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COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

SUMMARY RECORD OF THE 7TH MEETING

Held at the Palais des Nations, Geneva,
on Friday, 4 February 1983, at 10 a.m.

Chairman:

Mr. OTUNNU

(Uganda)

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The meeting was called to order at 10.05 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES,
INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1983/6-8)

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.4/1983/2 and Add.1, E/CN.4/1983/12 and 13; ST/HR/SER.A/14)

1. Mr. LIGAIRI (Fiji) said that in the 23 years since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, more than 70 million people had achieved independence and 57 former dependent territories had become States Members of the United Nations. Since 1945, 75 former colonial peoples had joined the United Nations as independent sovereign States. While decolonization had made significant gains under the international trusteeship system, increased impetus had been given to that process by the Declaration and by the establishment of the Special Committee of 24 entrusted with its implementation.
2. Only a handful of territories had yet to achieve independence. As a result of South African intransigence, the people of Namibia continued to be denied the right of self-determination and it had always been clear that a negotiated settlement would be possible only if the Pretoria regime sincerely wished such an outcome. The question of Namibia must be resolved in accordance with Security Council resolutions 385 (1976) and 435 (1978), which called for genuine majority rule based on elections supervised by the United Nations.
3. The situation in Western Sahara was fraught with tension and his delegation hoped that the parties to the conflict would find a compromise solution based on the recommendation made by OAU at its 1981 summit in Nairobi, namely that a general and free referendum on self-determination should be organized throughout the territory.
4. Fiji's commitment to world peace had caused it to become directly involved in the peace efforts in the Middle East. It continued to support Security Council resolutions 242 (1967) and 338 (1973) as a basis for peace in the region. It was imperative that a Palestinian homeland should be created and that recognition should be given to the right of all countries in the region, including Israel, to live within secure and recognized borders. Fiji believed that all disputes should be resolved through negotiations and had therefore contributed contingents to UNIFIL in 1978 and to the multilateral force set up in 1982 to supervise the peaceful return of Sinai to Egypt.
5. Self-determination was a fragile right which could easily be lost unless the international community was prepared to defend it. The right of many independent Members of the United Nations to pursue their own development had been violated. Thus, the 1979 invasion of Afghanistan and the continuing occupation of that country was a destabilizing factor in the region and undermined international relations. The invasion had inflicted untold suffering on the Afghan population and imposed a heavy burden on the neighbouring countries which had accepted Afghan refugees. His delegation appealed to the countries concerned to heed the repeated appeals of the international community to resolve that problem.
6. The Kampuchean people had recently suffered a period of barbaric despotism, followed by foreign invasion and occupation. That people must be allowed to determine its own form of government without outside interference. The recent

formation of a coalition by the various resistance groups in Kampuchea provided a basis for a negotiated settlement. In the case of both Afghanistan and Kampuchea, the majority of States Members of the United Nations had taken an unequivocal stand which his delegation endorsed.

7. Colonialism persisted in other parts of the world. As a member of the Special Committee of 24, Fiji believed that a realistic appraisal must be made of the application of the right of self-determination to the remaining dependent territories. For instance, with regard to the dependent territories in the Pacific his delegation welcomed the steps taken by the Administering Authorities to take account of the interests of the peoples of those territories. It was confident that such steps would lead to the point where the exercise of self-determination would ensure a smooth transition to independence.

8. Broad international co-operation was needed to promote world security and economic development, based on respect for the right of self-determination. Violation of that right in any part of the world jeopardized the possibility of increased international understanding and always led to serious violations of human rights and fundamental freedoms. It was also incompatible with international law and the principles of the Charter.

9. Mr. KONSTANTINOV (Bulgaria) said that the right of peoples to self-determination was embodied in the Charter, the International Covenants on Human Rights and the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples. Its importance was best illustrated by the intensity of the struggle to achieve it, and its recognition and realization had been one of the main objectives and achievements of the United Nations. The legitimacy of the struggle of colonial peoples to exercise their right of self-determination by whatever means, including armed struggle, had been accorded priority in many United Nations resolutions. The eradication of colonialism and the exercise by colonial peoples of their right of self-determination were inseparable from the struggle of all progressive and democratic forces to strengthen international peace and security. As a member of the Special Committee of 24, Bulgaria had long been involved in the decolonization process and it was due to the concerted efforts of the vast majority of States and the hard-fought struggle of peoples that the colonial system of imperialism had collapsed and suppression of the right of self-determination had been banned under international law.

10. Cases of flagrant suppression of that right nevertheless remained. The denial of the legitimate rights of the Palestinian people was a problem that had confronted the United Nations since its establishment. For three decades, the Israeli authorities, backed by the United States and international imperialism, had pursued a policy of terror and persecution against the Arab people of Palestine and sought various means of compelling their legitimate representative, the PLO, to abandon its just struggle for self-determination and the establishment of an independent Palestinian State. The Bulgarian people sympathized fully with the Palestinian national liberation struggle. To deny Palestinians rights and to distort the purposes of the Palestinian national liberation movement was to flout the inalienable right of all peoples to self-determination, violate the Charter and oppose the will of the international community. Such action also created tension in the region, with untold consequences for international peace and security.

11. The racist regime in Pretoria had been waging a colonial war in Namibia in order to deprive the Namibian people of their right to self-determination and independence. It was chiefly the political, military, economic and other aid rendered to that regime by certain Western countries that had enabled it to pursue its racist and aggressive policies in Namibia. Documents E/CN.4/Sub.2/469 and E/CN.4/Sub.2/1982/10 contained new and convincing evidence of the nature and scope of such aid and the close relations between those Western countries and their monopolies and the Pretoria regime. That illegal racist regime had countered the legitimate struggle of the Namibian people with massive repression and bloodshed, and continuous attempts had been made to present the Namibian national liberation movements as terrorist organizations in order to justify the sending of mercenaries armed and financed by imperialist countries to fight a neo-colonial war.

12. When it had become clear that brutal physical repression would not deter the Namibian people, led by their sole legitimate representative, SWAPO, new perfidious plans had been devised to distort the decolonization process so that that people might be kept within the confines of neo-colonialism and imperialism. The claim that "patient negotiations" were needed was hardly convincing; such negotiations were aimed at solving the problem outside the framework of the United Nations. Conditions currently being attached to the solution of the Namibian problem were unacceptable and constituted interference in the internal affairs of Angola. Such plans were masterminded by the same States that had blocked the imposition of comprehensive sanctions against South Africa. Instead of supporting the racist regime in South Africa and denying the rights of the Namibian people and the legitimacy of SWAPO, it was high time that those Western States implemented the relevant resolutions of the United Nations, including General Assembly resolution 2621 (XXV), which called on all States to provide moral and material assistance to colonial peoples and their national liberation movements in their struggle for freedom and independence.

