

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL
E/CN.4/1983/SR.42
4 March 1983
ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

SUMMARY RECORD OF THE 42nd MEETING (First part) */

held at the Palais des Nations, Geneva,
on Tuesday, 1 March 1983, at 3 p.m.

Chairman: Mr. OTUNNU (Uganda)

CONTENTS

Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories (continued)

*/ The summary record of the second part of the meeting appears as document E/CN.4/1983/SR.42/Add.1.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.83-15785

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

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES (agenda item 12) (continued) (E/CN.4/1983/16-20, 22 and Add.1, 33, 43, 47, 51, 52, 55; E/CN.4/1983/L.18, L.37, L.38, L.48; E/CN.4/1983/NGO/2, 4, 8-15, 21, 25, 27-31, 38, 39, 41, 42, 45)

1. Mr. MAHALLATI (Observer for the Islamic Republic of Iran), speaking in exercise of the right of reply, said an independent newspaper published in his country had reported that individuals were being persecuted for religious or political reasons. Such allegations were merely designed to refute the official statement by the Iranian Government published by Mr. Wako, Special Rapporteur, in his report on summary or arbitrary executions (E/CN.4/1983/16). Clearly an independent newspaper could say anything it liked.
2. He recalled that he had invited the representative of the Secretary-General to examine conditions in Iranian prisons at first hand. The invitation clearly showed that the allegations which had been made in that regard were completely false. ICRC had already had an opportunity of visiting Iranian detention centres. Unfortunately, many countries did not act in the same way. In its reports for 1982, Amnesty International pointed out that children were tortured and executed in a neighbouring country, and one might well wonder why no delegation had taken up the matter.
3. The Commission should adopt a resolution requesting all States to allow ICRC free access to their detention centres and prisons, regardless of the circumstances.
4. Mrs. PINTAT (Inter-Parliamentary Union), reporting her organization's activities under its procedure for the examination and treatment of communications concerning violations of human rights, recalled that the Inter-Parliamentary Union (IPU), in which the Parliaments of 98 countries were represented, had focused its activities in respect of individual cases on the detailed consideration of situations concerning parliamentarians alone. Document E/CN.4/1983/NGO/21 recalled the salient features of the campaign and described the main developments since the Commission's previous session.
5. Since the introduction of the procedure in January 1977, the number of cases submitted to IPU had risen steadily. The increase was disquieting, although it was partly due to the fact that the procedure was better known and although encouraging results had been obtained. Between early 1982 and February 1983, the special committee responsible for implementing the procedure had considered in camera 304 individual cases in 26 countries, as against 155 cases in 23 countries in 1981. One hundred and thirty-two cases related to detained parliamentarians in 20 countries. Of that number, 53 had been released in 12 countries, 33 of them in Ethiopia, Ghana, Iran and Liberia at the public stage of the procedure, and 20 in 8 countries at the confidential stage.
6. The results achieved were largely due to the steps taken by Parliaments members of the Union, which had not hesitated, in certain cases, to send special missions to the authorities concerned. In other cases, some of the Governments represented in the Commission had intervened. IPU enjoyed increasing co-operation from the authorities of the countries concerned. It should be borne in mind that the IPU Council had had recourse to public debates only in cases where its special committee had been unable to reach a settlement at the written and confidential stage of the procedure. IPU had reaffirmed on several occasions that its action should not be interpreted as expressing an opinion concerning any political regime whatever.

7. IPU, one of whose statutory goals was to promote the objectives of the United Nations, was happy to co-operate with the Organization, and in particular with ILO and UNESCO, in the sphere of human rights and in other areas of concern to both Governments and Parliaments.
8. Mr. ARBEX (International Federation of Human Rights) said he wished to speak about the disquieting situation in Peru. Viewed from abroad, Peru appeared to be a calm and democratic country which had acquired a representative Government, in short, an example for Latin America. The reality, however, was quite different. It was characterized by high unemployment and underemployment (55 per cent of the active population in 1982), by a steady rise in the prices of essential products, against which the wages of the workers had fallen behind by 60 per cent in 10 years, and by the extreme reduction of funds assigned to social programmes, since over 50 per cent of the budget was used to repay the foreign debt (\$8 billion) and to finance the military and police machine. Because of the disastrous economic situation, there had been even more cases than under the military regime, of strikes, and meetings that had been broken up by the police. The renewed outbreak of guerrilla warfare and terrorism should be understood in that context. While condemning terrorism in all its forms, the International Federation of Human Rights was duty bound to denounce its causes and to stress that the neglect of the poorest sectors of the population lay at the root of popular protest and, accordingly, repression by the Government.
9. The Peruvian Constitution was based mainly on the principle of the primacy of the individual over any other type of consideration and on the desire to promote a just society, without exploiters or exploited. The gap between those principles and Peruvian reality was widening and it was scandalous that the Government continued to proclaim laudable principles while massacring peasants. Decree law No. 046, entitled the "Anti-Terrorist Act", was an example of that scandal. The Act, which was incompatible with some of the principles of the Constitution, permitted arbitrary arrests to be made simply in the event of a meeting of more than three persons, membership of organizations deemed to engage in terrorist activities, or even presumption of terrorism. During the two years when the Act had been in force, tens of thousands of persons had been arrested on mere suspicion. Bar associations and other legal bodies opposed the Act. An examining magistrate named Gomez had been dismissed for applying to terrorists article 264 of the Penal Code instead of the Act in question. Thus, the Government intervened in the affairs of the Judiciary, whose independence had nevertheless been recognized in the Constitution. Under the same Decree Law, police repression had grown steadily and on a mere complaint trade-union leaders and opposition activists were arrested, subjected to brutal interrogation, and imprisoned without explanation and without the possibility of appeal. It was obvious that police operations were political in character.
10. In the face of terrorism, the law enforcement authorities carried out murders and assaults by remote control, responsibility being ascribed to terrorists. That issue had arisen in connection with the recent murder of eight journalists by peasants.
11. The press was finding it increasingly difficult to remain free. Act No. 23,321, known as the "muzzling act" and incorporated into the Penal Code, increased the penalties imposed on editors who accused State officials. Religious persecution had also spread, particularly in the south of Peru. Clergy who defended the poor were harassed by the police, and even tortured and charged with subversion. The Catholic Church had protested regularly about such misuse of power against its members and, above all, against the innocent victims of the forces of repression.

