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SUMMARY RECORD OF THE 9th MEETING

Chairman: Mr. RODRIGUEZ-MEDINA (Colombia)

later: Mr. STARČEVIĆ (Yugoslavia)

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

AGENDA ITEM 74: INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES: REPORT OF THE SECRETARY-GENERAL (continued) (A/38/273 and 274)

1. Mr. PEANG-METH (Democratic Kampuchea) said that wars, foreign aggression and oppression were among the causes of the flows of refugees. The refugees themselves faced untold suffering each day and obliged countries of asylum to bear enormous economic and social burdens. Accordingly, the refugee problem presented yet another great challenge to international peace, stability and order. He expressed appreciation to the entire international community for its invaluable efforts in mobilizing relief aid but observed that, if all Member States strictly adhered to the principles of the Charter, there would be no refugee problem.

2. Approximately 1 million of his fellow countrymen, unable to accept the suffering, death and destruction on their native soil, had been obliged to become refugees. Their tragedy had resulted from Viet Nam's occupation of his country with a view to forming a confederation of Indo-China under its own rule. At the end of 1978 and in 1979, Viet Nam had invaded Democratic Kampuchea, had occupied it and had then begun to try to turn it into a province of Viet Nam. The Vietnamese troops had plundered its wealth and art treasures, forced its inhabitants to flee their homes, disrupted international relief aid - diverting most of the supplies to Viet Nam - had sought to Vietnamize future generations and had suppressed all basic freedoms.

3. The Vietnamese aggressors had followed hundreds of thousands of those who had fled, and had brutally attacked and killed them at the civilian population centres in different parts of Kampuchea.

4. In 1983, the escalation of the brutalities and of Vietnamization had reached untenable proportions and had revealed the systematic genocidal policies Viet Nam was pursuing against the Kampuchean people as a whole. Between May and September 1983, tens of thousands of Khmer inhabitants of the interior had fled from Vietnamese atrocities and had sought refuge in the liberated zones administered by the Coalition Government of Democratic Kampuchea. The new Khmer refugees, who still continued to arrive each day, had reported unbelievable atrocities committed by the Vietnamese aggressors.

5. In an effort to kill off the Khmer soul and to crush the Kampuchean physically, more than 600,000 Vietnamese were being settled in different parts of Democratic Kampuchea. There were more than 1 million Vietnamese in total - approximately one-fifth of the total Kampuchean population - living in his country.

6. He appealed to the conscience of all members of the Committee to help his people to regain their inalienable right to life and liberty and to help his country to regain its independence, sovereignty and neutrality. As the President of Democratic Kampuchea had told the General Assembly on 4 October 1983, the question of the Kampuchean refugees could not be solved unless the underlying cause, namely, the political problem of Kampuchea, was tackled.

(Mr. Peang-Meth,
Democratic Kampuchea)

7. The root of the Kampuchean refugee problem lay in the Vietnamese military occupation of the country. Only the complete withdrawal of Vietnamese forces and the exercise by the Khmer people to their right to self-determination could end the refugee problem and ensure the stability and security of the region. A just and lasting political solution of the Khmer tragedy could be found only through the implementation of the Declaration adopted by the International Conference on Kampuchea and of all the relevant resolutions adopted by the General Assembly in recent years.

8. In conclusion, he drew attention to the statement made by the Prime Minister of the Coalition Government of Democratic Kampuchea to the effect that it would be futile to attempt to establish peace and stability in South-East Asia without first solving the tragedy of that country.

9. Mr. Starčević (Yugoslavia) took the Chair.

10. Mr. DUARTE COSTA (Portugal) said that Portuguese public opinion had always been concerned about the fate of the millions of people who were forced to live in exile, often in deplorable conditions, and, accordingly, Portugal had welcomed the adoption of General Assembly resolution 36/148, establishing the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees.

11. The refugee problem was a permanent feature of a world in constant change, and it would be unrealistic to think that it could be solved in the near future. Although some causes of new flows of refugees, such as natural disasters, could not be prevented, other causes were very often political and therefore required appropriate political solutions.

12. Efforts to avert new flows of refugees must be based on the relevant principles governing relations between nations, for example the principle of co-operation and of non-interference in internal affairs. Governments and international organizations must intensify their co-operation with a view to solving the conflicts that generated massive flows of refugees and preventing such situations in future.