13. His delegation was also concerned about the continuing colonial rule in the so-called small territories of the Caribbean and the Pacific, Atlantic and Indian Oceans. The 1960 Declaration made no distinction between colonial territories on grounds of their size or proximity to, or distance from, colonial Administrations. The international community must accord high priority to the decolonization of those territories; the dismantling of the foreign military bases and military installations on some of them would speed up that process.

14. His delegation categorically rejected any attempts to encroach on the right to self-determination of peoples which, having overthrown reactionary, imperialist and genocidal regimes, had embarked on a path of reconstruction and the restoration of human rights and freedoms. That included attempts to distort the true nature of the situation in Afghanistan and Kampuchea; attempts which only impeded any political settlement of the situation in those countries.

15. His country would continue to support the struggle of colonial peoples for self-determination by participating in bilateral and multilateral efforts to enable the peoples of southern African and other colonial territories to exercise their right of self-determination.

16. Mr. LOPATKA (Poland) observed that for over 20 years a number of Member States had viewed the Palestinian problem purely as a refugee problem. In so doing, they had demonstrated a lack of political will to take an objective stand on the question of the inalienable rights of the Palestinian people. The

outcome of their refusal to recognize Palestinian rights was that the Palestinian people continued to live as refugees and the crisis in the Middle East remained unresolved. The Palestinian people was entitled to exercise its right of self-determination in accordance with Articles 1 and 55 of the Charter, the International Covenants on Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States.

17. The right of self-determination had been recognized by the international community at large. There was, however, a tendency to attribute to that right elements which were incompatible with its historical development. Distorted interpretations of that right, which perverted its very meaning, had even been adopted in the Commission. That right had been shaped in the just struggle of colonial peoples for independence and liberation from colonial domination.

18. The right of the Palestinian people to self-determination had also been substantiated in a number of United Nations resolutions and decisions, in particular, General Assembly resolutions 2535 B (XXIV), 2628 (XXV), 2649 (XXV) and 37/86, and Commission resolution 1981/1. Although it was supposed to respect the principles of the Charter, the Israeli Government continued to ignore such resolutions and responded with further aggression and increased human rights violations. It could do so only because it had the strong backing of a major Power which provided it with military, economic, political and other assistance. That same Power frequently expressed concern about human rights violations in other countries but never really condemned Israeli crimes. Israel had gone to new lengths with its invasion of Lebanon, which had cost thousands of Lebanese and Palestinian lives. That was a sad irony when the Jewish people had suffered so much from German nazism.

19. Any solution to the Middle East problem must take full account of the legitimate aspirations of the Palestinian people, including their right of self-determination. What was needed was a collective and comprehensive settlement which respected the rights of all parties, in particular the right of the Palestinian people to establish their own State. Poland fully supported the legitimate struggle of the Palestinian people - under the leadership of its sole legitimate representative, the PLO - to exercise its inalienable rights without outside interference.

20. Mr. HERDOCIA (Nicaragua) recalled that the principle of self-determination had first been upheld in Articles 1 and 55 of the Charter. The anti-colonialist dimension of that principle had gradually been expanded and, inspired by the liberation struggles of Arab and African countries, had finally come to be interpreted as the liberation of dependent countries from racial domination and foreign occupation.

21. The 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples had been the first instrument to elaborate on the relevant articles of the Charter. It had been followed by article 1 of the two International Covenants on Human Rights which, while proclaiming the right of self-determination, had emphasized that there was no point in recognizing the rights and freedoms of individuals if the country in which they lived was not free. Thus, self-determination

had become an essential precondition for the effective recognition of individual rights and freedoms. Lastly, in 1970, the General Assembly had adopted by consensus the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States. Although it was not itself a rule of international law, the Declaration had contributed to the establishment of a set of general rules on self-determination which had become the main element of international rules on the subject.

22. Once the 1960 Declaration had enunciated the right of self-determination, subsequent General Assembly resolutions on the Palestinian problem had recognized that the root cause of the problem was the denial of the inalienable rights of the Palestinian people. For instance, General Assembly resolution 2535 B (XXIV) had stated that full respect for the inalienable rights of the Palestinian people was essential for the establishment of a just and lasting peace in the Middle East. Recognition of the Palestinian people's right of self-determination had henceforth placed Israel under the obligation to withdraw from the occupied territories and had brought the PLO recognition as the sole legitimate representative of the Palestinian people.

23. In paragraph 47 of the communiqué issued by the fifth Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries, held at Managua in January 1983, the Ministers of Non-Aligned Countries had reaffirmed the need to eliminate colonialism, reiterated their support for self-determination and independence for Puerto Rico, recognized that the Malvinas (Falklands), South Georgia and South Sandwich Islands were an integral part of Latin America, and welcomed the solidarity shown by Latin American and other non-aligned countries towards Argentina in its efforts to resolve the dispute and prevent colonial entrenchment in those islands. The Ministers had also commended those Latin American and Caribbean countries that had provided material and political support to the national liberation movements of Namibia and South Africa, urged them to redouble their efforts to secure immediate implementation of Security Council resolution 435 (1978), and called on the countries of the region to participate in the forthcoming international conferences in support of the Struggle of the Namibian People and in support of the front-line States. Lastly, they had reiterated their full support for the just demand of the Cuban people that the United States should restore the territory illegally occupied by the Guantánamo naval base.

24. His delegation supported the Sahrawi people's right of self-determination and would sponsor a resolution to that effect.

25. Ever since it had come to power on 19 July 1979, the Revolutionary Government of Nicaragua had been the constant target of imperialism, which was seeking the overthrow of the Sandinista Government, in open violation of the Charter. The Nicaraguan people were under constant attack from counter-revolutionary units belonging to the former Somoza National Guard and operating from bases in Honduras with the logistical, economic and military support of the United States and broad sectors of the Honduran army and Government. In March 1982, the United States Government had obliged Nicaragua to go to the Security Council to demand its right to live in peace and to exercise self-determination to the fullest possible extent. A draft resolution on the subject had been vetoed by the United States even though it had not even mentioned that country by name but had simply appealed for the implementation of Article 2 (4) of the Charter, which urged States to refrain from the use or threat of force against other countries.

