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held at the Palais des Nations, Geneva,
on Thursday, 18 February 1982, at 10 a.m.

Chairman: Mr. GARVALOV (Bulgaria)

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The meeting was called to order at 10.25 a.m.

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (agenda item 9) (continued)
(E/CN.4/1477 and Add.1, 1487, 1491, 1498; E/CN.4/1982/3, 6, 7, 9-14;
E/CN.4/1982/L.2, L.16; E/CN.4/1982/NGO/13)

1. Mr. HAKIZIMANA (Rwanda) said that the right to self-determination was the basic prerequisite for the exercise of other human rights. So long as foreign occupation, colonialism, apartheid and racial discrimination existed the international community must condemn them and help the victimized peoples to regain their freedom.

2. His country had repeatedly expressed its support for the just cause of the Sahrawi people, which was fighting for its self-determination and independence in accordance with the Charter of the United Nations, the Charter of OAU and the objectives of General Assembly resolution 1514 (XV). Negotiation was the only way to just and lasting peace in that part of Africa. Respect for a cease-fire between the parties concerned and the organization of a referendum in Western Sahara were the essential prerequisites to self-determination for the Sahrawi people. His country would continue to support the international community, and in particular OAU and its Implementation Committee on Western Sahara, in their efforts to enable the Sahrawi people to regain its independence.

3. The right of the peoples of southern Africa and Namibia to self-determination and independence still held the attention of the international community, but all the efforts made so far to secure respect for that right had been fruitless.

4. It was discouraging to find that the many reports on the situation in southern Africa, the Israeli-occupied Arab territories and many other regions described extremely harsh violations of human rights, including the right to life, the right to self-determination and the right to development. Some people found pretexts for claiming pre-eminence for their race or opinions, which often led to the systematic elimination of their like. Such was the case under the apartheid régime in southern Africa and the Zionist régime of Israel in the occupied Arab territories.

5. Although the international community sought unceasingly to put an end to violations of human rights throughout the world, it had to be acknowledged that the steps taken did not always produce the expected impact. The apartheid policy went on in southern Africa despite the resolutions of the Security Council, and ~~Israel refused to withdraw from the occupied Arab territories.~~ The Director of the Division of Human Rights, in his introductory statement, had referred to the human rights situation in southern Africa and in other countries as alarming. The representative of SWAPO too had spoken of atrocities committed in southern Africa and Namibia and the Ad Hoc Working Group of Experts had described in its report (E/CN.4/1485) the injustices inflicted on the black population of the region, and in particular on women and children. A revealing inventory of acts of barbarism committed by the racist apartheid régime had already been made and the reports on the subject were available to all. It should be made clear that the racist Pretoria

régime intended its "Bantu homelands" policy to be taken as an indication of its respect for the right of peoples to self-determination, whereas everyone knew perfectly well that the allegedly independent populations were satellites of the apartheid régime and could not survive without its assistance.

6. The South African régime did not hesitate to attack neighbouring independent States such as Angola. Its murderous attacks against refugee camps needed no comment. The racist apartheid régime was condemned by the whole international community. It survived solely because of the co-operation of certain States Members of the United Nations which acted through transnational corporations and in contempt of United Nations decisions, concerned for nothing but their strategic or economic interests. Without their assistance the racist régime could not pursue its policy of oppression. All States Members should comply with the measures adopted by the United Nations, including economic sanctions, so as to bring the crisis of southern Africa to a final solution. His country hoped that the Second World Conference to Combat Racism and Racial Discrimination would mark a significant advance in that direction.

7. The situation in the Israeli-occupied Arab territories closely resembled the practices of the apartheid régime in southern Africa. The activities of the Zionist entity in those territories were far from conforming to the rights laid down in the Charter and inherent in international morality. His delegation condemned Israel's Zionist policy in the occupied Arab territories, including Palestine, and the flagrant violations of human rights perpetrated there.

8. His country, in the United Nations, OAU and other international bodies, had never failed to support the cause of peoples still subjected to any kind of domination. As the President of the Rwandese Republic had said to the United Nations Secretary-General in September 1980, Rwanda supported unreservedly any initiative by the United Nations to secure the universal exercise of human rights, in the quest for peace and good relations between nations.

9. A just and equitable solution must be found to the problem of the Middle East. That entailed the unconditional withdrawal of Zionist troops from the Arab territories occupied since 1967 and full respect for the inalienable national rights of the Palestinian people, including its right to have its own State. In Rwanda's opinion the Palestine Liberation Organization should be closely associated with the search for a solution. Until the Middle East problem was settled, his country would continue to do all it could to help the Palestinian people regain its legitimate right to independence and self-determination. It therefore supported draft resolutions E/CN.4/1982/L.3, L.4 and L.6; their adoption would contribute to a just and equitable solution. As one representative had said, the mere existence of the Palestinian people justified its right to self-determination and its right to have its own sovereign State.