12. Under the military regime, Peruvian citizens had been deprived of constitutional and individual guarantees. Under the civil Government, whole provinces lived in a state of siege or emergency, and human life had lost all value, both for the forces of law and order and for the terrorists. Many policemen killed civilians or even finished off those who were wounded. The Swiss-Peruvian Association for the Protection of Human Rights had detailed information about the murder of demonstrators or prisoners by the police, without a proper trial or a sentence being passed on the perpetrators of those crimes. The same situation prevailed in respect of torture, cruel and inhuman punishment, and rape. Most of the information available to the Federation was based on direct evidence and, in particular, on the reports of the Peruvian Parliamentary Commission on Human Rights and Amnesty International, whose representatives had visited Peru the previous year. Lastly, the Federation received regular information from regional committees for the protection of human rights. The information compiled was not therefore based on the allegations of fanatical groups or political parties. The Commission should make representations to the Peruvian Government to ensure respect for human rights, particularly in the regions at present under military and police control because of terrorism.

13. Mr. RAJKUMAR (Pax Romana) said that the flagrant violations of human rights of peoples and individuals, massive exoduses and arbitrary or summary executions considered under item 12 were situations that, contrary to all the principles of religion, showed human life had virtually no value. How many deaths would there have to be to arouse the conscience of leaders? As Pope John Paul II had stressed in July 1982 in a letter to the Salvadorian bishops, violence leading to a fratricidal war between, on the one hand, the advocates of the struggle for a social order and, on the other, the defenders of national security had no Christian justification; the conflicts and violence in El Salvador were caused by social and economic injustice, incompatible with the dignity of the human person and dangerous for international peace and security.

14. The violence in El Salvador was unimaginable. A statement made on 19 February by Monsignor Urioste, Vicar-General of San Salvador, indicated that nearly 40,000 civilians had been killed in recent years. In 1982, 5,349 persons had been killed by governmental forces and 46 by guerrillas.

15. In Guatemala, the victims were mainly Indians living in remote villages. The army decimated whole villages, whose inhabitants, neither armed nor accused of any offence, were suspected of helping the anti-government forces. Sometimes, it acted merely as a warning, to prevent the guerrillas from using their territory.

16. In the Philippines, the Government considered any manifestation of dissent to be subversive and appeared to deny the population any kind of social involvement. The scope for political opposition had been narrowed considerably, the trade union movement had been weakened, the press had been virtually muzzled and the Church was under increasing pressure. When such violations of human rights were reported by concerned groups, it was interpreted as propaganda. According to some, the Government had preserved a veneer of order, but the basic structures of democracy had been irreversibly damaged and many more victims would pay with their lives for their efforts to promote justice and human rights.

17. In Malaysia, 11 persons had been executed since the beginning of the year under the special procedure prescribed in the 1975 security legislation. The Commission should take action to save the other persons sentenced to death under that legislation.

18. Pax Romana was concerned not simply about the situation in the countries mentioned, but about all human rights violations, even though they might be disregarded. To the extent that the Church was committed to the cause of justice and peace, it supported all those who defended human life and dignity and denounced all those who destroyed them.
19. The second report of the Brandt Commission, entitled Common Crisis, stated that the world was confronted with a crisis which called for greater political will on the part of all countries. According to the report, many international conflicts stemmed from economic inequalities. One might add that development would not be possible for all peoples as long as flagrant violations of human rights continued to occur and the Governments concerned and their allies continued to thrive on the bodies of their victims.
20. In addition to the recommendations it had already made in a written statement on the problem of refugees, Pax Romana hoped that the Commission would channel its political activity in the direction most beneficial for all human beings.
21. Mrs. ARYAN (Minority Rights Group) said that she would like to talk about the condition of women in Iran, which constituted a flagrant violation of the rights of the human person. Five months earlier, she had fled her country with her daughter, leaving behind her family, her job and her home. She had never been and was not an enemy of the revolution. In 1979, like most Iranians, she had supported the revolution, hoping that Iran would regain a minimum of freedom and democracy. But very soon, while she had been working as an economic analyst in the Iranian radio and television service, she had seen the short-lived democratic institutions systematically destroyed. The new regime had put an end to freedom of thought and imposed extensive censorship and unprecedented oppression. Far from enjoying equal rights, as they had been promised, women had been excluded from public life.
22. The political and religious leaders considered women only able to look after children. They could not be assigned social responsibilities and those who worked were often exposed to humiliations or grouped together in back rooms. Women officials who did not wear the veil or attend prayer meetings risked immediate dismissal. Contemptuous slogans on walls compared women who did not wear the veil to donkeys and cows; they were barred from entering shops or using public transport.
23. Children were subjected to brainwashing that alienated them from their parents and turned their affection into animosity. They were encouraged by the agents of the regime to denounce their parents. They were taught to kill and to be killed, as in the schools during the Hitler regime. They were promised paradise and sent to the front, where they were used in mine-clearing operations.
24. The war between Iran and Iraq had resulted in more than 250,000 dead, 500,000 wounded or disabled, and more than 2 million homeless. Despite the possibility of achieving peace through negotiation, the warmongers of the Iranian regime continued the war in order to prolong their domination. She had witnessed the grief of mothers whose children had been killed and she had seen the families of political prisoners crowding round the doors of the prisons. She had seen guards shoot in the street at young women suspected of supporting the Mujahedeen. Executions without trial and in the presence of the family of the victims were an everyday occurrence in Iran and the members of the Commission had certainly seen photos of public executions in the international press. Quite recently 21 Iranian democrats had been publicly executed

in the north of the country and in January 1,800 others had been executed secretly. Pregnant women had also been executed, in the name of Islam. That was a primitive interpretation of a religion which in reality taught peace, humanity, affection, love and forgiveness. The ethnic and religious minorities were not the only victims of the regime, which arrested, imprisoned, tortured and executed anyone who did not accept the absolute authority of the high priest.

25. Humanitarian organizations such as Amnesty International and the International Federation of Human Rights had already revealed in their reports some aspects of the human rights situation in Iran. Mr. Radjavi, leader of the Mujahedeen and of the Iranian National Council of Resistance, had compiled in 1982 considerable documentation on the question, which had been sent to the Secretary-General of the United Nations, the Director of the Centre for Human Rights, the Human Rights Committee and other international humanitarian organizations. It was quite obvious that the regime in Iran had no respect for the elementary principles of human rights. Since March 1982 - in other words, since the adoption by the Commission of resolution 1982/27 concerning Iran, the number of adversaries of the regime who had been executed had increased from 10,000 to 25,000 and that of political prisoners from 30,000 to 60,000. Nearly half of those victims were women. The regime used not only prisons, but also stadiums and, above all, so-called secure houses for torturing political prisoners. Since the leaders of the regime considered that nine-year-old girls were fit for marriage, they also considered them fit to be executed for an "offence of opinion". The names of 42 boys and girls under 18 years of age who had been executed had been transmitted to the Centre for Human Rights.