13. Moreover, it was unacceptable for countries of asylum to experience political, economic and social problems merely because other States had difficulty in ensuring the rights of their own citizens.

14. In view of the importance of the refugee problem, his delegation believed that the Group of Experts' mandate should be renewed so that it could complete its study. His delegation also endorsed the view expressed by members of the Group to the effect that it should not adopt a legalistic approach but should seek effective means to avert new massive flows of refugees. The search for such means should take into account the relevant international instruments already in force as well as the Statute of the Office of the High Commissioner for Refugees.

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15. Mr. SALONEN (Finland) said that the growth of the refugee problem in the past 30 years had not only posed unforeseen economic and social problems for many countries but, in a number of cases, was seriously threatening international peace and security.

16. Despite invaluable efforts to deal with that problem, it had become increasingly clear that traditional methods, namely, voluntary repatriation, local settlement and resettlement in third countries, were no longer sufficient. Moreover, relief care and maintenance, which had become the major component of international efforts in recent years, did not promote long-term solutions. The international community must therefore redirect its efforts towards dealing with the root causes of mass movements of refugees.

17. Accordingly, his Government had supported the initiative taken by the Federal Republic of Germany in introducing the item on measures to avert new flows of refugees and had welcomed the establishment of the Group of Governmental Experts. It was encouraging that the Group had succeeded in beginning its substantive work, and his delegation fully endorsed the recommendation that its mandate should be renewed.

18. Although some of the causes of refugee flows were beyond human control, mankind should be able to eliminate the man-made causes. Those causes could be divided into two main categories: external aggression and internal oppression. Since refugee problems were often caused by the conduct of nations, the very nature of the Organization should generate an effort to establish international guidelines for action to prevent situations that were likely to produce new flows of refugees.

19. As the special rapporteur had indicated in the study he had prepared on the question of human rights and massive exoduses, which had been submitted to the Commission on Human Rights at its thirty-eighth session, an effort to change the conditions that gave rise to exoduses would require a global approach to such problems as human rights, economic and social disparities, peace and security, and food and population. Clearly, the entire international community must assume collective responsibility for the refugee problem and, in accordance with General Assembly resolution 36/148, the Group of Governmental Experts should examine the special rapporteur's study thoroughly.

20. Mr. AMIN DAUD (Malaysia) said that, although international efforts to protect refugees from persecution and to provide them with humanitarian assistance were obviously necessary, they had only treated the symptoms of the problem and had had the unfortunate side effect of encouraging the continued flow of refugees. The international community must therefore examine the root causes and consider measures to be taken against States that were the source of refugee flows.

21. The 12 million refugees throughout the world were indicative of the urgency, magnitude and complexity of the problem. In South-East Asia alone, there were approximately 1 million refugees fleeing political persecution, economic exploitation and foreign domination. The Association of South-East Asian Nations (ASEAN) countries had responded by providing shelter as countries of first asylum,

(Mr. Amin Daud, Malaysia)

but the continued presence of refugees had imposed enormous economic strains and was threatening national and regional security. Their presence had even affected relations between countries of first asylum and resettlement countries. Therefore the international community should examine the impact massive flows of refugees had on the receiving States.

22. The countries that were the source of refugees must assume their obligations under the United Nations Charter and must adopt non-discriminatory policies towards all those within their jurisdiction. However, experience had shown that the international community had no effective means of forcing States to fulfil their international responsibilities.

23. In seeking new ways to deal with the refugee problem, the international community should take up the question of the new types of refugees who were not covered by existing international instruments or by the assistance provided by the various United Nations and international bodies. In that connection, he welcomed the initiative taken by the Federal Republic of Germany in proposing a study on future flows of refugees, and his delegation fully supported the idea of producing action-oriented policies, plans and programmes.

24. It was also important to consider a broader definition of the word "refugees" which would include the uprooted, the displaced, the homeless and the stateless. Moreover, it was also important to ensure that refugees enjoyed political freedom and social justice as well as the right to return to their homes and property without fear. It was also necessary to establish programmes to help them to develop their potential with a view to attaining self-sufficiency. In that connection, his delegation felt that, in its programme of work (A/38/273, para. 16), the Group of Governmental Experts had correctly adopted an international approach to the issue of averting new flows of refugees. In order to facilitate the future work of the Group of Experts, his delegation supported the recommendations contained in document A/38/273.

