those who for years had kept Cuba in a state of illiteracy and underdevelopment were largely responsible for the current situation, which was a source of actual or potential migration.

55. The statements by the United States representative became clearer if account was taken of the recent acquittal by a jury at Greenboro, South Carolina, of members of the Ku Klux Klan who were responsible for the murder of a group of black Americans. It was logical to think that the United States Government was seeking to slow down undesirable emigration so as to maintain the ethnic balance of the country. It was a curious fact that one of the members of the jury in question was a Cuban who had taken part in the abortive invasion of Playa Girón in 1961.

56. Cuba was sincerely concerned about the world refugee tragedy and had always been associated with the work of the Office of the United Nations High Commissioner for Refugees and other United Nations humanitarian bodies. The political aspect of the refugee question was the responsibility of the Security Council and the General Assembly, which had always risen to the challenge of critical situations - a fact on which the proposal by the representative of the Federal Republic of Germany might cast doubt. That was unacceptable. His delegation could see no point whatsoever in establishing a good offices committee. It could not accept the idea that the refugee problem was a threat to international peace and security, and even if that was the case, the question would be the exclusive responsibility of the Security Council. It also rejected the formulation of guidelines for the conduct of States, which it considered to be flagrant interference in the internal affairs of States.

57. If the idea was to improve the existing system, efforts should be focused on strengthening the United Nations system and, in particular, resolving the budgetary difficulties facing such bodies as UNHCR.

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(Mr. Roa Kouri, Cuba)

58. For those reasons, his delegation was opposed to the proposal by the Federal Republic of Germany, which it considered to be against the interests of the developing countries and not in accordance with United Nations objectives.

59. Mr. THEODORACOPOULOS (Greece) said that he, too, was concerned at the magnitude recently assumed by movements of refugees seeking asylum in other countries. Such population movements created serious social and economic problems in receiving States and had a harmful effect on inter-State relations. They also posed a grave danger to national, regional and international stability. The United Nations therefore had a responsibility to deal with the question and to take preventive measures before the problem acquired such magnitude that it endangered international peace. That was a duty deriving from the provisions of the Charter, which, in chapter I, called for the development of friendly relations among nations, the adoption of other appropriate measures to strengthen universal peace and the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in encouraging respect for human rights and for fundamental freedoms for all.

60. The problem of the refugees, of whom there were currently approximately 12 million in the world, should be seen in that perspective. It should be considered from every angle save the humanitarian aspect which had already been discussed by the Third Committee; moreover, UNHCR and various bodies were seeking to alleviate the sufferings of refugees and various conventions dealt with that aspect. Efforts must be concentrated primarily on preventive action, at the level of the root causes, which could be varied in nature. The causes for which man was responsible included major violations of the international legal order, resulting in mass forced exoduses, such as invasions and aggression against or occupation of foreign territories, all of which uprooted the indigenous population; disruption of economic and social structures; and discrimination based on race, religion, ethnic origin and so forth. Measures must be taken as a matter of urgency to deal with those causes.

61. The proposal of the Federal Republic of Germany concerning guidelines to prevent further exoduses seemed practical and constructive. However, in order to be effective, those guidelines must be weighed carefully and adopted by consensus. They must also include practical suggestions, based on experience, to serve as a guide for countries, regional organizations, the United Nations and its specialized agencies. In addition, account must be taken of the procedure for the peaceful settlement of disputes prescribed in Article 33 of the Charter.

62. If those measures proved unavailing the United Nations should intervene. Accordingly, the idea of establishing a special institutional arrangement deserved consideration, it being understood that it would be necessary to adhere to the Charter in every respect.

63. It should be emphasized that the underlying causes of the mass exoduses constituted flagrant violations of the Charter. Accordingly, the refugee problem should be considered in the broader context of implementation of the Charter and of the resolutions of the main bodies of the United Nations, particularly the Security Council.