26. Many adolescents and pregnant women were imprisoned, tortured and executed. Every day, young girls were raped before they were executed, their blood was extracted on religious grounds, and infants were taken from their mothers and kept in separate prisons. The leaders of the Iranian regime had proved that they attached no value to national laws or their international obligations, particularly those stemming from the International Covenant on Civil and Political Rights. The regime, based on crisis, war and terror, would certainly continue to act in the same way in the future.

27. As a human being, an Iranian and a mother, she wished to make it clear that the families of the victims of the Iranian regime were waiting impatiently for the international community and the Commission on Human Rights to issue a firm condemnation of the violations of human rights in Iran.

28. Mr. WIGGINS (Indian Law Resource Center) said that one of the most serious situations of violations of human rights and fundamental freedoms was that of the indigenous populations of Central and South America. He was a Miskito Indian from a region in north-eastern Nicaragua, where the situation was particularly serious. As a representative of his organization, he had recently visited refugee camps in Mexico, where 40,000 Indians had fled the genocide perpetrated by the Guatemalan Government.

29. Conflicts and violence between left and right, between forces associated with the East and with the West, conflicts between nations and turbulence within nations often gave rise to the most serious violations of the human rights of indigenous peoples. In most instances, the victims were not participants in the conflicts that gave rise to the violations. ✓

30. The violations of Indian rights were by no means confined to Governments with a particular political orientation. On the contrary, both the left and the right appeared to regard the Indians as populations to which little importance needed to be attached in achieving their political ends. For the survivors of the massacres in Guatemala, the struggle between left and right, between the guerrilla forces and the Government, had meant only death, violence and exile. Their only wish was that the conflict would end and they could live in peace.

31. The hundreds of "peasants" killed by the Guatemalan army over the past year were almost all Indians. There was no doubt that the Government was responsible for the campaign of killings and destruction of Indian villages. Yet Indians were also reported to have been killed by guerrilla fighters. The leaders of the Government as well as the insurgents were non-Indians, while practically all the victims were Indians. Indians formed the majority in the population of Guatemala.

32. The massive violations of human rights of the indigenous population of Nicaragua - particularly the destruction of some 50 villages and the detention of 15,000 Indians in camps - were attributable to the efforts made by the primarily non-Indian counter-revolutionary military forces, more or less openly supported by the United States and by those who opposed the political and economic goals of the Government.

33. Similar victimization was occurring in other countries such as Peru and El Salvador.

34. The armed, political and ideological conflicts were generating gross violations of Indian rights for at least four reasons. First, the existence of hostilities served as a pretext for the Government to use violence against the Indians. Second, armed conflict made it possible to justify or excuse measures that constituted gross violations of human rights. Third, in a situation of conflict, access to extensive regions where Indians lived was restricted or closed to the media, observers and other non-residents. Fourth, both sides in the conflict attempted to use the indigenous peoples to further their own political and ideological ends. He cited a number of examples and explained that the Indian communities were especially subject to such treatment since they were poor and usually did not or could not participate in the political process.

35. He listed the kinds of human rights violations attested to by refugees from Guatemala and Nicaragua: killings and summary executions in Guatemala, torture and dismemberment, disappearance, rape often followed by killing, destruction of villages, food supplies and property of villagers, mass relocation and detention of civilians - primarily in Nicaragua, indiscriminate arrest and detention of "counter-revolutionaries" or "revolutionaries", depending on the country, uncompensated expropriation and misappropriation of Indian land.

36. Refugees were harassed by the Guatemalan and Mexican authorities. Communities which, for reasons of language, must stay together in order to survive were being torn apart and dispersed; the result was the destruction of cultures and languages unique in the world, and indescribable suffering. It was also a disturbing fact that many of those who had studied the violations of the human rights of those populations had done so with a particular political aim in mind. There could be no peace in Central America until the fundamental rights of the Indians were respected.

37. His organization called upon the Commission and all countries and non-governmental organizations to look honestly at the facts, without political or racial predisposition. A special rapporteur should be appointed without further delay to examine the situation in Guatemala.

38. Mrs. JAGLOM (Women's International Zionist Organization) said that she wished to inform the Commission of the findings of the European Women's Conference for Soviet Jewry, held under the auspices of her organization the previous month in Geneva and attended by women senators, deputies or delegates from the European Parliament, under the patronage of Mrs. Simone Veil. Jewish emigration from the Soviet Union was virtually at a standstill, although hundreds of thousands of Soviet Jews had expressed the desire to join their relatives in Israel. In 1970, 50,000 Jews had been permitted to leave the USSR; only 21,000 had been permitted to leave in 1980, 9,500 in 1981 and 2,770 in 1982. In January 1983, only 81 had arrived in Vienna from the USSR. Moreover, the "refusniks" whom the Soviet authorities had denied permission to emigrate sometimes for 10 years or more were exposed to harassment. Increasing pressure, and even criminal prosecution, were being used against Jewish activists, whose only crime was their desire to emigrate to Israel in order to join their families, to study the Hebrew language and to propagate Jewish culture.

39. The Soviet authorities pursued policies aimed at obliterating the national identity of Jews and forcibly assimilating them by denying them the basic cultural rights enjoyed by many Soviet nationalities. Officially sanctioned anti-Semitism was expressed in discrimination against Jews in the sphere of university admission, professional advancement and incitement to anti-Semitism in the media.

40. Mindful of the offence to human dignity represented by those gross violations of human rights, the participants in the Conference had declared their solidarity with the just struggle of the Jews of the Soviet Union and had called upon the Soviet Government to act in conformity with international law, the international conventions on human rights, and the Soviet Constitution and legislation.