25. Mr. SIBAJENE (Zambia) said that international co-operation to avert new flows of refugees deserved the urgent attention of the international community. Movements of refugees had not only grave humanitarian and economic dimensions but also serious political repercussions, sometimes posing a threat to international peace. His delegation had therefore welcomed the establishment of the Group of Governmental Experts.

26. General guidelines for international co-operation to avert new flows of refugees should be based on identification of the causes. Since independence, Zambia had played host to thousands of refugees from neighbouring countries. Many had returned to their countries following the independence of Angola, Mozambique and Zimbabwe but Zambia continued to host many refugees, while additional refugees were entering the country from Namibia and South Africa.

(Mr. Sibajene, Zambia)

27. The United Nations might not be in a position to do much to prevent refugee problems resulting from natural calamities, but it certainly could and should prevent refugee situations caused by any form of discrimination and foreign domination or occupation. For example, almost the entire refugee situation in southern Africa, the Middle East and Cyprus had resulted from such factors, which had been condemned by the international community.

28. Unconditional withdrawal of South Africa from Namibia and the eradication of apartheid represented the only permanent solutions to the growing refugee problem in southern Africa. Similarly, immediate and unconditional Israeli withdrawal from Arab Palestine and from all the occupied Arab territories was the only genuine solution to the refugee problem in the Middle East. In the case of Cyprus, the solution lay in full respect for the independence, sovereignty, territorial integrity and non-aligned status of that country.

29. In order to find a lasting solution to the refugee problem, the international community must, above all, demonstrate political will and morality, strict compliance with United Nations resolutions and adherence to the letter and spirit of the Charter. Humanitarian assistance was certainly important and should be increased, but the temporary and limited nature of such assistance must be recognized. The real solution to the problem lay in the return of the refugees to their homes in their own countries.

30. Mr. KINGSMILL (Australia) said that his country's interest in all matters relating to refugees was well known. It had accepted many hundreds of thousands of refugees from all parts of the world and had felt the impact of many of the recent massive outflows of refugees. Australia had been made forcefully aware of the human tragedies that such movements created and of the problems of Governments trying to cope with such outflows, whether they were providing temporary refuge or resettling the refugees.

31. Australia had consistently supported the programme of the United Nations High Commissioner for Refugees. It had co-sponsored resolutions which had led to the appointment of Prince Sadruddin Aga Khan as Special Rapporteur to study the nexus between human rights and mass exoduses. Australia had also warmly welcomed the establishment, by virtue of General Assembly resolution 36/148, of a Group of Governmental Experts to study all aspects of the problem of averting new flows of refugees. The recommendations of that Group had been reached by consensus, in which Australia had joined.

32. His delegation would support a resolution encompassing the recommendations of the Group of Governmental Experts (A/38/273, annex, chap. VII). The Group's programme of work responded fully to General Assembly resolution 36/148. His delegation hoped that a draft resolution to that effect would be adopted by consensus.

33. Mr. ALMOSLECHNER (Austria) said that massive flows of refugees represented a problem of a magnitude which often surpassed the capabilities of single States and consequently called for close and effective international co-operation. Austria's traditional role had been to accept refugees and act as a country of first asylum; in that connection, Austria was also firmly and unconditionally committed to the promotion of human rights.

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(Mr. Almoslechner, Austria)

34. Recent events had shown that the denial of basic political and civil, as well as social, economic and cultural rights often forced large numbers of people to leave their countries. It had also to be remembered that many recipient countries were shouldering alone the burden of providing assistance to large numbers of refugees. Many of those countries had often assumed that humanitarian task under very difficult circumstances stemming from their own precarious economic situation.

35. Austria had welcomed the setting up of the Group of Governmental Experts and, as a member of the Group, had welcomed its first report.

36. In its preliminary discussions, the Group had addressed a number of issues of basic importance for its further work; in particular, it had agreed that its mandate should be perceived in a pragmatic way that would lead to concrete proposals on the most effective means of international co-operation.

37. His delegation would welcome the adoption of a draft resolution which would extend the mandate of the Group and would take into account its recommendations concerning its future work. It would then be the task of the Group to discuss substantive issues in depth and to envisage steps to alleviate the refugee problem.