64. Mr. THIOUNN PRASITH (Democratic Kampuchea) observed that the refugee phenomenon, though not new in itself, was currently of unprecedented dimensions: according to certain statistics, there were between 12 and 17 million refugees. It was becoming increasingly difficult to alleviate their distress through international solidarity, and no Government could expect to escape the consequences of such tragic exoduses. Accordingly, his delegation sincerely congratulated the Federal Republic of Germany on initiating a discussion of the matter in the United Nations.

65. In addition to the 2 million Palestinian refugees in the Middle East, the international community's attention was currently fixed on the north-eastern part of Africa, which had 1.5 million refugees in Somalia and 500,000 in the Sudan; on southern Asia, which had 1.2 million Afghan refugees in Pakistan and another 500,000 in Iran; and on south-east Asia and particularly Thailand, which was shouldering the heaviest refugee burden of all. Those three main areas of concentration of refugees had the following common features: they were situated in the third world, the refugees came to them from countries that were linked to the great expansionist Power by so-called "friendship and co-operation" treaties, and the cause of the exodus was in each case the same, namely, the use of brute force either by States against their nationals because of their ethnic origin or by the great expansionist world Power in order to satisfy its ambitions. In short, the underlying cause of those flows of refugees was violation of the Charter of the United Nations and of the principles governing international relations and violation of the fundamental national rights of States, particularly the sacred right of peoples to self-determination without foreign interference.

66. Those flows of refugees had disastrous effects on the countries of first asylum, which were underdeveloped. They constituted an intolerable burden on those countries, whose financial resources were very limited, and were a factor making for economic, social and political destabilization. The most glaring example of that state of affairs was Somalia, a country classified as one of the least developed countries which was forced to give shelter to over 1.5 million refugees. For the international community, the problem meant diverting financial resources amounting to billions of dollars, which could have been better used to develop international co-operation and to promote the well-being of peoples. Finally, the refugee problem exacerbated tensions between countries and hence posed a threat to international peace and security. Accordingly, the roots of the evil must be tackled as a matter of urgency in order to avert a world conflagration which would make refugees of all the inhabitants of the world.

67. The number of refugees, in south-east Asia, though small at first, had grown considerably following the signature of the treaty of friendship and co-operation which had established Viet Nam's domination over Laos and had resulted in the exodus of more than one tenth of the Lao population, who had been forced to seek refuge abroad, particularly in Thailand. Following the annexation of Laos, Hanoi had invaded Kampuchea twice - in 1977 and again in 1978. When the People's Republic of China denounced those invasions steps had been taken to expel all Vietnamese of Chinese origin. There was no need to recall the tragedy of those refugees, the so-called "boat people", who had been forced by Hanoi to pay the equivalent of \$3,000-\$4,000 each before being expelled and who had perished at sea

(Mr. Thiounn Prasith, Democratic Kampuchea)

by the tens of thousands. As a result of the conference held at Geneva on 20 and 21 July 1979, it had been possible to ease their suffering, thanks to the international solidarity which had been demonstrated, but it had not been possible to halt the flow of refugees who had created, and continued to create, insurmountable problems for all countries of south-east Asia.

68. The international community had been appalled by the fate of the boat people and by the equally tragic fate of the thousands of Kampucheans who had fled the massacres perpetrated by the Vietnamese invaders. Viet Nam, which was responsible for the exodus, had added insult to injury by claiming that there had been 300,000 Kampuchean refugees in South Viet Nam. As the Kampuchean Government had demonstrated in document A/35/457, that was a base lie. In fact, the 300,000 so-called refugees were Vietnamese nationals, formerly resident in Kampuchea, who had left voluntarily and who were now being sent back to Kampuchea to create Vietnamese settlements for which Hanoi had been cynical enough to request international aid amounting to \$15 million.