10. Mr. FURSLAND (United Kingdom) said that he had already referred to the problems of southern Africa in the discussion on agenda items 6, 7, 16 and 18, but he welcomed the opportunity to state that the participation of Zimbabwe in the work of the Commission was encouraging for the future.

11. The occupation of Afghanistan continued to be of deep concern to the international community. The immediate withdrawal of foreign troops from Afghanistan had been called for not only by the Commission and the General Assembly but recently by the Islamic Heads of State and the Ministers for Foreign Affairs of the non-aligned countries as well. The invasion of Afghanistan was a naked violation of that country's sovereignty and territorial integrity, of the Charter of the United Nations, of article 1 of the two International Covenants on Human Rights and of the principles of coexistence. First and foremost it was a violation of the rights of the Afghans, who were fleeing their country in hundreds of thousands. The invasion of Afghanistan had gravely damaged the climate of international trust.

12. It was regrettable that the proposals made in 1981 by the 10 members of the European Community towards a political settlement of the Afghan problem had not been taken up. It was to be hoped that all parties concerned would look at them again in the interest of restoring to the Afghan people its right to self-determination. His delegation supported draft resolution E/CN.4/1982/L.16.

13. The Cambodian people too was being denied its right to self-determination by occupying forces. His country held no brief for the previous régime, whose record it had revealed to the Commission in 1978 and 1979. The fact that the Cambodian people had suffered under one régime did not however mean that it should be left to suffer under the next. The international community had repeatedly demanded the withdrawal of foreign troops from Kampuchea, in particular in the Declaration of the International Conference on Kampuchea, held in New York in July 1981. The Cambodian people, like all other peoples, had the right to determine its own political status and future development, in accordance with article 1 of the two International Covenants. In 1981 the Commission had pointed out that the presence of foreign troops in Cambodia was a primary violation of that right. His delegation supported draft resolution E/CN.4/1982/L.2.

14. It was essential too to bring peace to the Middle East by settling the Palestinian issue. In the Venice Declaration of 13 June 1980 the members of the European Community had set out two fundamental principles for a peaceful settlement: the right to existence and security of all States in the region, including Israel, and justice for all the peoples of the area. That implied recognition of the legitimate rights of the Palestinian people. As his country's Prime Minister had stressed, if rights were demanded for one country and people they must be accorded to other countries and peoples. The Venice Declaration made it clear that the Palestinian people must be enabled to exercise its right to self-determination and that Israel must withdraw from the territories occupied since 1967. The 10 members of the European Community regretted that the situation had been aggravated by Israel's illegal settlement policy in the occupied territories and the extension of its jurisdiction to occupied territories in the Golan Heights.

15. It was for all the parties concerned to negotiate a settlement themselves, but the countries of the European Community would continue their endeavour to contribute to it. In its report to the General Assembly, the Committee on the Exercise of the Inalienable Rights of the Palestinian People had noted the Community's efforts with appreciation.

16. Lastly, with regard to his country's few remaining dependent Territories, it must be understood that while encouragement and support were due to peoples seeking their independence, the wishes of the population were paramount. That was the real meaning of self-determination.

17. Refusal to recognize the right to self-determination aggravated international tension and so threatened the security of all. All countries had a strong interest in maintaining their national integrity against foreign military intervention and occupation. If the international community allowed the right to self-determination to be flouted, it would find it more difficult to resist such violations in the future. There were major differences in the historical circumstances which had led to the situations in Afghanistan, Cambodia, Palestine and southern Africa, but peoples in all those areas were being deprived of their fundamental rights. The international community had an obligation to do its utmost to enable them to determine their own future. His country would work resolutely to achieve that.

18. Mrs. GU Yijie (China) said that the right of peoples to self-determination was the prerequisite of and guarantee for all other human rights. It was the essence of contemporary international relations, and all peoples should be able to determine their political, economic, social and cultural future. That universally recognized right was frequently violated, however, and the countries and peoples that had still not won their independence faced an arduous task. Some independent countries were also in danger of losing their sovereignty because of external aggression and interference. That was why the Commission must continue to consider the question.

19. In southern Africa the South African racist régime was brutally oppressing the peoples of Namibia and South Africa. In defiance of Security Council resolution 435 (1978), and notwithstanding unequivocal opposition and condemnation by the international community, the South African authorities were still occupying Namibia and delaying its independence.