41. They requested that prisoners of conscience, such as Yosif Begun, Victor Brailovsky, Vladimir Kislik, Feliks Kochubievsky, Osip Loskhin, Alexander Parisky, Anatoly Scharansky, Simon Shnirman, Vladimir Tsukerman and Stanislav Zubko should be released and allowed to proceed immediately to Israel, together with the following former prisoners of conscience who had served their sentences; Ida Nudel, Kim Fridman, Grigory Geyshtis, Grigory Goldstein, Boris Kalendarev, Evgenii Lein, Mark Nashpitz, Dimitri Schiglik, Isaak Shkolnik, Victor Shtilbans, Vladimir Slepak and Alexander Vilig.

42. They also requested the Commission to ensure that Jews might live on a basis of equality with other Soviet nationalities, free from anti-Semitic discrimination and incitement, and in dignity and equality with other Soviet nationals, and that the hundreds of thousands of Jews who wished to emigrate to Israel should be allowed to leave the USSR.

43. Mr. HOENES (Pax Christi) expressed regret that, in order to preserve its international image, the Guatemalan Government went so far as to claim (document E/CN.4/1983/16, annex IX, p.9) that Mrs. Esquivel had falsely complained in Brussels in 1982 that there had been a massacre of peasants in the village of Juleque. Mrs. Esquivel had not set foot in Belgium in 1982 or in 1983, and had never made such a statement.

44. That having been said, the human rights situation in El Salvador and Guatemala was so serious that it justified the Commission giving it particular attention and appealing to the Governments concerned to guarantee their citizens the exercise of their basic rights.

45. The situation in Guatemala was unprecedented in Latin America. For more than two years, the Government had been pursuing a campaign of massive extermination of the indigenous peasant population, mainly in the centre and north-west of the country, on the pretext that it sympathized with and supported the rebel groups. Even if that was the case, it would not entitle the leaders to commit criminal acts against a helpless population. Moreover, the Government was acting in the same way in urban areas, merely avoiding systematic massacres which would certainly have international repercussions as in 1980. In the towns, therefore, the authorities simply abducted, tortured and murdered private individuals. The corpses of missing persons were often found, bearing unmistakable signs of torture. Such practices formed part of a deliberate plan to terrorize the population and to curb, through fear, support for the opposition.

46. Contrary to what the Government claimed, the situation had not changed since the coup d'état of 23 March 1982. There had been 9,000 killings and more than 185 massacres between the date of the coup d'état and September 1982. The coup d'état itself violated the political rights of the Guatemalan people. The imposition of a military junta, the appointment of military personnel to the most senior posts in the civil service and the concentration of power in the hands of General Ríos Montt showed that the process of militarizing the Guatemalan State was being carried through.

47. The derogation from the Constitution, whose principles had already been infringed by preceding Governments, was a further restriction on the rights of Guatemalans. Under the Fundamental Statute, human rights were restricted, political activities were suspended and the Executive acquired legislative functions and the right to fill posts whose occupants had in the past been elected by direct or indirect popular suffrage. The powers of the State were therefore no longer separate. Moreover, anyone could be arrested under "security measures". The decree imposing the state of siege further limited most of the guarantees established in the Fundamental Statute. The powers of the security forces had been strengthened to such a point that Guatemalans were compelled to obey their orders without being able to challenge a possibly arbitrary decision. Other rights, such as trade-union rights, were infringed.

48. The Fundamental Statute was the instrument devised by those responsible for the coup d'état to enable them to lay the foundations for the campaign against the rebels without being restrained by a Constitution embodying the protection of human rights. That instrument justified all the Government's actions, including the restriction or elimination of the fundamental guarantees, the imposition of the state of siege, and the creation of "model villages" or "temporary camps" in which the peasant population fleeing the massacres was forcibly herded. It was also the foundation of the decree-law establishing the special courts for trying in camera the perpetrators of political offences and related ordinary offences, the majority of which were punishable by death. The victims had only three days in which to prove their innocence. Their defence was assured only by a lawyer appointed by the court itself.

49. The climate of terror was such that it was difficult to carry out investigations of violations of human rights. Out of fear of reprisals, witnesses kept silent or remained anonymous. When foreigners arrived, the peasants from the temporary camps or model villages hid, knowing that the paramilitary forces would kill them if they said anything. An artificial peace gave the towns, whose inhabitants were incurious and uncommunicative, an appearance of normality. Institutionalized terror in Guatemala took the form of mass killings in the countryside and shootings, disappearances and machine-gunning in the towns. The danger of being brought before a special court discouraged protests against the arbitrary conduct of the military regime.

50. Mr. WEYL (International Association of Democratic Lawyers) said that representatives of the Association had visited Istanbul in December 1981 to collect information on the many actions brought against organizations and persons suspected of having an opinion not in conformity with that of the regime which had emerged from the take-over by the army on 12 September 1980. They had thus been able to attend the first hearings in the action brought against the 52 leaders of the DISK Trade Union Confederation, in which the defence had been expelled, followed by the accused themselves when they had given testimony regarding the torture inflicted on them during their detention.

51. In the course of their conversations Mr. Ajaydin, President of the Istanbul Bar, lawyers from other towns, journalists, relatives of prisoners and former prisoners, all had reported infringements of human rights. A large number of people were reported to be detained outside any jurisdictional control in military or police premises, without their family or their lawyer being informed. Both psychological and physical torture was said to be applied as a matter of routine during the period of custody, whose duration was set at 45 days and was renewable, and which the prisoners called the "torture period". The persons to whom the representatives of the Association had talked had also complained about mock hangings, and sometimes simulated suicides, following serious maltreatment and brutality, such as beatings, protracted solitary confinement, hanging by the feet, and even torture by electric shock. Those methods also seemed to have been used on their relatives in the presence of the prisoners themselves in order to extort confessions from them.

52. Before their trial, the prisoners experienced extremely harsh conditions. They were allowed no contact with their family and could be assisted by their lawyer only in conditions that negated the principle of free communication between the prisoner and his counsel. Military courts, composed of officers with no particular legal expertise and subject to the rules of military discipline, could not claim to satisfy the independence requirements of the European Convention on Human Rights. The conduct of trials, in conditions of publicity that were often illusory and under the procedure applicable in wartime, did nothing to lend credence to the view that the right to due process was respected. The expulsion of the accused or their lawyers on the flimsiest pretext, the ways in which evidence was produced and the length of trials infringed the most elementary guarantees.