Hardly a day passed without the Nicaraguan people learning of the brutal torture and death of men, women and children in areas bordering Honduras, where counter-revolutionary military units made incursions and abducted innocent civilians. The United States was conducting a criminal campaign of destabilization against Nicaragua aimed at tarnishing his country's image, for no other reason than that Nicaragua had obtained the status of a free and sovereign people fully exercising its right of self-determination.

26. As noted in paragraph 30 of the Managua communiqué, the Ministers urged the United States Government to engage in a constructive dialogue with Nicaragua with a view to seeking negotiated political solutions to the region's problems, and called on the international community to contribute to such solutions. In paragraph 33, they condemned aggressive acts and threats against Nicaragua, the financing of the training of counter-revolutionary forces on United States territory, the violation of territorial waters and air space by the United States, and acts of terrorism and sabotage aimed at the overthrow of the Revolutionary Government. In paragraph 34, they condemned in particular the systematic attacks by armed bands of ex-Somoza guards across Nicaragua's northern frontier. And in paragraphs 35 and 36 they condemned the campaign of economic destabilization, including terrorism aimed at hampering agricultural and industrial activity, driving away skilled labour and discouraging foreign credit and other forms of assistance necessary for Nicaragua's development. They welcomed Nicaragua's peace initiatives and reaffirmed their solidarity with the Nicaraguan Government in its struggle to defend and consolidate the revolution and assert its sovereignty and independence.

27. It was alarming that, at the very time when the Commission was in session, one of its members was putting international peace and security at risk, despite the Nicaraguan Government's repeated calls for a dialogue based on the purposes and principles of the Charter, the right of peoples to self-determination and the peaceful settlement of disputes. The United States had failed to respond to Nicaragua's repeated proposals and was, in fact, currently engaged in large-scale military manoeuvres along the Honduran frontier with Nicaragua. The newspaper Le Monde, in an article dated 2 February 1983, had noted that those manoeuvres had been described by the Pentagon as a warning to Cuba and Nicaragua against any adventurism in the Caribbean region. It also noted that the manoeuvres, the largest ever organized by the United States in Honduras, involved 1,600 United States and over 4,000 Honduran military personnel. The Nicaraguan Government had described them as a reckless provocation, involving some 6,600 ground personnel, a number of Honduran and United States aircraft squadrons, powerful missile-carrying warships, an atomic submarine and the presence in the vicinity of over 5,000 ex-national guards of the genocidal Somoza forces. Such actions were no way of respecting the Nicaraguan people's right of self-determination. It was an ironic tragedy that, at a time when the Commission was about to consider a draft convention on the rights of the child, a helicopter crash had killed 75 Nicaraguan children who were being moved to safety as a result of incursions by counter-revolutionaries.

28. The Commission had an inescapable duty to look into the serious situation in which a major Power was threatening Nicaragua's destruction and preventing it from determining its own future. The Commission should seek to persuade the United States Government to respect Nicaragua's right of self-determination and initiate direct negotiations with the Nicaraguan Government, in a serious and responsible manner. As it had repeatedly stated, the Nicaraguan Government remained ready to initiate high-level talks, without preconditions, at any time and in any forum. It thus offered the United States Government an opportunity to demonstrate

through deeds its desire for peace and its respect for the principles of equal sovereignty of States and the Nicaraguan people's right of self-determination.

29. Mr. SENE (Senegal) observed that the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/37/485) had been adopted by the General Assembly by a large majority; the Special Committee's work was receiving ever wider support.

30. Senegal could not accept Israel's contention that the Special Committee was a political tool in the hands of Israel's enemies. Senegal, which was represented on that committee, did not regard itself as an enemy of Israel, but it supported the principles of law, tolerance and mutual respect. The Special Committee had in fact done its utmost to co-operate with Israel. However, it was the latter's lack of response and its hindrance of the Special Committee's work - for example, by frequently preventing the attendance of witnesses and by prohibiting the Committee from investigating conditions at first hand - that had so far rendered all efforts fruitless.

31. The Special Committee nevertheless intended to discharge its mandate. Each year it amassed a considerable amount of testimony, which it examined rigorously, in the light of relevant international instruments and resolutions of the United Nations and related agencies, with a view to producing legal findings pursuant to that mandate. The Special Committee expressed special gratitude to ICRC for its humanitarian assistance to the inhabitants of the occupied Arab territories and to Amnesty International for its co-operation.

32. The human rights situation of the Arab population in the occupied territories was causing the international community grave concern. A number of speakers had already referred to signs that Israel's policies and practices were assuming a permanent character; acts such as annexation of land, the accelerated introduction of settlers, the suppression of the indigenous population's freedoms, the illegal exploitation of resources and the replacement of democratically elected councils by the occupying regime's nominees pointed to an intention to change the geographical and demographic nature of the territories occupied. But Israel remained deaf to the condemnation and concern expressed by the international community, as well as to appeals to allow the Special Committee to visit the territories in question. Israel sought to justify its actions on the grounds of security, but those actions served only to intensify the atmosphere of tension and violence. The Secretary-General of the International Commission of Jurists had asked on what grounds the Israeli authorities could justify their invasion of Lebanon, in defiance of the norms of international law. And surely it was the Palestinian and Lebanese civilians who were in greater need of security than Israel, which regarded itself as one of the world's foremost military Powers - a view supported by the sophisticated weaponry it had used in Lebanon. The massacres at Sabra and Chatila had shocked world public opinion. Israel's aim was clearly to obliterate the Palestinians' resistance and to discredit the PLO, although the latter had already been officially recognized by 117 States. The Jewish people, which had suffered more than any other in recent world history, should surely be more sensitive to the sufferings of others. Moreover, history showed that no just cause could be suppressed for ever by force.

33. The tragedy of the Palestinian people was on the international community's conscience; the United Nations, which had brought into being the State of Israel, now seemed powerless to prevent that State from defying it or to restore justice to a dispossessed people and thus enhance peace and security in the Middle East. After five conflicts in the region, the United Nations clearly had a duty to end the rule of force and remove the sources of bitterness and hostility. The Arab peoples must be permitted to put down their roots once again. No lasting peace in the region was possible as long as Israel - whose own right to exist within internationally recognized boundaries had always been respected - failed to recognize the rights of its neighbours. To invoke security needs was one of the most hackneyed tactics in international relations; but true security involved not the supremacy of one State over another nor illegal intervention, but security for all.