20. For more than 30 years Israel had deprived over one million Palestinian people of their right to self-determination and their right to return to their homeland. Israel was attempting to perpetuate its occupation of the Arab territories by all sorts of means, including the annexation of Jerusalem and the Golan Heights. The reason for the lack of settlement of the Middle East conflict lay in the rivalry for hegemony between the two Superpowers: one of them sided with Israel all along, while the other sowed discord among the Arab peoples and thus damaged the cause of the Palestinian people. The Soviet Union had occupied Afghanistan for two years and deprived the Afghan people of its right to self-determination, its fundamental human rights and even its right to life. Soviet troops had used all kinds of conventional weapons in Afghanistan. According to material distributed by the "Association of Afghans", an organization of Afghan patriots, they had even used poison gas. The occupying forces had also carried out various encirclement and "mopping up" operations in some areas.

21. All Afghans who had resisted the Soviet military occupation, including religious leaders, had been killed. More than 3 million people, one third of the population, had been forced to flee their country. The occupation of Afghanistan was a massive violation of human rights and of the right to self-determination. The international community must aid the Afghan people in its heroic struggle against the aggressor. The United Nations General Assembly, the Summit Conference of the Islamic countries and the Commission on Human Rights had adopted numerous resolutions condemning the Soviet invasion of Afghanistan and calling for the withdrawal of the Soviet forces. The Soviet Union had refused to implement them, however, and had fabricated all kinds of pretexts to have its occupation of Afghanistan accepted as a fait accompli. That was totally unacceptable to everybody.

22. Three years had elapsed since Viet Nam had invaded Democratic Kampuchea and the issue had still not been settled, even though the General Assembly and the Commission had condemned the invasion and had called for the unconditional and immediate withdrawal of the Vietnamese forces. The International Conference on Kampuchea, held in July 1981, had adopted a Declaration and resolution to that effect as well. But the Vietnamese authorities refused to implement them and maintained their hegemonist stand. Vietnamese troops used various means, including poison gas, to slaughter the patriotic army and people of Kampuchea. They destroyed villages and crops and intercepted international food aid so as to starve the people. Their victims could be numbered in millions, and hundreds of thousands of Kampucheans had been compelled to flee their homeland. The Kampuchean people had thus lost not only its right to self-determination but also all other fundamental human rights.

23. Viet Nam's invasion of Kampuchea was part of a plan to establish an "Indochina Federation" whereby Viet Nam sought to extend its hegemony in South-East Asia. Those aggressive ambitions would never be realized, however, for the army and people of Kampuchea, uniting in struggle with various patriotic anti-Vietnamese forces, were making increasing progress in their opposition to Vietnamese aggression and were exploding the myth spread by the Vietnamese authorities that the situation in Kampuchea was irreversible. The war of aggression and the continued outrages by Vietnamese authorities in Kampuchea were closely linked to the support furnished by the Soviet Union, which pursued its hegemonist strategy in South Asia by financing the war of aggression that the Vietnamese were waging on its behalf.

24. The Kampuchean question could be settled only if General Assembly resolutions 34/22, 35/6 and 36/6, as well as the Declaration of the International Conference on Kampuchea, held in July 1981, were fully implemented. Such a settlement involved the unconditional withdrawal of all foreign aggressor troops and the restoration of the right of the Kampuchean people to self-determination, which would enable hundreds of thousands of refugees to return to their country and regain their rights to life and freedom in Kampuchea.

25. In Afghanistan as in Kampuchea, the right to self-determination, independence and national sovereignty had been trampled underfoot; human rights, the United Nations Charter and the norms of international relations had been violated, and the peace and security of the world severely threatened. The international community should do everything in its power to stop the aggression of the hegemonists, both big and small, failing which other nations would suffer the same fate.