53. Meeting in July 1982, most of the legal and trade-union observers who had attended the DISK trial had confirmed that testimony and had drawn attention to the deterioration of the situation. The increasing number of trials, the pressures exerted against the lawyers, the surveillance of foreign observers - who were sometimes even threatened, and the official prohibition of contacts with nationals appeared to indicate the will of the authorities to keep the population of Turkey in a state of terror. The constitutional act adopted at the end of 1982 was not calculated to dispel concern. Recently, further arrests had been made and collective trials had begun, such as that of the population of a village against which 2,000 death sentences had been called for. It accordingly seemed that the obstacles placed in the way of the right to a fair trial were merely the supreme reflection of a more general questioning of social and political freedom of expression or opinion.

54. Mr. KAMMINGA (Amnesty International) said that, since his organization opposed the death penalty in all cases, it viewed with particular abhorrence the practice of summary or arbitrary executions. It had therefore welcomed the adoption by the Commission of resolution 1982/29, which provided for a report on the question.

55. The report now before the Commission demonstrated, if there was any need of demonstration, that the practice was common in many parts of the world. The international community must therefore deal with that phenomenon. A few modest steps had been taken, such as General Assembly resolutions 35/172 and 36/22 and the work done by the Special Rapporteur.

56. Needless to say, Governments were responsible for putting an end to summary or arbitrary executions. However, Governments often flatly denied the events brought to their attention, without attempting to carry out an investigation. They provided information on killings that could be ascribed to opposition groups, without coming to grips with executions carried out by their authorities. They issued denials to international organizations when confronted with well-documented information. They disavowed responsibility for the executions, claiming that the fault lay with certain military or police officers who had violated governmental policy, but failed to discipline the violators. They accused those who publicized incorrect information without independent inquiry into the truth of the matter. They attempted to distract attention by labelling the victims as "common criminals", "suspicious characters", "guerrillas", "terrorists" or "counter-revolutionaries". They fabricated excuses by talking of suicides, attempts to escape, resisting arrest, assaults on police or army officers, or even falling down stairs. They issued information which was misleading or related to confusingly similar persons and places where no massacres had occurred. Governments reported on legal provisions, but did not respond to charges that they were not being obeyed in practice and did not take corrective action.

57. Instead of trying to evade their responsibilities, Governments should respond promptly and effectively whenever they learned that summary or arbitrary executions had occurred or might occur. They should scrutinize the procedures followed to ensure compliance with the minimum requirements of articles 6, 14 and 16 of the International Covenant on Civil and Political Rights, and in particular the rules concerning a fair and equitable trial in cases where the defendant might be sentenced to death. In some countries, persons had been sentenced to death after proceedings in which defence counsel had been denied, witnesses for the defence had not been permitted, defendants' statements had been obtained under torture, no appeal had been permitted and no application for pardon had been possible.

58. In all cases of apparently summary or arbitrary killings, Governments should institute an investigation by independent and impartial officials authorized to gather the relevant facts, hear evidence and make public their findings as to the cause or responsibility for each death.

59. In order to prevent summary or arbitrary killings, Governments should at least establish laws and regulations which made the killing of prisoners less likely. Incommunicado detention and torture often resulted in the death of prisoners and should be abolished. If prisoners had access to lawyers and relatives, they were more likely to survive. Regular judicial scrutiny of the reasons for, and conditions of, confinement, and compliance with the Standard Minimum Rules for the Treatment of Prisoners, the Code of Conduct for Law Enforcement Officials, the four Geneva Conventions of 1949 and the Additional Protocols of 1977 might also help to prevent summary or arbitrary executions.

60. In his report, the Special Rapporteur outlined the techniques that might end a practice which, as stated in General Assembly resolution 37/182, "represents a flagrant violation of the most fundamental human right, the right to life". However, the phenomenon required further study and the Special Rapporteur's recommendations for action needed elaboration. The Commission should create and strengthen mechanisms whereby the United Nations could act speedily to prevent summary or arbitrary executions.

61. Mr. CUELLAR (Commission of the Churches on International Affairs, World Council of Churches) drew attention to the situation in Central America, which was marked by an unrelenting succession of serious and large-scale violations of the rights of the peoples of El Salvador and Guatemala, by a deterioration of the human rights situation in Honduras, by total militarization of power and by continuous incitement to conflicts between nations.

62. In 1982, the Commission of the Churches on International Affairs had conducted an objective inquiry into the human rights situation in El Salvador, basing its evaluation on the information supplied by two Salvadorian humanitarian organizations, the Office for Legal Protection of the Archdiocese of San Salvador and Christian Legal Aid.

63. Violations of human rights had reached an intolerable level. In 1982, a comprehensive system of extrajudicial executions had been institutionalized. It was reported that 5,977 non-combatant civilians had been executed without trial. The authorities killed to strike terror into the civilian population. At least 210 decapitated corpses had been discovered and 332 cases of physical torture had come to light, which gave some idea of the horror of daily life in El Salvador. The local humanitarian organizations had found it extremely difficult to determine precisely and objectively how many non-combatant civilians had met with a violent death during large-scale military operations by the armed forces. In some rural areas, it had been confirmed that chemical weapons had been used with devastating effect. During the second half of 1982 several communities, mainly rural, had been bombed in the course of nine air raids. There had been 1,189 recorded cases of enforced disappearance, preceded by arbitrary arrest. During the same period, there had been large-scale arrests of trade-union and political leaders when they had proposed a national dialogue to end a bloody conflict caused by social, economic and political factors.

64. Concerning the continuing disappearances of individuals, the Archbishop of San Salvador had said it was becoming increasingly clear with each new disappearance that members of the armed forces in civilian clothes had taken part in the abductions; the fact that they were able to do so was due to the weakness of the Judiciary, which was subservient to certain interests.

65. Contrary to what was sometimes stated, the system of justice and its administration had made no headway, and on the rare occasions when a trial had been held in a court of law nothing had been achieved. Far from repealing the legal and other provisions incompatible with the rules established by the international human rights instruments, the Government of El Salvador had extended the powers of the armed forces to include investigation, trial, sentence and appeal procedures in political cases. The complete breakdown of the system of justice had even been confirmed by the United States Ambassador to El Salvador.

66. Since it was easier to die than to live in El Salvador, almost half a million inhabitants out of a population of 4.5 million had been forced to abandon their homes, settle elsewhere or take refuge in neighbouring countries. The situation of the Salvadorian refugees in Honduras was disquieting. Cases of enforced disappearance and extrajudicial killing of refugees from El Salvador and other countries, and of Honduran citizens, had occurred recently and were attributable to the military authorities of Honduras. Several Nicaraguan civilians had been killed and abducted in Nicaragua by armed groups composed mainly of former members of Somoza's National Guard, who moved freely around Honduran territory and enjoyed support and protection.