34. Any true settlement of the region's problems must entail Israel's withdrawal from all the occupied Arab territories and its willingness to embark on sincere negotiations, which must include the PLO, the Palestinians' sole legitimate representative, on an equal footing. It was on that basis that Senegal had constantly sought positive and fruitful reconciliation between the parties involved. Senegal attached great importance to recent new peace proposals and supported the relevant conclusions of the twelfth Arab Summit Conference. International legality was the sole basis of genuine dialogue among States, and his delegation hoped that such a dialogue would soon be initiated.

35. Mr. MANALO (Philippines) said that the problems in Kampuchea were essentially of human rights nature, relating chiefly to the denial of the Kampuchean people's right of self-determination and right to develop its natural resources, material and spiritual. A further related factor was the unacceptability of the use or threat of force in the settlement of disputes.

36. No substantial changes in the human rights situation had occurred in the four years since foreign forces had invaded and occupied Kampuchea. A puppet government had been installed, controlled from a foreign capital. The invader's armed forces carried out assaults on the population, which refused to be subjugated; the chief victims were innocent civilians. It was erroneous to regard the situation in Kampuchea as now stabilized; if the situation was stable, the 200,000 foreign troops in that country would not be needed. But a new factor had emerged - the establishment of the coalition Government of Democratic Kampuchea, which was a step welcomed by his delegation. That Government's broadly-based elements represented a crucial factor in restoring national freedom and dignity to Kampuchea, and constituted a countervailing force and a focus of fresh allegiance for the Kampuchean people. As long as the latter were denied the right of self-determination, human rights would remain a central issue in that country; the recommendations of Mr. Eide, acting under the mandate of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, bore testimony to that fact and to the urgent need for greater efforts to solve the problem of Kampuchea.

37. His delegation was gratified to note the high priority given by the Commission to the elimination of practices which violated the Kampuchean people's inalienable rights and freedoms. The Commission's continued review of the situation was a positive contribution to the restoration of those rights and freedoms. The right

covered by item 9 of the Commission's agenda should be monitored constantly until Kampuchea was free and independent. In that connection, the resolutions adopted by the General Assembly and the Commission served to recall the need for speedy and specific action for their implementation. Commission resolutions 29 (XXXVI), 11 (XXXVII) and 1982/13 and Economic and Social Council decisions 1981/154 and 1982/43 all reaffirmed, inter alia, the inalienable human rights and fundamental freedoms of the Kampuchean people.

38. For four consecutive years the General Assembly had adopted resolutions calling for an end to armed intervention and for the total withdrawal of foreign troops from Kampuchea. Resolution 36/5 adopted the report of the International Conference on Kampuchea, including the four principal elements of negotiation for a comprehensive political settlement and the establishment of the Ad Hoc Committee of the International Conference on Kampuchea. And resolution 37/6 stressed the urgent need for a comprehensive political solution of the Kampuchean problem based on the complete withdrawal of all foreign forces and respect for Kampuchea's sovereignty, independence and territorial integrity.

39. The international community's aim was to bring peace to a region beset by decades of incessant conflict. The occupation of Kampuchea was undoubtedly the chief destabilizing factor in South-East Asia, and was also a threat to world peace. By any definition of the term, the invaders of Kampuchea were aggressors. But the international community sought not retribution but negotiation, with a view to restoring peace based on the relevant General Assembly and Commission resolutions. Most of the international community, including the Philippines, deemed the proposals made entirely reasonable. A solution based on them would benefit everyone, particularly the parties chiefly involved. The development of the region was a goal devoutly wished but attainable only if the Kampuchean problem was solved.

40. His delegation commended the work of the Sub-Commission and Mr. Eide on violations of human rights and fundamental freedoms in all countries, particularly the occupied colonial and other dependent countries and territories. The Sub-Commission had made a positive contribution to the work of the Commission; it was to be hoped that the latter would now make special efforts to implement the recommendations contained in document E/CN.4/Sub.2/1982/L.4.

41. There was no doubt that the Kampuchean situation was a destabilizing factor in the region, adversely affecting international peace and security, and that a political settlement was indivisible from the humanitarian aspects. Recognition of that fact would provide compelling impetus for an early settlement of the conflict in Kampuchea and thus enable the Kampuchean people to live in dignity and peace, in full enjoyment of their inalienable rights.

42. Mrs. KUROKOCHI (Japan) said that since its very foundation, the United Nations had been grappling with the question of the right of peoples to self-determination. Japan supported the universal realization of that right and the speedy granting of independence to colonial countries and peoples, but believed that measures to achieve those ends must be practical and not involve the use of force. Indo-China was one area of the world in which self-determination had yet to be achieved. Foreign military intervention persisted in Kampuchea, whose people continued thereby to be denied their right of self-determination. Her delegation profoundly deplored that violation of human rights, which threatened the peace, security, stability and

prosperity of the entire South-East Asian region. For peace and stability to be secured in Indo-China, it was essential that a lasting settlement should be reached in Kampuchea. The only way to do that was for all the parties concerned to hold negotiations in accordance with the Declaration and Resolution adopted by the International Conference on Kampuchea. All foreign troops should be withdrawn and the Kampuchean people should be allowed to choose their own political future freely, without fear of foreign intervention. Her delegation strongly appealed to all the parties concerned to respect the principles and specific measures contained in the Declaration and the relevant United Nations resolutions, which reflected the voice of the international community and were aimed at a comprehensive political solution of the Kampuchean problem.

43. Afghanistan was another area in Asia where the right of self-determination had been seriously violated. Not only were the basic human rights and fundamental freedoms of the people ignored, but Soviet military activities seriously undermined mutual trust and confidence between East and West and threatened international peace and security. That situation violated the basic principles of international law: it should be terminated at once and Soviet troops withdrawn immediately. The problem must be resolved in accordance with the principles of non-interference and respect for the Afghan people's right of self-determination.

44. Those two cases in which peoples had been denied the right of self-determination even after having attained independence were contrary to the trend of history, which had been towards the complete realization of the right of self-determination. Her delegation urged that that right should be promptly restored to those peoples and that all the countries concerned make every effort to resolve those problems as soon as possible.

45. Her delegation believed that peace in the Middle East would be achieved only through recognition of, and respect for, the legitimate rights of the Palestinian people, including the right of self-determination, in accordance with the Charter. Japan supported that right, which included the right to establish an independent State, but also supported the right of the State of Israel to exist.

46. Her delegation regretted that in southern Africa the Namibian people continued to be denied the right of self-determination. South Africa should withdraw from Namibia at an early date in order to allow the Namibian people to exercise its right of self-determination and to achieve independence.