69. The truth was that, at present, nearly all Kampucheans were refugees whether they lived abroad or in their own land. Despite the generous aid given by many countries and the efforts of international humanitarian organizations, the situation remained critical. In the villages, people were still dying of starvation. The reason, as everyone knew, was that the humanitarian aid sent to Phnom Penh was being seized in transit by a foreign administration which was anxious to feed the occupation forces on which it depended so that, far from easing the refugees' suffering, the international aid was helping to strengthen a régime which the United Nations had condemned. No one was deceived by the criminal schemes of Hanoi, which was extorting millions of dollars from international humanitarian organizations by claiming it was assisting Kampuchean refugees and which was blaming the destitution, misfortunes and suffering of the Vietnamese people on natural disasters or on the aftermath of past wars, although there were plenty of instances - the most recent being that of Zimbabwe - which demonstrated that, no matter how long and devastating a war had been, the nationals of a country willingly returned to their native land provided that the Government was at all concerned with the interests and aspirations of the people. The real cause of the movements of refugees in south-east Asia lay in the expansionist ambitions of the Hanoi leaders, aided and abetted by the great world expansionist Power with which everyone was familiar.

70. The flows of refugees would cease only when the States responsible put an end to their current policy and scrupulously applied the principles of the Charter. Aware of that fact, the General Assembly had adopted resolutions calling for a complete halt to the foreign invasion of Afghanistan and Kampuchea in order to enable the peoples of those two countries to exercise their inalienable right to conduct their own affairs without foreign interference. The United Nations had therefore adopted the necessary decisions at both the political and humanitarian levels, and the failure to implement those decisions was attributable to the stubborn refusal of the invaders, in both cases. Only their withdrawal would

(Mr. Thiounn Prasith, Democratic
Kampuchea)

enable the refugees to return in complete safety to their homes. In Kampuchea, the country could only be reconstructed under the leadership of a national Government democratically elected under the supervision of the Secretary-General of the United Nations and eager to uphold the innermost aspirations and interests of the nation as a whole.

71. His delegation was convinced that the struggle waged by the peoples of Kampuchea and Afghanistan, with the solidarity of all peace-loving countries, would compel those responsible for the flows of refugees to comply with the civilized rules governing international relations laid down by the United Nations. It therefore could not but associate itself actively with any action to avert new flows of refugees by eliminating the root causes of those flows.

72. Mr. RANGA (India) observed that it was not only the Office of the United Nations High Commissioner for Refugees that was concerned with the situation of refugees and that a number of United Nations bodies were also engaged in easing the consequences of the mass outflow of people from one country to another. That was an important and complex question. It must be fully understood by all that it was chronic unemployment and underemployment that obliged the population of developing and under-developed and overpopulated countries to emigrate, voluntarily, to countries where there were better social conditions and more employment opportunities in agriculture and industry. Once again, ways of solving that basic problem should be explored by requesting the Secretary-General to solicit the views of Member States.

73. His country was familiar with the question, since it had been faced with an enormous influx of refugees (following partition of the subcontinent in 1947, at the time of the events in Tibet in the late 1950s and during the war in Bangladesh in 1971); those refugees had had to be reintegrated subsequently, with the corresponding heavy social and financial burdens. His country had extended all possible assistance to UNHCR and would continue to do so, with the utmost sympathy for the unfortunate people for whom that body was responsible.

74. The question of displaced persons from Palestine had dominated the international scene for over 30 years. Those refugees had remained the responsibility of the United Nations for reasons that were not all of a humanitarian nature. As A. G. Mezerik had said in his publication "Arab refugees in the Middle East", the existence of Palestinian refugees was a consequence and continuing inherent part of a political fabric; for three decades they had felt the consequences, while the world community, seeking to isolate them in order to prevent them from becoming partisans, increased its long-term services so that human needs and aspirations could be catered to in some degree. There were now over a million of those unfortunate people, who had been forced to leave their homes.

75. His delegation wished to pay a tribute to the Office of the United Nations High Commissioner for Refugees for its yeoman work over the past 30 years. Given

(Mr. Ranga, India)

the almost continuing nature of the problem of refugees, whether voluntary or involuntary, the humanitarian action of UNHCR should be pursued, whatever steps were taken to avert new flows of refugees. Any role that the world community assumed in that connexion should be complementary and not contradictory to action taken by the High Commissioner.

76. To the causes of flows of refugees brought about by the conduct of Governments - deportation, forcible expulsion of groups of population, destruction of their economic and social basis and discrimination on various grounds - must be added causes that were beyond human control, namely, natural disasters.