67. The extensive military manoeuvres formed part of a deliberate strategy to resolve the acute social conflicts by means of armed confrontation and to generate a very high degree of international tension. His organization believed that secret plans were being hatched outside the region to destabilize and bring down the Governments of the Central American countries, which continued to receive supplies of lethal weapons from abroad, and that any possibility of dialogue and reconciliation was deliberately being obstructed by the militarization of the region.

68. The war raging throughout El Salvador had turned a vast area of the territory into a gigantic graveyard and, in the long term, destroyed any hope of national reconstruction.

69. His organization called upon the Commission on Human Rights to do its utmost to restore peace based on justice in El Salvador and throughout Central America.

70. Mr. BOZOVIC (Yugoslavia) said that, while the period since the proclamation of the Universal Declaration of Human Rights in 1948 had certainly not been one of triumph for human rights and fundamental freedoms, neither had it been a period of decadence, as some would have it. Today more than ever before, people were aware of their rights, and the United Nations had made a major contribution towards that progress. In a world of crises of all kinds and uncertainty regarding the future of mankind, it was imperative to undertake an objective evaluation of the successes and failures, achievements and setbacks, hopes and possibilities in the field of human rights, not to condemn but to seek out the root causes and the most effective and rapid ways of removing them.

71. In recent years, all the discussions on the place of man in society, his rights and his freedoms had too often been politically motivated and conducted in a context of bloc rivalry, at the expense of those who needed protection.

72. Some 10 years before, a campaign had been launched on human rights violations in certain parts of the world or in certain countries; that campaign coincided with energetic efforts by the developing countries to change inequitable international relations. It was perhaps only a coincidence, but it was worth noting. Since no one could claim that human rights had never been infringed before, should it be interpreted as a late awakening of the conscience of mankind to the sufferings of others and, if so, to what should such selectivity, mainly geographical, be attributed? His Government resolutely rejected the ideological exploitation of human rights questions and politically motivated actions, in which it had itself never participated.

73. Human rights must be approached with the aim of protecting children, women and men. While it was legitimate to be concerned about flagrant and massive violations of human rights, it was highly dangerous to incite others, for selfish reasons, to act in a certain way when one knew that demands, however justified, could not be met in view of the circumstances.

74. There could be no respect for human rights if they were used as political tools or weapons to violate the sovereignty of States and interfere in their domestic affairs. Pressures and threats jeopardized the security and territorial integrity of the State which, feeling itself threatened, defended itself, sometimes by limiting human rights, a fact which was used as a pretext for foreign intervention. If one needed to be persuaded of the existence of that vicious circle, one merely had to recall that some of the so-called humanitarian interventions had considerably slowed down the

development efforts of many countries at the expense of their citizens. It was obvious, however, that States should in no instance shelter behind their national sovereignty in order to implement deliberate policies of human rights violation.

75. The protection of human rights called for extreme care not to produce results that were contrary to the interests of those who should be safeguarded. Care should also be taken not to wage war against certain ideologies and socio-political systems. No equation could be established between a certain type of society or socio-political system and the protection of human rights and fundamental freedoms. Socialism, which was egalitarian by nature, did not automatically generate respect for human rights, but it created favourable conditions for their realization.

76. It was necessary to free oneself from ideological apriorism and ethnocentrism and to abandon traditional conceptions of human rights as being exclusively civil and political.

77. One must also have the courage to admit that no way of life, however good, was applicable everywhere, to all people and at all times. The achievements of States in the field of human rights were measured by the yardstick of the elimination of inequalities, discrimination of every kind, poverty and other forms of deprivation of individual rights. One must also face the fact that there were differences in content in the concept of human rights and in the priority to be given to each of those rights, which varied according to the stage of development of a particular country and, even more, according to countries and eras. Such differences depended on the level of material, social and cultural development, history, sociological and economic factors, domestic and international circumstances, and the balance of power within countries.

78. Countries with a common heritage had adopted a uniform approach to human rights. That was so in the case of the Western countries, the African countries, which had recently adopted the African Charter of Human and People's Rights, and the Latin American countries with their American Convention on Human Rights. The Asian countries were looking for a common denominator and the socialist countries had also acquired a common perception of human rights. It was therefore necessary to focus efforts, without renouncing the ideal, on the attainable. It would be ridiculous, if not cynical, to try to persuade an illiterate person of the need for freedom of the press. If the Commission devoted an entire session to the quest for a common denominator, it would make great progress towards promoting respect for human rights.

79. The Commission and the United Nations as a whole could and should deal only with massive and flagrant violations of human rights in the world; but they should not disregard another extremely serious violation, namely, the maintenance of an unjust economic order and, more particularly, the persistent refusal to agree on the need to change the present situation, which was characterized by affluence and squandering, on the one hand, and hunger, poverty and disease, on the other. The Universal Declaration of Human Rights proclaimed the right of everyone to development and to an adequate standard of living, which could not be guaranteed in the present state of international economic relations. The Commission should therefore study every year, under agenda item 12, the question of the unjust international economic relations and order.

80. In signing the Charter of the United Nations, States had unquestionably contracted national obligations towards their citizens, as well as the international obligation to contribute to joint or individual actions designed to create favourable conditions for respect for human rights for all peoples throughout the world. The national obligations of States were elaborated on, as was appropriate, in many international

instruments and the Commission should endeavour to formulate the international obligations of member States in the same way. In order to do so, it might request the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake a study.

81. Many United Nations organs dealt with human rights issues, and some specialized agencies had already devised special procedures which went far beyond the framework on which the United Nations had agreed, namely, the study of massive and flagrant violations of human rights as the result of deliberate State policy. In that connection, he wished to draw attention to the exemplary balance and altruism of WHO, FAO and UNICEF, which were primarily concerned with improving health and other aspects of the living conditions of all, including mothers and children in particular, and with providing every human being with the means of satisfying his own needs and those of his family and of controlling his destiny.

82. There were so many organs and procedures today that some States were encouraged to use them for purposes that were altruistic in appearance, but extremely prosaic in reality, while others felt more and more that their readiness to co-operate was being abused by the tests and pressures to which they were constantly subjected. A greater awareness of responsibilities was therefore vital.

83. The Commission was increasingly taking on the appearance of a court, whose members played the role of prosecutors, while the countries which had indicated their readiness to co-operate found themselves in the dock. It was not for the Commission to pronounce verdicts but to determine the causes of violations of human rights and propose methods of removing them.