47. Japan reaffirmed its support for the universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples, and hoped that as a result of the efforts of the United Nations those goals would be achieved and people throughout the world would be able to enjoy their fundamental human rights.

48. Mr. HUTTON (Australia) said that his delegation was unequivocally committed to the right of self-determination in both its practical and conceptual aspects. As decolonization neared its end, it was time to begin consideration of the concept of self-determination in its wider sense as a sequel to the special attention paid by the Commission in recent sessions to flagrant breaches of that right in the Asian region by Powers which had no compunction about resorting to the use of armed force in the massive invasion of a neighbouring sovereign State.

49. There were basic human rights which attached to each individual citizen and which stemmed from his inherent dignity as a human being and his right to life, liberty and the pursuit of happiness. Other basic human rights had their origin in the fact that an individual was a citizen in a close relationship with society and Governments in the international community. One principal goal of international human rights bodies was the regular examination and reaffirmation not only of the practical realities of that relationship but also of its underlying philosophical basis. It was for that purpose that his delegation had introduced an initiative at the previous session to give greater clarity to the debate about the nature of self-determination as a human right with broad political and regional responsibility. Draft resolution E/CN.4/1982/L.21 had been intended to reaffirm that self-determination was the right of all peoples, and not only those in colonial situations, under alien domination or under foreign military occupation. The effective exercise of that right was a continuing process which required, for instance, regular and free plebiscites to ensure domestic political accountability. Everyone had the right to participate, either directly or through freely chosen representatives, in the conduct of foreign affairs. The particular circumstances of a country in times of national crisis could influence the exercise of that right, but as a basic principle it was unchallengeable. Through concrete expression by the Commission, the fundamental principle set out in article 2 of the Declaration on the granting of Independence to Colonial Countries and Peoples must be reaffirmed, and his delegation hoped that the Commission might soon give full consideration to that concept.

50. Australia stood by its record as a supporter of peoples struggling to realize their right to self-determination, independence and the integrity of their national territory. In a region where self-determination and independence were still a goal for some peoples, Australia had been assisting them to realize that goal, inter alia, through its membership of the Special Committee of 24. It had also been a member of the Council for Namibia and hoped that the time would soon come for sovereign control to be transferred to the duly elected representatives of the Namibian people. It would continue to lend full support to the efforts of the principal negotiating bodies seeking to bring Namibia to independence.

51. His delegation had repeatedly deplored the serious violation of the right to the integrity of national territory represented by the Soviet invasion of Afghanistan. Continued Soviet occupation of that country had been internationally condemned, and rightly so. His delegation condemned the continuing presence of foreign occupying troops in Cambodia and paid tribute to Mr. Eide of Norway for the material he had collected on the subject (E/CN.4/Sub.2/1982/L.4). Australia was among the vast majority of the international community which could not accept the flagrant violations of the right of self-determination in Afghanistan and Cambodia, had condemned the foreign occupation of those countries and had called for the immediate withdrawal of foreign troops from them. It accordingly looked forward to appropriate draft resolutions at the Commission's current session.

52. It was now time for the international community to put the question of the situation in East Timor behind it and look to the future constructively and positively. Since Indonesia was in effective control of East Timor, resolutions in United Nations bodies on self-determination for East Timor had been and remained unrealistic, impractical and unhelpful. The same was true of the most recent draft resolution on the subject. The overwhelming majority of countries in the Asian and Pacific region opposed a United Nations resolution which might in any way question Indonesian sovereignty over East Timor. The most constructive and realistic way in which the

international community could support and assist the people of East Timor was by working through, and in co-operation with, the Indonesian authorities. For that reason, his delegation could not support the above-mentioned draft resolution.

53. Mr. KHEMEL (Ukrainian Soviet Socialist Republic) said that the most important development in world affairs in recent decades had been the successes of national liberation movements in Asia, Africa and Latin America; under pressure by those movements colonial empires had been virtually eliminated. In that historic achievement, the Ukrainian people saw the triumph of the Leninist principles of self-determination of peoples. The role played by the United Nations and its international legal instruments in the struggle of peoples for national liberation should also be noted. The Declaration on the Granting of Independence to Colonial Countries and Peoples, which had been adopted on the initiative of the Soviet Union, had marked the start of an irreversible trend towards full decolonization.

54. The right of peoples to self-determination was still not universally exercised, however; a number of peoples were still denied it by their oppressors, who thereby flouted international law. His delegation fully shared the deep concern of the international community about the fate of the Palestinian Arab people, the peoples of South Africa and Namibia, and the populations of a number of island territories, in particular Micronesia and Diego Garcia.

55. The Palestinian Arab people had been among the first to affirm its right of self-determination, but it had not been able to exercise that right: Israel, supported by the racist doctrines and ambitious yearnings of Zionism, had prevented it from doing so. As a result of Israel's attacks, the Palestinian Arabs had not only been deprived of the opportunity to create their own State but had been driven from the land of their forefathers. A grave injustice had been committed, but the tragedy had still not been resolved and was worsening, since Israel's annexationist actions were becoming increasingly arrogant and defiant. A new and striking example of uncontrolled Israeli aggression was the military invasion of Lebanon.

56. The Zionist idée fixe was the creation of a State of Israel stretching from the Nile to the Euphrates; that would amount to the most flagrant colonialism and imperialism. In an attempt to carry out that wild notion, Tel Aviv was occupying Arab territories one after another and annexing them by filling them with militarized Jewish settlements. That clearly indicated its reversion to colonialism, the same colonialism which many peoples had cast off with such difficulty and which had been declared an intolerable evil by mankind. The Zionist maniacs were attempting to perpetuate that evil by preventing the Palestinian Arab people from determining its own fate and by infringing the freedom and independence of other Arab peoples.

57. Israel's actions in the Middle East were mirrored by the racist regime in Pretoria, which was denying the Namibian people and the indigenous population of South Africa their right of self-determination. The two regimes were equally cruel in thwarting the peaceful designs of the peoples they had enslaved and in warring against those who represented their interests and will: the PLO, SWAPO and ANC. Both regimes had committed insolent acts of aggression against neighbouring independent States, were attempting to establish internal segregation, whether in the form of "Palestinian autonomy" or of "bantustanization", and for that purpose resorted to forcible resettlement of the oppressed and disenfranchised populations.