38. Mr. ABDEL RAHMAN (Sudan) said that Sudan had participated actively in the work of the Group of Governmental Experts and fully subscribed to the recommendations in document A/38/273.

39. The current international refugee situation meant, in simple terms, that 10 million victims were in grave need of humanitarian assistance ranging from basic nutrition, medical care and vocational training to reuniting scattered families. Sudan had been able, through its limited resources and with the assistance of friendly Governments and governmental and non-governmental organizations, to provide assistance to refugees in its territory.

40. His delegation believed that the solution of the refugee problem was to be found in voluntary repatriation and to that end the international community should address itself comprehensively to the root causes. The international community was under a moral obligation, reflected in the Charter and the International Covenants on Human Rights, to do its utmost to stamp out all inhuman practices which forced refugees to flee their countries. Intervention in the internal affairs of other States, and inequitable trade relations coupled with economic oppression tended to make huge masses seek refuge voluntarily, thus accentuating the existing refugee situation. The oppressive racist policies of Israel and South Africa were among the most important factors that made people flee those countries. The situation called for intensified international efforts to eradicate such policies.

41. Sudan had contributed to the activities of the Group of Governmental Experts with a view to sharing with the international community its expertise as a country of origin for great numbers of refugees whom it had succeeded in repatriating in 1972, and also as a country of asylum for over 600,000 refugees. Sudan had acceded to the various conventions regarding the status of refugees and had

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(Mr. Abdel Rahman, Sudan)

incorporated them in its national laws. It had established a national council for refugees which was an independent body endowed with all powers pertaining to the elaboration of programmes and to co-ordination between relevant government departments on one hand and the United Nations High Commissioner for Refugees, voluntary agencies and Governments, on the other. The council had powers to draft policies for the rehabilitation and settlement of refugees.

42. The experience of the Group of Governmental Experts represented a fresh and realistic approach to the examination of the technical and legal aspects of the problem. The international community must take appropriate measures to improve international co-operation to avert new massive flows of refugees and it was therefore of paramount importance to examine political, juridical, economic and other possible steps. His delegation considered that the mandate of the Group should be extended, in view of the magnitude, complexity and urgency of the task facing it.

43. There was also an urgent need to provide facilities for experts from the least developed countries to participate in the Group's future sessions. That would provide the Group with first-hand information and would help it to adopt effective measures towards averting new flows of refugees.

44. Mr. CHINDAWONGSE (Thailand) said that the recent massive flows of people in South-East Asia, South Africa, the Middle East, Africa and Latin America to neighbouring countries not only represented wholesale human misery but had placed upon their hosts and upon the international community as a whole burdens which were proving increasingly difficult to bear. Since 1979, Thailand, owing to its geographical location, had been faced with large influxes of refugees from neighbouring countries, resulting in both internal and external problems. Thailand was therefore interested to join with the international community to help improve international co-operation to avert new flows of refugees.

45. His delegation, which was co-sponsoring a draft resolution on the item, urged that the Group of Governmental Experts should continue its work in 1984 with a view to the earliest possible conclusion of its comprehensive study, for consideration by the General Assembly at its thirty-ninth session.

46. Mr. KHAMMAVONG (Lao People's Democratic Republic) said that his delegation shared the concern of the international community at the dimensions of the international problems created by the growing flows of refugees and had supported General Assembly resolution 36/148.

47. Notwithstanding United Nations efforts, the flow of refugees had reached vast proportions. The most recent estimate placed the number of refugees in the world at more than 12.6 million. Africa alone had 5 million refugees living in deplorable conditions. Israel's expansionist policies had forced 1.3 million Palestinians into exile.

(Mr. Khammavong, Lao People's
Democratic Republic

48. His delegation considered that the primary man-made causes of refugee flows included colonialist and neo-colonialist occupation, the policy of terror and violence of the apartheid and Zionist régimes against peoples in illegally occupied territories, racial discrimination, foreign intervention, repression of national liberation movements, forced exile, wars of aggression and destruction as well as the activities of imperialist and hegemonistic circles aimed at destabilizing certain countries of South-East Asia. Economic inequalities between countries and regions or between developing and developed countries, economic blocs, unemployment and discriminatory assistance had also contributed to the flow of refugees.