26. Her delegation supported the draft resolutions on Afghanistan (E/CN.4/1982/L.16) and Kampuchea (E/CN.4/1982/L.2) and hoped that the Commission would pursue its efforts to make the Soviet Union and Viet Nam implement the resolutions of the General Assembly and withdraw their troops from Afghanistan and Kampuchea.
27. Mr. ZORIN (Union of Soviet Socialist Republics) said that the Declaration on the Granting of Independence to Colonial Countries and Peoples had been adopted by the General Assembly 22 years previously, on the initiative of the Soviet Union in particular. It was one of the United Nations major achievements in that it made the elimination of colonialism a primary duty of world policy and pointed the way clearly for national liberation movements. The nine countries that had abstained from voting when it had been adopted had subsequently continued to oppose the self-determination, independence and freedom of the colonized countries, but the prolonged struggle waged by many peoples had now enabled two out of three States to break their chains of bondage and become full members of the international community. None the less there remained pockets of colonialism, and the Commission must pursue its efforts to resolve the specific problems that still stood in the way of a complete eradication of that phenomenon.
28. The most flagrant colonialist system that currently existed was the apartheid practised by the South African Government in defiance of the rights of the peoples of South Africa, and in particular of Namibia, a country that it continued to occupy illegally by suppressing the Namibian people's struggle for independence. At the same time the South African Government was intensifying its attacks on Angola and surrounding countries, which constituted a threat to international peace. South Africa's strength and aggressiveness had an explanation in the support it received from NATO members, and above all from the United States. By resolution 36/9 the United Nations had condemned the policy of some NATO countries which rendered aid to the South African racist régime; that had not, however, prevented that régime from resorting to all kinds of manoeuvres to satisfy its ambitions and prevent Namibia from attaining independence. The deserving struggle waged by peoples against that last bastion of colonialism had found constant support in the Soviet Union and Mr. Brezhnev had reaffirmed that support, in his message of 25 May 1981.
29. The Commission on Human Rights should spare no effort to bring an end to the occupation of Namibia and a transfer of power to SWAPO, the only legitimate representative of the Namibian people.
30. There were other vestiges of colonialism scattered around the Indian, Pacific and Atlantic Oceans. In those areas certain Powers perpetuated their domination, on various pretexts, and set up networks of military bases in violation of the Universal Declaration of Human Rights and the Declaration on Decolonization. That applied not only to Micronesia, which the United States was always seeking to annex by unilateral measures in defiance of the right to self-determination and independence, but also to Puerto Rico and the island of Diego Garcia, an American military base for rapid deployment forces which directly threatened the countries of Africa and Asia. The United Nations and the bodies forming part of it must therefore step up their efforts to ensure the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

31. Many delegations had denounced the violation of the right of the Palestinian people to create its own independent State and of its right to self-determination, caused by the policy of aggression which Israel pursued with the blessing of its protectors on the other side of the Atlantic. In that connection the Soviet Minister for Foreign Affairs had declared that, in their struggle for the over-all settlement of the Middle East question, the Arab countries could count on the Soviet Union's firm support.

32. Recently certain countries had decided to heighten tension further by attempting to stand in the way of progressive reforms all over the world and to dictate once again the fate of peoples. For instance, the United States and China were acting in concert to undermine international relations and distort the facts, and in particular to tell Afghanistan and Democratic Kampuchea how to settle their internal problems and defend their sovereignty. That was simply dishonest manoeuvring designed to mislead peoples and prevent them from exercising their right to self-determination. The attitude of the United States and China towards Afghanistan and Democratic Kampuchea had been strengthened by that of Canada, already known as a defender of Israel. The only effect of all the fuss that was being made over the Afghanistan question was to underline the fact that Afghanistan was waging a real war against American imperialism, Chinese hegemonism and other hostile international forces. He reminded the Commission of the aid rendered to Afghanistan as early as 1919 on the initiative of Lenin. More recently the Soviet Union had simply acted in accordance with the Universal Declaration of Human Rights and international law in giving the Afghan Government the assistance it needed to protect its independence against external interference. The statements made the previous day by the Pakistan delegation were contrary to the facts. It was well known that organized groups armed, maintained and trained at United States expense in about 30 camps in Pakistan had centres of support in that country, from which they were sent into Afghan territory to commit murder, indiscriminately destroy enterprises and schools, and do all kinds of indescribable acts of banditry. Those bands of terrorists, as one of them had even confessed, were simply packs of rabid dogs and should be treated as such. Pakistan had tried to cast responsibility for those acts of terrorism on to the Afghan authorities, but nobody was taken in by that manoeuvre. The undeclared war against Afghanistan, against the revolutionaries and progressive forces of 1978, was contrary to the country's interests and its right to govern itself. There again could be seen the role played by the United States, which along with China stood in the way of progressive elements everywhere. For example, the United States had announced that it had allocated \$100 million to equip terrorist bands in Pakistan. Such armed interference in Afghan affairs was now an open occurrence, attesting to Washington's cynical attitude when the fate of peoples was at stake. The United States would have preferred Afghanistan, instead of being a non-aligned democratic State, to be a country similar to the Shah's Iran, in other words a bastion of imperialism against neighbouring States. The United States described those who waged a legitimate struggle for recognition of their rights in Palestine as terrorists, but those from Pakistan who murdered women and children it called freedom fighters.

33. Attacks against the people sought to undermine their will and development effort for the economic, social and cultural renewal of the country. Regarded as one of the most backward countries prior to the 1978 revolution Afghanistan had developed rapidly as a result of agrarian reform and a literacy programme. Social policy was one of the cornerstones of the régime and the national patriotic front included representatives from all classes of society. The practice of Islam was free and the sacred places and mosques were maintained.