58. The Zionist and apartheid regimes not only resembled each other, but they embodied many of the nefarious characteristics of imperialism. Had not the European conquerors who had established colonial rule over foreign lands and peoples acted exactly as the Israeli Zionists and South African racists were now acting? Were not Palestinian autonomy and bantustanization analogous to the fragmentation which the United States was imposing in Micronesia? It was therefore not surprising that the colonialist policies of Israel and South Africa were understood and supported by the imperialists, especially the United States. The economic foundations of both regimes rested largely on Western capital. Over 3,000 foreign companies had made capital investments in South Africa in 1981, an increase of 1.6 over 1979. Fifty-eight per cent of those companies were based in the United States and the United Kingdom. Since 1951 alone, Israel had received credits of \$28 billion from the United States, mainly for the purchase of weapons. The military co-operation of the United States and other NATO countries with those regimes and their direct support of the increase in their military potential were growing and represented a threat to international peace and security.

59. In the political field, the support of the imperialists for Israel and South Africa was reflected in protection from any sanctions imposed by the international community, the use of the veto in the Security Council against resolutions on sanctions, the sabotaging of decisions adopted by United Nations bodies and even obstruction of discussion of the subject. At the same time, the West was undertaking activities outside the United Nations designed to produce an apparent but not real solution: he was referring, of course, to the Camp David accords and the activities of the "contact group". Behind the cover of those manoeuvres, the colonialist and racist regimes were intensifying their repressive legislation in the illegally occupied territories and resorting to new coercive measures designed to perpetuate the colonial status of the usurped lands. That could not be condoned and the reign of the colonists must be terminated.

60. The process of self-determination did not cease with the achievement of political independence. Another important stage in that process was the achievement of economic independence, a task which required liberation from all forms of imperialist control, the establishment of full sovereignty over natural resources and the institution of equitable economic relations with other countries. His country fully supported the steps of the independent developing countries in that direction.

61. His delegation condemned the colonialist and racist regimes and all those who protected them in any way and thereby shared responsibility for the crimes they committed. It fully shared the concern about self-determination for Micronesia and Puerto Rico, the elimination of United States military bases at Guantánamo in Cuban territory and on Diego Garcia, and the restoration of those territories to their legitimate owners. It fully supported the historic Declaration on the Granting of Independence to Colonial Countries and Peoples and the plan of action for its implementation. The speedy realization of the goals of those instruments would secure the final elimination of the vestiges of the shameful colonialist system.

62. Crocodile tears were being shed at the current session about the situation in Afghanistan and Kampuchea; however, the threat came not from the sides that had been accused, but from those elements which, having lost their former position of satraps and exploiters as a result of progressive changes in those countries, had fled

abroad and were now attempting to re-establish their position with the help of the imperialists. The true threat was the restoration of the former reactionary, anti-popular regimes and the transformation of those countries into bargaining chips in the deals to which imperialism resorted for the purpose of maintaining and expanding its rule.

63. The Democratic Republic of Afghanistan and People's Republic of Kampuchea had the right, as sovereign States, to choose their own friends in order to protect themselves from external threats, and any attempt to deny them that right represented flagrant interference in their internal affairs. Such attempts had nothing to do with the right to self-determination or human rights in general. Their aim was to divert the Commission's attention from genuine infringements of the right of self-determination and of human rights wherever imperialism held sway. Those who slandered Afghanistan and Kampuchea did so in a vain attempt to compensate for disturbing developments in their own countries.

64. Meanwhile, the Democratic Republic of Afghanistan and People's Republic of Kampuchea were confidently following the path of profound social and economic change. Those who attempted to represent the situation in those countries in a false light revealed themselves to be violent opponents of such change, which had led to real improvements in the citizens' enjoyment of their rights, employment education, standard of living and participation in government. His delegation categorically rejected all fabrications concerning the situation in Afghanistan and Kampuchea as inappropriate and harmful and hoped that good sense and goodwill would finally prevail in the Commission.

65. Mr. BEHRENDS (Federal Republic of Germany) said that the fundamental importance of the right of peoples to self-determination was reflected in the fact that it had pride of place in both the Charter and the two International Covenants on Human Rights. Both Covenants stipulated that all peoples should be free to determine their political status and to pursue their economic, social and cultural development, and it followed that a nation must be given the opportunity to express its free will in referenda and elections. Furthermore, the individual must be able to share in the exercise of that right. That, in turn, could be ensured only if the individual enjoyed basic rights and fundamental freedoms. The enjoyment of the basic rights of the individual, on the one hand, and the exercise of the right of peoples to self-determination on the other, were inseparable, and each would remain incomplete without the other.

66. His delegation shared the views of the Australian delegation concerning the nature of self-determination as a human right and continued to support the draft resolution which had been submitted by that delegation at the preceding session.

67. While many positive steps towards universal recognition of the right of self-determination had been taken since the founding of the United Nations, the world had time and again witnessed violations of that right and of the independence of nations. Flagrant violations of that right had been committed in recent years, some involving military interventions which had not yet been terminated. The United Nations must therefore be vigilant in ensuring that the old form of colonialism was not succeeded by an ideologically motivated colonialism and a new policy of hegemony.

68. The Commission had not only a right but also a duty to deal with situations in which the elementary principle of international law on which the international community was based - the right of self-determination - continued to be violated. His Government shared the opinion of the overwhelming majority of Member States that the continuing presence of Soviet military forces in Afghanistan constituted a flagrant violation of the human rights, fundamental freedoms and right to self-determination of the Afghan people. The immediate withdrawal of Soviet forces from Afghanistan and the cessation of all outside interference in the internal affairs of that country, as repeatedly called for by the international community, were prerequisites for a lasting settlement which would restore freedom and independence to the Afghan people.

69. His delegation was also profoundly concerned about the continuing occupation of Kampuchea by Vietnamese forces, which deprived the Kampuchean people of their right of self-determination and constituted another serious threat to international peace and security. It therefore continued to support all efforts to bring about a comprehensive political solution based on the withdrawal of all foreign troops and the restoration of the right of self-determination to the Kampuchean people.

70. His Government remained committed to working within the framework of the Contact Group of Five towards the speedy accession of Namibia to independence in accordance with Security Council resolution 435 (1978). His Government condemned the South African system of apartheid and, in particular, the policy of bantustanization and forced resettlement.

71. His delegation fully subscribed to the two fundamental principles for the basis of a settlement in the Middle East set out in the Venice Declaration adopted in June 1980 by the Member States of the European Community, namely, the right to existence and security of all States in the region, including Israel, and justice for all peoples in the area, which included recognition of the legitimate right of the Palestinian people to self-determination. The Palestinian people must be able to exercise its right of self-determination within the framework of a comprehensive peace settlement.