84. In the view of his delegation, the entry into force of the International Covenants on Human Rights warranted a review of the procedure established by the Economic and Social Council in resolution 1503 (XLVIII), in view of the obligations contracted by States towards the organs they themselves had established. Thus, the situation of the countries that had ratified various international instruments on human rights must be considered by the organs established to monitor implementation, unless the situation demanded urgent action by the international community; in such an eventuality, emergency sessions might be convened by another competent body or by the Commission itself.

85. The study of the communications received under Council resolution 1503 (XLVIII) should be transferred to the exclusive competence of the Commission; the Bureau, which at present had a mainly administrative role between sessions, could be assigned responsibility for taking any measures necessary for that purpose, which would greatly simplify the preparation of the Commission's following session.

86. The Commission should pause and ask itself whether it was on the right path towards the attainment of objectives. The ordinary man was interested in what was being done at the international level to maintain peace; only genuine co-operation, motivated not by selfish political interests but by the desire to create conditions conducive to respect for human rights for everyone everywhere, would make it possible to meet the aspirations of the citizens of States that no longer wished to be the object of rivalry on the international scene.

87. Mr. BHAGAT (India) recalled that in resolution 1982/29 of 11 March 1982 the Commission had recommended the appointment of a Special Rapporteur who would submit a "comprehensive report ... on the occurrence and extent of the practice of [summary or arbitrary] executions together with his conclusions and recommendations"; that report was before the Commission at its current session in document E/CN.4/1983/16.

88. Despite the constraints imposed upon the Special Rapporteur by his mandate, especially with regard to sources of information, the part of his report dealing with international legal standards, national legislation, basic concepts, and conclusions and recommendations was unquestionably useful. The Indian delegation was, however, puzzled by the choice of certain specific incidents that had occurred in certain countries; the authenticity of those incidents had not even been established. It was true that the Special Rapporteur had taken the precaution of asserting repeatedly that the allegations in his report did not imply any judgement by him as to the veracity of the information, but the Indian delegation had difficulties with some aspects of the study. First, the Special Rapporteur stated that he wished to undertake a historical review, but would nevertheless concentrate on events that had occurred after 1980; in fact, the examples he gave dated from before 1980. Second, it was apparent from chapter II and III of the report that information concerning specific cases of summary or arbitrary executions was submitted mainly by non-governmental organizations; in the absence of sufficient proof, that gave an unbalanced picture of the situation and thereby discredited the report. Third, in his conclusions, the Special Rapporteur stated that summary or arbitrary executions occurred on a wide scale throughout the world, but the reader could not fail to be struck by the fact that some regions of the world were completely left out of the report while examples of events in other regions abounded. His delegation attributed such an anomaly not to any bias on the part of the Special Rapporteur but to his source of information. For instance, one sought in vain in the report as an example of summary or arbitrary executions the treatment inflicted on Palestinians by the Israeli authorities in the occupied territories and more recently in Lebanon, as well as the treatment inflicted on Palestinian prisoners of war detained by the Israeli authorities. Similarly, the massacres and summary executions perpetrated by the South African régime were not mentioned.

89. His delegation deplored the haste with which the Special Rapporteur had been compelled to discharge his task. In its opinion, it would have been better to study the general phenomenon in the early stages, leaving the consideration of specific cases until a later stage.

90. A number of charges were made against India in the Special Rapporteur's study. His delegation could affirm that in the light of the criteria and definitions put forward by the Special Rapporteur himself, it was impossible to allege that summary or arbitrary executions had taken place in India, which remained an island of democracy in a world where democratic norms and systems were being superseded by authoritarianism. Unlike the citizens of other countries, Indians were protected against summary or arbitrary executions or arbitrary detention by a set of constitutional and legal provisions and effective institutions - judicial, parliamentary and journalistic. In conformity with the Constitution, the circumstances in which an individual might be deprived of his liberty, through detention, or of his life, through the death sentence, and the procedures to be followed in those cases were laid down in the Penal Code of 1860 and the

Criminal Procedure Code of 1973. Those instruments also regulated the use of force and the treatment of prisoners by the law enforcement authorities, whose functions were strictly circumscribed by law; any infringement was thus punished. Information on the implementation of the death penalty and on detention procedures had been supplied to the Special Rapporteur, who had incorporated them in the part of his study devoted to national legislation. The legal provisions offered the defendant every possibility of recourse to judicial and other authorities in his own defence.

91. As the Sub-Commission's Working Group on Detention had noted in its studies, India was one of the few countries to have enacted extremely progressive legislation which, in certain cases, made provision for anticipatory bail. In India, the Judiciary was independent, and it staunchly protected the life, liberty and rights of individuals. The Indian Parliament, of which he was a member, had done much to expose defects in the systems so that they could be corrected. The extremely free and dynamic press was a source of feedback to the Government in respect of the actual implementation of the provisions for safeguarding the life and liberty of individuals. All those institutions constituted an effective system for the protection of the individual. Many sociologists and criminologists had even wondered whether the Indian system was not too liberal and too weighted in favour of the individual vis-à-vis society.

92. With regard to the information made available to the Special Rapporteur concerning allegations that the Indian authorities had killed Naxalites, he said that the terrorist activities of that leftist revolutionary movement had resulted in much loss of life and damage to property; however, the authorities had applied the normal legal procedures to the Naxalites, none of whom had been summarily executed. It was also untrue that members of the police had organized staged encounters in order to kill Naxalites, dacoits or other outlaws who had been guilty of murder, plunder and the destruction of crops; the heavy losses for both sides resulting from the clashes were proof enough that they had not been staged. Quoting paragraph 67 of document E/CN.4/1983/16, he assured the Commission that in India the law enforcement authorities had never violated national and international legal standards; furthermore, the allegations in the report had no basis other than information received very indirectly from non-governmental organizations, information which did not correspond to the facts.

93. The Commission should give the Special Rapporteur a clear mandate and ensure that he had enough time to collect and collate his information. He should not confine himself to gathering information received from a limited number of non-governmental organizations; his study should not single out a few countries but should be truly global in character.