34. Tens of thousands of Afghans had already returned to the country to take part in building it up. He mentioned the example of a former deputy prime minister of the Government overthrown in 1973, who had told The Los Angeles Times that he was returning to his country after seven years because he was convinced that American policy was now to annihilate the Afghan people and that Washington wanted to maintain the armed conflict so as to wage an undeclared war of indefinite duration in Afghanistan even if the last Afghan were to lose his life in it.

35. His delegation refuted the statements made by the delegation of Pakistan about Afghan refugees; seasonal migrations had always taken place across the frontier between Afghanistan and Pakistan. In any case, whenever the social and economic situation of a State changed, some people adopted the new régime and others did not; such had been the case in many countries represented in the Commission on Human Rights. Many Afghans had left their country because they had not understood the changes taking place and because they had been misled by anti-Afghan propaganda. The Government, far from wishing to punish them, was encouraging them to return by guaranteeing them a peaceful life and freedom to choose their dwelling place and participate in political life. However certain forces, the United States in particular, were opposed to the return of Afghans to their country. A political settlement of the situation in Afghanistan required an end to armed and other interference in the internal affairs of the Afghan State; the Soviet Union welcomed the proposal made on 24 August 1980 in that respect and deplored the Pakistan Government's attitude, which boded ill for progress towards a return of the situation to normal. Countries like the United States and China which denounced the presence of Soviet troops in Afghanistan were the main obstacle to progress towards a solution and a withdrawal of the Soviet contingent. What they wanted was not the Afghan people's well-being but the maintenance of a centre of operations in Afghanistan for the promotion of their own interests. The Soviet Union could only call upon them to cease such conduct.

36. The Soviet delegation denounced the slanders which certain speakers felt it their duty to utter about the situation in Kampuchea. No one, however, could overlook the fact that the huge tragedy which the Kampuchean people had endured - resulting in millions killed, hundreds of thousands orphaned and the economy destroyed, as well as famine and epidemics - was in fact the direct consequence of the aggressive and hostile policy of the United States of America and China. Kampuchea was now rising again: local and national authorities had been elected; a Constitution had

been adopted which made the State responsible for protecting workers and raising the population's material and cultural standards and which provided for a foreign policy based on peace. Production had been resumed; transport, the currency system and health services had been restored; schools had been reopened; there was a rebirth of national culture; and the temples were open. Living conditions for all Kampuchean without exception were improving. The task of reconstruction and a return to normal, acknowledged at international level, had been carried out by the valiant Kampuchean people, helped by Viet Nam, the Soviet Union and other socialist countries. The United States of America and China persisted in ignoring that fact because it did not serve their sinister designs in Kampuchea. They sought to use the United Nations as a means of hampering the development of Kampuchea and the flowering of its people, thus hazarding peace and stability throughout South-East Asia. It was time to speak out against such manoeuvres and to accord the People's Republic of Kampuchea its legitimate place in the Organization at present usurped by others.

37. His delegation called upon all members of the Commission to strive against real violations of human rights, such as those perpetrated by Israel, the racist régime of South Africa and imperialist and colonialist forces.

38. His delegation categorically rejected draft resolutions E/CN.4/1982/L.2 and L.16 as utterly unacceptable. Those draft resolutions, far from providing for a just solution, were aimed solely at poisoning the situation in Kampuchea and Afghanistan and serving the imperialist aims of the United States, the hegemonist designs of China and the reactionary forces in the region. The Soviet delegation would vote against them and called upon all other delegations to do likewise.

39. Mr. JAHN (Federal Republic of Germany) said that the right to self-determination was a fundamental one; it was set forth in article 1 of the two International Covenants on Human Rights - rightly so, since it governed the implementation of all other human rights.

40. The right to self-determination could not be exercised in one single act; it must be the culmination of constant reflection, and where necessary of revision, and must be accompanied by freedom of expression, assembly and association.

41. The right to self-determination was violated in very many parts of the world, but his delegation would mention only a few examples, in order to illustrate the continuing need for urgent measures to eliminate all vestiges of colonialism and neo-colonialism.

42. Namibia should finally accede to independence in 1982, by means of free elections pursuant to Security Council resolution 435 (1978).

43. His delegation was deeply disturbed by the continued occupation of Afghanistan - a flagrant example of the violation of human rights and a strain on international relations. The Federal Republic joined the non-aligned and Islamic countries in calling for an immediate end to the Soviet Union's intervention in Afghanistan, in order that the Afghan people might have complete freedom to exercise its right to independence and self-determination.