77. The question arose as to whether, even with all the goodwill in the world, the United Nations could be in a position to put an end to causes in the first category. As long as there were economic and social disparities, religious, racial and linguistic persecution and political oppression, the international community would be confronted with the difficult problem of unfortunate people fleeing persecution. At the same time, the gap between the haves and have-nots must be bridged. As long as the developed countries deferred establishing a new international economic order - particularly by making concessions in trade and by transferring technology and capital to the countries of the third world - and inequality and discrimination continued to govern the utilization and distribution of the world's wealth, the patience of a large proportion of mankind would be tried, at the risk of endangering world peace itself. Those population groups would continue to be tempted to migrate in search of a better life, regardless of their respective Governments' position in that connexion.

78. It would therefore be necessary, until such time as it was possible to do away with the causes of refugee flows, to endeavour to facilitate the task of UNHCR, in other words, to protect refugees, secure their legal status, improve their economic and social situation and facilitate their return to their mother country. Since the refugee problem had many dimensions and many delegations had perhaps as yet been unable to formulate their ideas on such a sensitive subject with precision, his delegation would prefer the Committee to take no more than straightforward procedural action and content itself with a draft resolution requesting Governments merely to comment on all aspects of the question. It also requested the Secretary-General to ascertain the views of Member States on that vital human problem.

79. Mr. PHAM DUONG (Viet Nam), speaking in exercise of the right of reply, said that during the preceding meeting the representative of China, as usual seizing the slightest opportunity, had resumed his monotonous anti-Vietnamese diatribes. It was regrettable that that discordant note should have been struck in the course of an important and serious debate. It was surprising that the representative of the Maoist régime should defend the cause of refugees, since, if there was a country that had driven a great number of people out of its territory, it was unquestionably China, whose refugees and emigrants amounted to tens of thousands, dispersed throughout the world. The cause of that outflow had been first of all the cruel régime of the Chinese emperors, then the colonialist régime that had weighed on the Chinese people for centuries and currently the Maoist régime; the

(Mr. Pham Duong, Viet Nam)

struggle for power had given rise to bloody repression under the pretext of a so-called cultural revolution; that human disaster had prompted several tens of thousands of Chinese citizens to leave the country. According to the issue of Le Monde of 12 June of the current year, in 1969 alone 500,000 Chinese had attempted illegal crossings of the border between the People's Republic of China and Hong Kong.

80. China was also endeavouring to provoke a mass outflow of population from neighbouring countries. It was doing so with the motive of causing political and economic disturbances in those countries and weakening them and placing them under the yoke of its hegemony. Those refugees provided the Chinese Government with mercenaries, whom it formed into armed bands operating on the border of Thailand, Cambodia or Laos, or along the Sino-Vietnamese border, infiltrating in order to commit acts of sabotage and subversion. The most abominable of those acts was the Chinese Government's collusion with CIA agents, particularly Nguyen Cao Ki, a former general in Saigon's puppet army. On the Sino-Vietnamese border Chinese armed troops were a constant threat to Viet Nam's sovereignty and territorial integrity.

81. The slanderous allegations made by the representative of China were an integral part of the policies of his country, which attacked all those who did not share its views on domestic or foreign policy. The Vietnamese delegation categorically rejected the allegations in question.

82. Mr. LI Chih Hung (China), speaking in exercise of the right of reply, said + at the representative of Viet Nam was attempting to exonerate his country from any responsibility for the outflows of refugees that it had provoked and the numerous refugees whom it had forced to take flight; in addition, he was insulting China. However, what the representative of Viet Nam had said was not even worth refuting. The Vietnamese authorities, with assistance from Soviet hegemony, had sent a great number of people into exile. Those acts had been condemned by the international community, which had adopted resolutions in that connexion at the United Nations and at a number of conferences. Although Viet Nam might try to evade its responsibilities, no explanation could in any way change the international verdict.

83. The CHAIRMAN announced that Panama had joined the sponsors of draft resolution A/SPC/35/L.21.

The meeting rose at 6 p.m.