94. Mr. KHMEL (Ukrainian Soviet Socialist Republic) said that his delegation would oppose the attempts being made to encourage the Commission to interfere in the internal affairs of Poland. It was inappropriate for any United Nations organ, and especially the Commission, to concern itself with the situation in that country. If the Commission did so, it would be acting wrongly, under the influence of baseless rumours and insinuations. The observer for Poland had already stressed the illegality and harmfulness of seeking to raise again a "Polish question" at the current session. The report on that country

(E/CN.4/1983/18) contained no objective criticism but simply a distorted description. Despite the introduction of martial law in Poland, the Constitution remained in force and the authorities continued to discharge their duties normally, under the supreme control of the Diet. The emergency measures that had been taken had enabled the lawful authorities to implement policies that had led to the normalization of life in Poland. Furthermore, the conditions of martial law had been eased, and the real situation in the country was as the observer for Poland had described.

95. Document E/CN.4/1983/18 reflected initiatives contrary to the principles of international law and motivated, as the author admitted, by the United States Department of State and the Department of Labor. Could there be any sources more biased than those? The initiatives sought to encourage counter-revolutionary forces and anti-social elements to which the United States Government gave financial support. The events that had occurred in Poland were in no way spontaneous; they were part of a plan drawn up in Washington. The Polish authorities had, however, defeated that strategem, which was designed to lead to a confrontation, and the Poles had been unwilling to sacrifice their lives to an anti-communist scenario thought up by the forces of imperialism.

96. In the United States there were thought patterns that stemmed from the exploitation of man in the society of that country and had spread to other countries, namely, arrogance in business matters, hegemonistic pretensions, aggressiveness; and so on. By behaving in that way, the United States had dominated the world for decades. Today, however, things had begun to change. Business companies in the United States no longer played such a dominant role in Western Europe, and in the third world the changes that were taking place were lessening their power. In that context, the American way of life was losing its attractiveness and in the United States the population was becoming disenchanted. The Government was speeding up that process by amputating social welfare programmes and allowing ethnic and racial minorities to be increasingly exploited.

97. The United States had traditionally pursued certain policies at home and abroad. In particular, its politicians habitually made a scapegoat of socialism, and thus condemned the national liberation movements of the peoples of Asia, Africa and Latin America. The United States was hostile to the struggle of the third world countries to establish the new international economic order, which the socialist countries supported. The Washington Government condemned those countries that wished to draw on the experience of socialism, depicting their efforts as machinations directed towards the expansion of communism.

98. The Washington Government also depicted the protest movements against the arms race which existed even in the Western countries as a communist plot. Generally speaking, United States propaganda had given a false view of the development of the world, a view which had had a considerable impact on that country's official policy. Thus, the Washington Government had a crude view of things, in which socialism appeared not as one of the results of history, but as an accident. According to that view, socialism must be completely discredited, in non-socialist countries as well as in socialist countries, where the imperialists sought to launch campaigns that constituted interference in domestic affairs. Other Western countries that shared the views of the Washington Government sought to distract attention from the human rights situation in the United States.

99. President Reagan himself had acknowledged in 1980, during the Congressional elections, that the crime rate in the United States was a genuine tragedy. The figures spoke for themselves: in 1981, some 22,000 persons had been murdered and thefts had amounted to \$8.8 billion. The Statistical Abstract of the U.S. indicated that during the period 1969 to 1978 there had been on average 20,000 murders a year, a figure two-and-a-half times higher than that for the 1950s, and twice as high as that for 1965. Such was the tragic situation prevailing in that country, in peacetime. Every year, 300 people died at the hands of the police, without having been tried. In 1980, 9.7 million persons aged 15 or over, or one eighteenth of that part of the population had been questioned. Also in 1980, the prison population had been 158,000 - 60 per cent more than in 1970 and 90 per cent more than in 1950.

100. Other figures reflected the seriousness of racism in the United States. Blacks accounted for 12 per cent of the population but for half the total number of persons murdered. In 1978, 59 blacks had been killed out of 100,000, compared with 9 whites out of 100,000, a proportion six-and-a-half times greater. In 1980, 41.1 per cent of the prison population and 43.8 per cent of persons sentenced to death had been blacks.

101. It was also interesting to note that in the United States, out of every five persons gaoled, three had not completed their schooling and two had been unemployed at the time of their arrest. That situation reflected the population's exploitation by a monopolistic bourgeoisie which was extending its power to other disadvantaged countries and nations. In order to deal with the situation he had just described, the authorities increased police and military forces, but without correcting the defects of the system. In that connection, he recalled the remarks made by Senator John McClellan in a Senate commission on criminality and corruption to the effect that contemporary society in the United States was governed by the money ethic and that it paid lip service to a morality it had long since discarded in practice. The figures he had quoted showed that in the United States human rights included the right of killing and of being killed. One wondered by what moral right the United States Government talked about the situation of human rights in other countries, whether in Poland, Afghanistan or any of the 162 countries studied in the report by the Department of State on the situation of human rights throughout the world.

102. Mr. YUMJAV (Observer for Mongolia) pointed out that the item under consideration enabled the Commission to study a number of important problems relating to systematic violations of human rights. In particular, document E/CN.4/1983/20 reflected the seriousness of the situation in El Salvador, where 1,857 people had been killed in the period between February and April 1982 alone. The ruling junta, which was guilty of many murders, enjoyed the support of instructors and advisers from the United States, who played a similar role in other Latin American countries. South Africa, another conspicuous example, applied the cruellest form of racism - apartheid, and was extending it to Namibia. That country also received material support and arms from the United States and other West European countries. In the Near East, Israel's behaviour in the occupied Arab territories and the massacres of Palestinians and Lebanese in West Beirut were also linked to the policy of the United States and were the consequences of the Camp David accords.

103. There were those who were seeking to draw the Commission into flagrant interference in the internal affairs of Poland, in violation of the Charter of the United Nations. Document E/CN.4/1983/18 on Poland painted a distorted picture of

the facts - a picture which the observer for Poland had refuted the previous day by means of solid arguments. He had demonstrated that the study thus presented was not legitimate and that the situation in his country was returning to normal, thanks to the efforts of the Government and the United Workers' Party. The United States had begun that artificial discussion, in order to provoke the socialist countries. It was well known that the United States and a number of other countries were at present implementing a policy of economic sanctions against Poland which constituted interference that should be firmly rejected. The United States was thus taking advantage of the internal problems of a country in order to aggravate the international situation. It was for Poland to resolve its internal situation. The question had no place in the Commission's discussions and should be struck off its agenda.

[The summary record of the second part of the meeting
appears as document E/CN.4/1983/SR.42/Add.1]