44. In Kampuchea flagrant and persistent violations of human rights continued, as evidenced in Mr. Eide's report (E/CN.4/Sub.2/L.780). His delegation supported all the present efforts, and particularly those of the members of the Association of South-East Asian Nations (ASEAN), to restore Kampuchea's political independence and territorial integrity.

45. In Europe too the right to self-determination was not implemented everywhere. The German people itself was affected by that situation. The Federal Republic of Germany remained faithful to its political objective of striving towards a peaceful situation in Europe in which the German people would regain its unity by self-determination.

46. The Federal Republic was also disturbed by the infringement of the right to self-determination in another country of Central Europe. In that country martial law had been imposed; thousands of persons, including trade unionists, were in prison, some having been there for more than two months; restrictions hampered the exercise of rights and freedoms; and unfortunately there were no indications that the situation would end quickly. In those circumstances the right to self-determination could not be exercised.

47. Respect for human rights knew no frontiers and the Commission must strive to uphold it throughout the world.

48. Mr. SALAH-BEY (Algeria) said that there were still peoples in the world who had not exercised their right to self-determination. In Palestine, southern Africa and Western Sahara peoples were still fighting to have a free and sovereign State.

49. In the discussion of agenda item 4 the Algerian delegation had spoken about human rights violations of which Israel was guilty in Palestine and other occupied Arab territories, and it had reiterated its support for the Palestinian people's right to self-determination. At the present meeting Algeria wished to draw the Commission's attention to a recent and further event - the closure, the second in several months, of the University of Bir-Zeit, which was bound to affect the normal progress of the academic year.

50. In South Africa the Pretoria régime had begun so-called reforms aimed in fact at consolidating its policy of apartheid and at intensifying the racist Bantu homelands policy, in order to deprive blacks of their fundamental rights, particularly as citizens. The Commission must strongly denounce the sham independence of the impoverished enclaves known as Transkei, Bophuthatswana, Venda and Ciskei, as being a violation of the right of peoples to self-determination and independence.

51. The illegal occupation of Namibia continued, although the General Assembly in 1966 had declared any South African presence in the territory illegal. The Security Council, in resolutions 435 (1978) and 439 (1978), had opened a way towards a peaceful settlement of the Namibian problem and identified the process whereby Namibia should become independent through free elections conducted under United Nations supervision and control. Any other electoral system favourable to

formations and organizations established by the Pretoria régime, and simply intended to weaken SWAPO, the Namibian people's sole authentic and legitimate representative, would conflict with those Security Council resolutions. It was deplorable that Pretoria's intransigence and the defence by certain countries of their privileges in Namibia and South Africa had ensured the breakdown of the Geneva conference on Namibian independence. The United Kingdom delegation, in a statement made in the Commission on the subject of Namibia and other problems relating to southern Africa, had said that it was aware of the African countries' impatience at the slow progress made by the contact group in its discussions with the Pretoria régime. Patience - which was legitimate while negotiations between the parties were in progress - should not be confused with the dilatory tactics employed by South Africa and by the coalition it had set up.

52. The Pretoria régime, in order to defend its presence in Namibia and intimidate the States in the region that supported the South African people's just struggle, was stepping up acts of aggression against neighbouring States: military operations against Angola, systematic attacks against Mozambique, acts of sabotage in Zimbabwe, raids on the Luanda oil refinery, frontier incidents in Botswana, an attempted invasion of the Seychelles, the killing of representatives of the African National Congress in Swaziland, Mozambique and Zimbabwe and the bombing of refugee camps were the South African régime's most recent misdeeds.

53. There was another African people which had not yet exercised its right to self-determination and independence - the Sahrawis. The decision taken by OAU in June 1981 to organize a referendum on self-determination in Western Sahara was indeed welcome, and the Algerian Head of State had taken note of the King of Morocco's decision to join in the African consensus. The framework within which the Sahrawi people should exercise its right to self-determination freely and properly had been outlined; the preliminary conditions, including the cease-fire between Morocco and the Polisario Front called for by the General Assembly, had been laid down; and the procedures to lead up to it had been defined. But events had occurred which seemed likely to halt the process, namely statements and expressions of attitude on the part of the supreme authorities of Morocco which gave rise to fears that Morocco's acceptance of the principle of self-determination for the people of Western Sahara, and of the conditions for its exercise, were again in doubt; above all there were threats that a decolonization struggle would be internationalized through the intervention of a Superpower which a short while ago was active in Viet Nam and was at present threatening to intervene in El Salvador and other Central American countries. For that reason OAU had issued a warning in November 1981 against the internationalizing of the Western Sahara conflict, describing the presence in Rabat of a United States military delegation as a prelude to the introduction into the conflict of sophisticated weapons which could only bring about an escalation of the conflict and hamper the procedures leading to an honourable cease-fire. The African countries, and Algeria in particular, which had long wished to see a conflict on its frontier ended through strict implementation of the OAU and United Nations decisions, were justifiably alarmed. His delegation sincerely hoped that the two parties involved would resolutely commit themselves to the path of peace which had been outlined and reject any manoeuvre which would delay the settlement.