49. A comprehensive solution required elimination of the fundamental causes through appropriate and realistic measures. To that end, it was essential to normalize the international situation, strengthen peace and security, develop good-neighbourly relations and confidence, show strict respect for the Charter, including the principle of non-interference in internal affairs and for the international community to adopt appropriate measures for the peaceful settlement of disputes. The establishment of the new international economic order would have a decisive impact on flows of refugees as it would help to promote economic and social justice and respect for self-determination and national independence. Assistance must be provided uniformly so that recipient countries could make the necessary structural changes with a view to reducing their economic dependence. In that connection it was regrettable that certain countries which expressed concern about the refugee problem obstinately opposed a new international economic order, which would make it possible for developing countries to cope with the economic difficulties that contributed to the flow of refugees.

50. The complete elimination of the racist policies of apartheid and zionism was also urgent. Political and economic measures to coerce and isolate those régimes must be taken with a view to compelling them to recognize human rights. Efforts to use the refugee problem to criticize the policies of certain countries would not contribute to international co-operation to avert new flows of refugees.

51. On the question of the refugees in Indo-China, his country had been the victim of a war of aggression and destruction systematically waged by imperialism and had seen the exodus of a part of its population. His Government favoured voluntary repatriation and had spared no effort, notwithstanding economic and financial difficulties, to stop the flow which had been provoked by the hegemonists and imperialists with a view to destabilizing the new Lao régime. On many occasions his Government had made it known to its citizens abroad that, with the exception of criminals, traitors and counter-revolutionaries, all who wished to return to their homeland to contribute sincerely to the reconstruction of the economy could do so without fear for their security. Since 1980, more than 2,000 Lao refugees had, with the assistance of the United Nations High Commissioner for Refugees, been returned voluntarily from Thailand. An additional several thousand refugees had returned on their own.

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

52. It was regrettable that certain great Powers, in pursuit of a political and military policy hostile to the Lao People's Democratic Republic, continued to incite people to leave the country. The true purpose of that policy was to destabilize the countries of Indo-China, which were faced with a Herculean task of national reconstruction. His country therefore appealed to those Powers to end all such subversive activities. He also appealed to the Lao Democratic People's Republic's neighbouring country of first asylum to show greater realism and co-operation in helping to solve the tragic problem.

53. Mr. FONSEKA (Sri Lanka) expressed satisfaction at the work done thus far by the Group of Governmental Experts. Although it was brief, the report of the Group indicated the care with which the experts had approached the question under consideration. His delegation supported the renewal of the Group's mandate.

54. It was unfortunate that the remarks made about Sri Lanka by the representative of India at the preceding meeting in connection with the question of refugees had not reflected the same cautious approach which guided the work of the Group of Governmental Experts. The representative of India should have given more thought to that matter before discussing it in the Committee, particularly in the light of the Indian Government's policy of restraint concerning the internationalization of issues which came under domestic jurisdiction. It would have been better to consider the matter on a bilateral basis.

55. He could not see how the remarks made by the representative of India pertained to the question of international co-operation to avert new flows of refugees. Referring to the problem of refugees from Sri Lanka in India, the representative of India had claimed that thousands of refugees had come and that more were coming. The Executive Committee of the United Nations High Commissioner for Refugees, however, had noted as a positive development that there had not recently been new large-scale refugee outflows.

56. The recent ethnic disturbances in Sri Lanka, widely publicized in the information media, particularly the Indian press, had been fomented by the Tamil United Liberation Front and terrorist groups which advocated secession from Sri Lanka. Those who had left Sri Lanka after the disturbances were citizens of India holding Indian passports and other persons entitled to Indian citizenship. Their numbers had never reached the level of a massive outflow, and they could hardly be described as refugees. Among those who had been given shelter in Sri Lanka camps immediately after the disturbances were persons of Indian origin whose national status remained undetermined. The number of persons in those camps had been significantly reduced, and the Government of Sri Lanka was taking measures to help them resume their normal lives.

57. The representative of India, who was familiar with communal, linguistic and religious disturbances in his own country, should have shown a greater degree of sensitivity with regard to the situation in Sri Lanka. A report published by the Indian Home Ministry in July 1983 indicated that the violence between Hindus and

(Mr. Fonseka, Sri Lanka)

Moslems in India was on the increase and that 1,170 people had been killed in communal clashes between 1978 and 1982. Those figures, however, did not include the 3,000 people who had died in the violence during the elections in the Indian State of Assam in February 1983.