72. In Europe, too, the right of self-determination was not realized everywhere, and the German nation was divided against its will. The Federal Republic of Germany, which had consistently supported efforts to secure the exercise of the right of self-determination in all parts of the world, demanded that right for the German people too. It remained the declared aim of his Government to work for a state of peace in Europe in which the German nation would regain its unity through free self-determination.

73. Mr. TABIBI (World Muslim Congress) said that he wished to focus on the suffering and plight of the people of Palestine and Afghanistan; there were many other problems, such as the mistreatment of Islamic minorities in various parts of the world, but they were better left to the Sub-Commission.

74. The adversaries of the Muslim people were inflicting hardship and injustice on the Islamic community in Palestine, Lebanon, Afghanistan and elsewhere. The Holy Land, where peace had always prevailed under Islam and freedom of worship had been observed, was now soaked in blood and faced destruction and holocaust. Al-Quds, the second holy place of Islam, was under foreign occupation and recently beautiful Lebanese cities had been reduced to ashes. Innocent Arab civilians had

been butchered at Sabra and Chatila without any thought for the provisions of the various instruments on human rights. The Palestinian people were suffering after having been driven from their own country and were scattered throughout the world without any hope of a decent future.

75. In 1947, the General Assembly had adopted a resolution calling for the establishment of both Arab and Jewish States but more than three decades later the Arab State of Palestine had yet to become a reality. More than three years had elapsed since the Soviet Union had invaded Afghanistan, a peaceful and non-aligned nation, in the name of friendship and on the pretext of having been invited by the Government. The basic human rights of the Islamic people of Afghanistan were being violated, and its cities, bridges and roads destroyed. United Nations experts and other sources in developed countries had recently published reports on the use of chemical and toxin weapon in Afghanistan, the world could not remain silent while international conventions on the use of such weapons were violated. Evidence of the use of such weapons had been presented only a few days earlier to a human rights tribunal in Paris, and a Russian soldier named Suknarcov had confessed at a press conference that he had witnessed the use of a certain type of chemical weapon in Afghanistan. Such events were occurring despite the many treaties of friendship and non-aggression which the Soviet Union had concluded with Afghanistan. As a result of the use of sophisticated weapons in Afghanistan, the greatest exodus in history was taking place, with more than a quarter of the population having fled to Pakistan and Iran.

76. His organization feared that if the invasion of Afghanistan by a super-Power was allowed under a false pretext, a similar fate might await other countries. He therefore recommended that the Commission should make every effort to ensure the implementation of its resolutions and those of the Sub-Commission and the General Assembly. Arab lands must be returned to their rightful owners and Soviet forces must be compelled to withdraw forthwith from Afghanistan. The new Soviet President had a great opportunity to rectify the injustices inflicted on the Afghan people in the past three years. The time had also come for Israel to recognize the legitimate rights of the Palestinian people.

77. Mr. ABOUREZK (International Indian Treaty Council) said that his organization wished to draw attention to the deteriorating situation of the Indian peoples of North America, who were facing a number of critical social and economic problems as a result of the consistent denial of their right of self-determination. The colonial process created an extremely destructive set of social, economic and political problems, which were difficult to remedy while domination and oppression still existed. Since the imposition of the neo-colonial system in 1934, the economic and social situation on Indian reservations in the United States had been disastrous, and the Indian people continued to suffer from extremely high unemployment, housing shortages, sub-standard housing, lack of transportation, poor health care and extreme poverty. In addition, they had been denied freedom of religion and had steadily lost their water rights to state governments. The Indian people were being subjected to an alien educational system with the aim of destroying their traditional culture and language and replacing their traditional systems of government.

78. Indian peoples deserved the right freely to choose their internal political system and to pursue their economic and social development unhindered by external forces. While such rights were recognized - as far as many of the Indian nations in the United States were concerned - in bilateral treaties with the United States Government, they were not always respected. That Government was now

admitting the failure of its colonial policies and public opinion in the United States was being prepared for the introduction of a new policy for the Indians, which consisted primarily of the elimination of government grants and the introduction of private industry on Indian reservations. The current United States Administration was promising to create a favourable environment for transnational corporations on Indian reservations as the solution to the problems resulting from government oppression in the past. It was offering to "help" Indian people by relieving them of their vast energy and mineral resources. In short, it was offering to replace political domination by economic domination.

79. The Indian peoples' efforts to obtain internal remedies had so far been consistently blocked by a Judiciary and Administration rife with racism and cultural chauvinism, and by the economic interests of the Government and business community. The Indian search for self-determination had met with varying degrees of repression and determined government efforts to disrupt political activity.

80. The Indian peoples met every requirement for the right of self-determination and yet they were consistently ignored by both the United States and the international community. Only when they were liberated from the colonial process, with the help of the international community, would they be able to reverse the effects of that process and begin to redevelop socially, economically and politically as a distinct and unique people with many important contributions to make to the contemporary world.

81. Mrs. SLAMOVA (Observer for Czechoslovakia) said that, while the right of all peoples to self-determination was a recognized principle of contemporary international law, it was not respected in such places as Namibia, Palestine and the other territories occupied by Israel. The question of the violation of human rights by Israel in the occupied Arab territories and Palestine had been on the Commission's agenda for many years, and various United Nations bodies had adopted numerous resolutions condemning Israel and calling for its withdrawal. Nevertheless, Israel continued to disregard such resolutions, world public opinion and the Geneva Conventions of 1949. A striking illustration of Israel's policy was its recent invasion of Lebanon, which had reduced many towns to rubble and caused untold suffering to thousands of Lebanese and Palestinian refugees in that country. The entire peace-loving world had been stunned by the crimes committed at Sabra and Chatila, which were paralleled only by the war crimes of the Nazis. As a result of Israel's policies, the Palestinian people were barred from returning to their homeland, despite the confirmation of their right to do so by the United Nations. Israel had not succeeded in liquidating the PLO, the sole legitimate representative of the Palestinian people, or in eliminating the 4 million or so Palestinians and their genuine aspirations for freedom and independence. That was a reality with which Israel and its supporters would have to reckon.

82. The recent invasion of Lebanon had once again drawn attention to the situation in the Middle East as a whole and served as a reminder of the need for a speedy solution to the conflict there. Peace could be brought about in the Middle East only by means of a comprehensive settlement and not by diktat or separate deals.