54. Mr. HEREDIA PEREZ (Cuba) said that the accession of colonial peoples to independence under General Assembly resolution 1514 (XV) had greatly changed the international scene, yet colonialists, neo-colonialists, imperialists and racists were still seeking to maintain their privileges in the countries under their subjugation. Thus the Palestinian people was still being prevented from exercising its right to self-determination although that was the basic factor in a just peace in the Middle East. In southern Africa the Pretoria régime was depriving the South African and Namibian peoples of their rights and even using mercenaries in pursuit of its policy of oppression. In Western Sahara too the Sahrawi people was struggling to exercise its right to self-determination; he referred to the appeals launched by the General Assembly, the Movement of Non-Aligned Countries and OAU for the necessary contacts to be made with the Sahrawi Arab Republic with a view to independence. And the Kampuchean people, after the bloody tyranny of Pol Pot, was waging a hard battle for self-determination with the heroic assistance of Viet Nam and other countries which participated in the national reconstruction effort directed by the People's Revolutionary Council.

55. In the United States of America, Indians, blacks, Latins and "chicanos" were unable to exercise the right to self-determination. The North American Indians, as their representatives had just reminded the Commission again, were deprived of their rights to land, work and resistance (which the FBI savagely repressed). The Commission was bound to be concerned at the racist policy practised against that people and at the violations of its human rights which the Government of the United States of America continued to be guilty of. That Government kept Puerto Rico in a colonial situation which prevented the population from exercising self-determination.

56. The Cuban Revolutionary Party, since its foundation by José Martí, the hero of Cuban independence, had had to combat the imperialism of the United States of America, a country which still maintained military enclaves in Cuba. The Government of the United States of America held the base at Guantánamo against the wishes of the Cuban population. At the same time it imposed an economic blockade on Cuba that was contrary to all humanitarian rules, since the blockade prevented medicines and foodstuffs from being obtained. Likewise it overflew and spied on Cuban territory. Such acts of aggression against Cuba were committed under pretexts invented by the CIA and by transnational information media, and brought to mind the way in which the United States of America had intervened in Cuba in 1898 on the pretext of the blowing-up of the Maine. The United States continued to threaten Cuba in order to intimidate its people and other peoples struggling for their national independence, but the Cuban people did not fear imperialist threats and would resist any aggression as in the past.

57. The intervention by the United States of America in El Salvador, Guatemala and other Central American countries was a gross violation of the right to self-determination of the peoples of that region. The United States Government

sought to justify its collaboration with the murderous junta in El Salvador by claiming that Cuba was giving military assistance to the Salvadorian people. It was an established fact, however, that it was the United States of America which was engaging in military intervention in El Salvador; United States television had recently shown United States soldiers participating in the repression being carried out against the Salvadorian people in order to prevent it from exercising its right to self-determination. It was also a fact that the United States of America was sending arms and helicopters to El Salvador and was training hundreds of the junta's soldiers on its own territory. The reasons invoked to justify United States intervention in El Salvador did not stand up to the slightest scrutiny, either from the legal standpoint or from that of human rights.

58. In order to illustrate the tradition behind the United States intervention, he mentioned a statement made by General of the Marines Smedley Butler to the United States Congress many years before. In that statement, made in November 1935, well before the triumph of the Cuban revolution, General Butler had said that in 30 years of service he had been a "bandit" in the service of Wall Street; taken part in an intervention in Mexico in 1914 to protect United States oil interests; later helped to transform Cuba into a country where the National City Bank could reap its profits in peace; taken part, from 1909 to 1912, in the "cleaning up" of Nicaragua on behalf of the Brown Brothers bank; contributed in 1919 to bringing to the Dominican Republic the civilization of the United States of America in the interests of that country's sugar companies; helped in 1913 to settle the problems of the United States banana companies in Honduras; and in 1927 served the interests of Esso Standard Oil in China. To sum up, General Butler's description of himself went one better than Al Capone since the General had operated on three continents.

59. Mr. BETTINI (Italy) said he deplored the fact that in recent years, and even quite a short while ago, the world had witnessed a number of grave events which deeply affected the fundamental principles of the right of States to self-determination and to independence and territorial integrity. On that topic the Italian delegation shared the view expressed by the Director of the Division of Human Rights and associated itself with his appeal for an end to the unacceptable misdeeds which adversely affected the enjoyment of human rights.