58. There were interesting parallels between the situations encountered by the Governments of India and Sri Lanka. The electoral process in the north of Sri Lanka, where the Tamils were concentrated, had been disrupted by Tamil terrorist groups whose declared objective was secession from Sri Lanka.

59. Paragraph 5 of General Assembly resolution 36/148, which set forth the mandate of the Group of Governmental Experts, clearly stressed the need to have due regard to the principle of non-intervention in the internal affairs of sovereign States. The representatives of secessionist groups in Sri Lanka had received widespread publicity in the Indian press, and leaders of the terrorist groups were given asylum in the Indian State of Tamil Nadu. The Government of Sri Lanka had recently gained possession of three letters from the son of the secretary-general of the Tamil United Liberation Front written from Tamil Nadu to the President of the Front's youth organization. Those letters referred to connections with the DMK Party, a political party established in Tamil Nadu, claimed responsibility for the killing of a Tamil politician in Sri Lanka, and mentioned the purchase of land for the training of Tamil youths who would form an organization to be called the Tamil Eelam National Army. Persons such as he had described could scarcely be regarded as refugees.

60. It was with sorrow and reluctance that he spoke at such length on the subject, particularly in response to a representative of the kindred nation of India. However, he felt compelled to do so in order to emphasize that the principle of non-intervention in the internal affairs of sovereign States was essential to the working of the United Nations and must be strictly observed.

61. Mr. ABDEL KHALEK (Egypt) said that while the international community had long been concerned with the discussion of refugee problems in various parts of the world, the manner in which it approached such problems had changed greatly in recent years. They had at first been regarded as purely humanitarian problems, but the need to find radical solutions had obliged the international community to seek their true causes with a view to eradicating the phenomenon.

62. In his delegation's view, the underlying causes of most refugee situations could be traced back to the fact that some peoples were deprived of the most important of their fundamental rights, the right to self-determination. The problem was further aggravated by the fact that it was normally accompanied by the disruption of normal life and of the natural development of peoples. The General Assembly, in its resolution 36/148, by which it had decided to establish the Group of Governmental Experts, had emphasized the right of refugees to return to their homes in their homelands and had reaffirmed that those who did not wish to return had the right to receive adequate compensation. That wording had no doubt been based on the right of everyone to leave any country, including his own, and to

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(Mr. Abdel Khalek, Egypt)

return to his country, a human right that no State could deny, particularly since all Member States had undertaken, in adopting the Universal Declaration of Human Rights, to respect that right under the terms of article 13.

63. His delegation supported the renewal of the mandate of the Group of Governmental Experts and approved of its recommendations as contained in document A/38/273. The renewal of its mandate should make reference to General Assembly resolution 36/148 and should reaffirm the goal of improving international co-operation to avert new massive flows of refugees, with due regard to the right of refugees to return to their homes. Egypt's position in the matter, reflecting its position on all international issues, was aimed at ensuring peace and security based upon justice, legitimacy and respect for international law and the principles of the Charter of the United Nations.

64. Mr. ADAN (Somalia) expressed satisfaction at the fact that the Group of Governmental Experts had already begun to carry out its mandate. His country had a vital interest in the refugee question, since it sheltered one of the world's largest refugee populations and was part of a continent where the refugee crisis was particularly grave. His Government therefore fully supported the work of the Group of Governmental Experts and hoped that the Group would make significant progress both in its comprehensive review of the refugee problem and in developing recommendations on appropriate means of international co-operation in that field. The programme of work agreed upon by the Group constituted a solid basis for its work. It was to be hoped that the General Assembly would support that programme.

65. In its comprehensive review of the refugee problem, the Group must stress the fact that the phenomenon of mass movements of people seeking refuge outside of their countries would continue to tax the resources not only of individual States and regions but also of the international community in the foreseeable future. It was therefore an international responsibility. The constructive and future-oriented approach of the Group should not preclude the application of its future guidelines or machinery to existing refugee situations. Furthermore, the Group should recognize the fact that it would not always be possible to avert mass refugee flows and that political provisions for dealing with such situations should be devised and existing humanitarian provisions strengthened.