83. The Commission had a heavy responsibility for finding a solution to the problem of the Palestinian and Namibian peoples in accordance with the universally recognized right of self-determination. It should accordingly focus attention on those issues and should not be distracted by those who were seeking to divert its attention to pseudo-problems, such as the so-called situations in Afghanistan and Kampuchea. Her delegation objected to any attempt to side-track the Commission from the crucial issue of the violation of human rights and to interfere in the internal affairs of those countries.

84. Mr. SAKER (Observer for the Syrian Arab Republic) said that the right of self-determination was a fundamental right recognized in the Charter and other important United Nations instruments, including the Declaration on the Granting of Independence to Colonial Countries and Peoples. The right of self-determination was essential to understanding between peoples and to efforts to promote peace, security and détente.

85. In a long series of resolutions, the General Assembly had recognized the inalienable right of the Palestinian people to self-determination, condemned those who would deny that right, recognized the PLO as the sole authentic representative of the Palestinian people, granted the PLO observer status in the General Assembly and other conferences held under United Nations auspices, and established a Special Committee to secure the exercise by the Palestinian people of their inalienable rights. Other international and regional organizations had taken similar stands, and yet Israel and the United States continued to seek to destroy the PLO and to legitimize Israel's occupation of Palestine and other Arab territories. Fortunately, there were signs that public opinion was changing in the United States, where a growing segment of the population supported the right of the Palestinian people to a homeland. Public opinion was also shifting in Israel.

86. The entire world recognized that the question of Palestine was central to the situation in the Middle East and that a solution must be found on the basis of United Nations resolutions. The Palestinian people were deeply attached to their country, where over a period of centuries they had helped to build a brilliant civilization and resist the onslaught of British imperialists and Zionist colonialists. The Palestinian identity had survived and was constantly developing. In their efforts to expel the Palestinians from the area, the Zionists were resorting to heinous crimes, which violated the human rights of the Palestinian people and the provisions of the Charter. The promise of self-government held out in the Camp David accords could not be taken seriously as long as genuine autonomy was denied and Israel maintained control over all sources of water. The Palestinian people, under the leadership of the PLO, rejected the Camp David accords, and his delegation was confident that their just cause would ultimately prevail.

87. It was also his delegation's hope that the people of Namibia would soon attain freedom and independence in accordance with the relevant resolutions of the United Nations.

88. Mr. SOFFER (Observer for Israel) said that it was with profound dismay that his delegation had noted the unabashed efforts of some speakers to subject the Commission to malevolent tirades which were irreconcilable with the purposes of the Commission. Whenever Arab rejectionists spoke of the Palestinian Arabs, the image invariably conjured up was that of a wandering band of homeless people stripped of their land and possessions. Indeed, it was from that fallacious premise that virtually all the impassioned cries for the so-called liberation of Palestine flowed. In reality, however, the Palestinian Arabs had had a sovereign homeland for nearly four decades. In 1946 the Hashemite Kingdom of Jordan had been established on 76.9 per cent of the territory of mandated Palestine. When King Abdullah had illegally annexed Judea and Samaria in 1950, he had remarked that the Palestinian Arabs and the Jordanians were one people. Jordan's self-perception as the Arab State in Palestine was reflected in that country's citizenship law, which enabled every Palestinian Arab to become a Jordanian citizen. In 1971, King Hussein had directed his Prime Minister to deal conclusively with plotters who wanted to establish a separate Palestinian State and destroy the unity of the Jordanian and Palestinian people.

89. From that historical perspective, it was clear that calls for Palestinian self-determination were nothing but a devious ploy by the Arab rejectionist bloc to achieve strategic military positions with a view to eliminating the State of Israel. Those who attempted to deny the Jewish people's right of self-determination ignored the historical and legal facts which were an inconvenience to their devious political motives. The Jewish nation had been born in Israel at the dawn of history, and the Old Testament, the New Testament and the Koran all attested to the inextricable bond between the Jews and the land of Israel. Calls for Palestinian self-determination were but metaphors for the annihilation of Israel. Jordan had been created to be and was the sovereign Palestinian Arab State. To pretend otherwise was to deny not only historical fact but also geographical, demographic, cultural, religious and linguistic ties.

90. The PLO unequivocally asserted that only Arabs had the right to exist in Palestine and Yasser Arafat repeatedly avowed that, for the PLO, "peace" meant the liquidation of the State of Israel. Nevertheless, in spite of the manifold atrocities committed by the PLO, his country had forthrightly embarked upon an unprecedented path towards a just and comprehensive settlement of the Arab-Israeli conflict. That path, delineated in the Camp David accords, called, inter alia, for the solution of the Palestinian problem in all its aspects and envisaged the establishment of full autonomy for the Palestinian Arab inhabitants of Judea, Samaria and Gaza. Those inhabitants and the Kingdom of Jordan were invited and indeed urged to participate fully in all discussions to determine the final status of the administered territories.

91. Unfortunately, that promising path towards a true peace had continually been obstructed by outside forces of agitation, most prominently the PLO, which presumably viewed the prospect of peace as a threat to its primordial aim, the obliteration of the State of Israel. Despite PLO interference and ruthless terror tactics, Israel was persevering in its efforts to provide the Arab population of Judea, Samaria and Gaza with every opportunity to determine its collective future, and remained steadfast in its commitment to the crucial process of peace initiated at Camp David.

92. The representative of Senegal obviously thought that merely by mentioning the right of Israel to exist as a sovereign State he met the accepted standards of impartiality. Such might be the standards of the Commission, but the representative of Senegal could make no claim to impartiality unless he also pointed an accusing finger at those who denied Israel that elementary right and called for the cessation of the Holy War waged against Israel by the Arabs. The bias of the representative of Senegal was also reflected in the report of the Special Committee on the Exercise of the Inalienable Rights of the Palestinian People, of which he was a co-author.

93. Mr. SAKER (Observer for the Syrian Arab Republic), speaking in exercise of the right of reply, said that there was nothing new in the propaganda tactics of the Israeli representative or in the Israeli Government's nazism and terrorism. He appealed to international public opinion, including those in Israel who opposed Zionism, to support the Palestinian people who had for so long been denied their rights. The Arab peoples were seeking peace and the return of the Palestinians to their homeland; they were not anti-Jewish. It was regrettable that the observer for Israel had used the forum of the Commission to twist the truth and make statements bordering on the comic. For Israel, peace meant that Arabs must be reduced to abject submission.

94. He expressed gratitude to the representatives of Senegal, Sri Lanka and Yugoslavia for their objective statements and to all representatives who had participated constructively in the United Nations Seminar on violations of human rights in the Palestinian and other Arab territories occupied by Israel.

The meeting rose at 1.15 p.m.