60. In Afghanistan the Soviet Government continued, more than two years after its intervention, to reject the appeals addressed to it by the United Nations, the Movement of Non-Aligned Countries, the Islamic Conference and the European Communities to withdraw its troops. It was to be hoped that the Commission might finally take the proper initiatives to enable that tragic episode in the history of the Afghan people to be ended once and for all.

61. The military occupation of Cambodia was a most serious violation of the Charter and very detrimental to human rights. It had caused an exodus which was still going on, at the rate of some 5,000 persons per month. Specific and urgent action by the Commission was called for in that situation too.
62. The Italian Government had already made its position quite clear with regard to apartheid, which was a flagrant violation of a people's right to express itself freely and enjoy its fundamental freedoms fully. It had also spoken out clearly on the Palestinian people's right to self-determination and would persist in its efforts in the appropriate international forums to have that right recognized. But a final peaceful settlement and a global solution to the problem would not be possible unless any negotiations between the parties concerned were based on the fundamental principles recognized internationally, including the principle of recognition of the right of the State of Israel and of all other countries in the region to live in peace and security within fixed and recognized frontiers.
63. Some countries were resorting increasingly to a policy of direct or indirect interference in other countries' internal affairs; that deeply disquieted the Italian Government. The protection of geopolitical balance was often invoked in order to justify such a policy, but that stemmed from a doctrine which conflicted with the right of peoples to independence and self-determination. The Italian Government earnestly hoped that the countries which were victims of that policy would have the international community's support for an end to outside interference.
64. Mr. SOFFER (Observer for Israel), speaking in exercise of the right of reply, said he regretted that the representatives of Arab countries and their supporters were continuing their diatribes against Israel by misleadingly invoking self-determination in the "Palestinian" context. The result, bearing in mind the Commission's important tasks, was wasted time and inexcusable digressions. He had previously demonstrated that the Palestinian Arabs had already achieved self-determination in the Palestinian Arab State of Jordan. Jordan was the Palestinian Arab State in terms of geography, demography, culture, religion, language and history.
65. Mr. MADI (Jordan), speaking on a point of order, objected that the situation in the Hashemite Kingdom of Jordan was not the subject of the Commission's deliberations.
66. The CHAIRMAN requested the observer for Israel to bear that point of order in mind.
67. Mr. SOFFER (Observer for Israel) said that some speakers had sought to create the impression that the Jews had "invaded" what had formerly been called "Palestine". In fact, Jews had older roots in that land than any other people and had been a continuous presence there, even after the Babylonian and Roman exiles. The Romans had imposed the name of "Palestine" after having exiled the Jews, in order to obscure the latter's historic link with the land of Israel.
68. Some members of the Commission sought to deny the Jewish people the right to self-determination, thus demonstrating flagrant anti-Semitism. The Commission should however be giving attention to peoples which had not yet achieved self-determination, such as the Kurds, and peoples whose rights had been abused by external forces, as in Afghanistan and Kampuchea. He stressed the need to translate into practice the principle of universality, which was a fundamental principle of the Charter.

69. Mr. KHERAD (Observer for Afghanistan), speaking in exercise of the right of reply, said he rejected the slanderous allegations of certain representatives with regard to revolutionary, sovereign and independent Afghanistan. Afghanistan had requested fraternal assistance from the Soviet Union under article 4 of the treaty of friendship concluded between the two countries in 1978. That was an internal and bilateral matter as far as Article 51 of the Charter was concerned and in no way constituted a threat to international peace and security. The dispatch of the Soviet contingent had been intended for Afghanistan's protection against an undeclared war and against abominable interference from Pakistan aimed at destabilizing the April Revolution. The friendship between the Afghan and Soviet peoples was of long standing and the Soviet Union had given Afghanistan considerable economic, scientific and technical assistance.

70. The efforts to initiate a debate on questions falling within the exclusive jurisdiction of the Afghan people and Government threatened to undermine the Commission's prestige and authority. Any such debate constituted interference under Article 2, paragraph 7 of the Charter. Furthermore, the Afghan delegation opposed draft resolution E/CN.4/1982/L.16, whose text was meaningless and at variance with the true facts.

71. Mr. S/LLAH-BEY (Algeria), speaking in exercise of the right of reply, protested at the attempt by the representative of the Zionist State to censure delegations which had spoken on the Palestinian people's right to self-determination during the discussion of agenda item 9. The Commission had shown great patience in allowing that observer to speak on a number of occasions, but his statements had added nothing new and had merely confirmed an attitude of defiance and arrogance. His own delegation reserved the right to speak under item 9 and other agenda items about the situation created by Israel in Palestine and the occupied Arab territories.

The meeting rose at 1.05 p.m.