66. The humanitarian work carried out by UNHCR, UNDRO and other competent agencies of the United Nations system was one of the successful achievements of the Organization. Somalia had first-hand experience of the outstanding and indispensable services rendered by those agencies in emergency situations. He expressed the hope that when the Group of Governmental Experts dealt with the question of emergencies involving refugees, it would be able to recommend an early-warning system under which the resources of the United Nations system could be marshalled before a crisis developed. One of the main tasks of the Group was to examine the root causes of massive refugee flows, so that effective measures could be devised to avert them. It was clear that catastrophic refugee situations would continue so long as peoples were denied the right to self-determination and independence and United Nations resolutions aimed at bringing about just solutions to political problems were ignored.

(Mr. Adan, Somalia)

67. In its search for effective means to avert new flows of refugees, the Group would analyse existing international principles and legal instruments relating to refugee questions. In that regard, the principle of the right of refugees to return home or be compensated was an important principle of international law. Nevertheless, the mere existence of legal instruments did not guarantee their application to refugee situations. He stressed the need for a dual approach to the refugee problem: first the formulation of a specific refugee code on the basis of existing instruments and principles in order to provide guidelines and international standards for affected nations to follow in refugee situations; second, the establishment of an investigatory and reporting mechanism which could take constructive action along the lines of "good offices" procedures within the framework of the principle of the peaceful settlement of disputes.

68. The Group of Governmental Experts faced a difficult and complex task. Nevertheless, the main aspects of the problem were already apparent. In view of the magnitude of the problem and the threat to international peace and security, concrete recommendations on appropriate means of international co-operation for dealing with the refugee crisis should be formulated without delay.

69. Mr. ALI SHAH (Pakistan) said that never before in human history had there been such a massive displacement of human beings as in the twentieth century, causing hardship and suffering to the refugees and recipient countries alike. During the past decade there had been an alarming rise in the number of refugees in all parts of the world. The massive flows of refugees placed a great strain on the economies of receiving countries and posed a threat to their stability.

70. In the past 35 years the United Nations, particularly UNHCR, had played a commendable role in alleviating the suffering of the refugees and providing assistance to the countries of first asylum. The international community was becoming increasingly aware of the fact that the problem could not and should not be dealt with solely from the point of view of humanitarian aid and human rights. The basic causes for mass migrations across established national frontiers included armed conflict, foreign intervention and occupation, gross violations of human rights, the persecution of minorities, and economic hardship. In recent history military adventurism and occupation had increased the flow of refugees to an alarming degree. In the case of Afghan, Palestinian and south-east Asian refugees, the cause was clearly military intervention and occupation, together with the denial of the right of the people to determine their own future. In southern Africa colonialism and apartheid were the causes.

71. Pakistan was currently sheltering over 3 million Afghan refugees, the largest concentration of refugees anywhere in the world. That situation severely burdened his country's economy and stretched its resources to the utmost. His Government provided humanitarian assistance to Afghan refugees in accordance with international law and in the spirit of Islamic brotherhood. The root cause of the problem could be remedied only by the withdrawing of foreign troops from Afghanistan and allowing the refugees to return to their homes in safety and honour.

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(Mr. Ali Shah, Pakistan)

72. The United Nations system could deal with the problem of refugee flows caused by such factors as the violation of human rights or economic hardship. On the other hand, the United Nations system had proved to be inadequate when the underlying cause of the problem was international armed conflict or foreign occupation. New international mechanisms were obviously required to meet such situations.

73. It was gratifying to note that the Group of Governmental Experts designated to study that important question had been set up and that preliminary progress had been made. On the basis of its agreed programme of work, the Group could begin considering the substantive aspects of its task. His delegation supported the renewal of the Group's mandate in order that it might complete its task.

74. The CHAIRMAN said that, now that all of those who had indicated their desire to speak on agenda item 74 had done so, he wished to point out that several members of the Committee had violated rule 110 of the rules of procedure of the General Assembly by congratulating the officers of the Committee on their election. He appealed to members to see to it that that rule was not broken again.

75. Mr. RAMACHANDRAN (India), speaking in exercise of the right of reply, said it was evident from the Sri Lanka statement that he had not made the position of the Indian delegation clear. He regretted that offence had been taken at the statement made by his delegation at the Committee's 8th meeting. However, while the representative of Sri Lanka had claimed to have been speaking in sorrow, his remarks had rather reflected anger. Without wishing to enter into a polemical debate, he now wished to clarify some of the points that had arisen.

76. It had not been the intention of his delegation to internationalize the question of the flow of Sri Lanka Tamils as refugees into India. His country hoped that the problem in Sri Lanka would be resolved peacefully and with wisdom and justice. The good offices of the special envoy of the Prime Minister of India were still available, and he hoped that the Government of Sri Lanka would make use of them.

77. A question that arose, however, was whether the remarks of the representative of Sri Lanka on the domestic politics and internal policies of the Government of India were of relevance on the present occasion. The Indian delegation had confined itself to the effects of the flow of refugees from Sri Lanka to India, had not criticized the policies or actions of the Government of Sri Lanka, and had made it very clear that it did not propose to interfere in any way in Sri Lanka's internal affairs. In contrast, the representative of Sri Lanka had referred to Assam and to other problems in India. He readily acknowledged that such problems existed; it would indeed be strange in such a large and dynamic country if tensions did not arise from time to time because of social, economic or other factors. However, the situation differed from that in Sri Lanka, in that such difficulties did not spill over into any other country. Even if there had been violence and turmoil, the authority of the Government of India had, unlike that of certain other Governments, invariably been exerted in favour of law, justice, equity, reconciliation and harmony.

(Mr. Ramachandran, India)

78. The representative of Sri Lanka had also made a number of unwarranted references to the domestic political situation in India. The reference to Tamil Nadu could have no relevance in the present context. While not wishing to go into detail, he felt obliged to clarify one point in categorical terms: the people of Tamil Nadu and the people of India as a whole, regardless of party affiliation, were equally distressed by events in Sri Lanka and were equally concerned about their adverse impact on India. The representative of Sri Lanka had alleged that India was providing support to terrorists and that a safe haven was available to them in Tamil Nadu, citing some alleged instances in support of his allegation. The Indian delegation categorically rejected those allegations and innuendos as totally false and without foundation. As he had stated at the Committee's 8th meeting, India did not support violence and abhorred and rejected any form of terrorism anywhere.

79. For humanitarian reasons, India was providing refuge to innocent people fleeing from violence and terror. He did not wish to descend to the level of commenting on the internal affairs of Sri Lanka, but he hoped that the situation would be regulated in a peaceful manner and a political solution arrived at, so that there would be no fresh influx of refugees.

80. Mr. FONSEKA (Sri Lanka) said that it had been far from the intention of his delegation to introduce the subject which had provided the substance of his statement earlier in the meeting. The records of the Committee would reveal at what point the matter had arisen and his delegation had hoped that the representative of India would not find it necessary to introduce that subject. In August 1983 there had been quite enough material in the media to acquaint both the Committee members and a wider audience with what had happened.

81. The representative of India had spoken of not descending to the level of commenting on the internal affairs of Sri Lanka, but the records of the Committee would show who had begun that descent. It would have been totally unnecessary for his own delegation to make the references it had made if the representative of India had not first introduced the subject.

82. The matter in question had already been raised in some international forums. At a meeting of the Sub-Commission on Prevention of Discrimination and Protection of Minorities an expert from India, acting in a personal capacity, had made statements based on information that had been made available to him, on his own admission, by non-governmental organizations. A degree of independence more in keeping with that customarily met with in Indian experts would have been more appropriate.

83. At the Committee's 8th meeting, reference had been made to thousands of refugees arriving in India from Sri Lanka; that reference was not consistent with the facts. He personally had always had the highest regard for the policies of the Government of India and fully appreciated its anxiety to see to it that issues which affected India alone were kept within its domestic jurisdiction without having recourse to international forums. As the present issue had been raised by the representative of India, his own delegation had had no option but to make an

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(Mr. Fonseka, Sri Lanka)

appropriate reply. That statement had been very carefully worded and had identified the parties involved, including those who advanced terrorist and secessionist objectives. Secessionist leaders from Sri Lanka were openly given a platform in the Indian press. It would have been unnecessary for him to have made his statement if the Minister from Tamil Nadu, in his capacity as representative of India, had not been the first to raise the issue.

84. Mr. WEEDY (Afghanistan), speaking in exercise of the right of reply, said that the comments of the representative of Pakistan called for clarification on a number of points. The delegation of Pakistan had missed no opportunity to spread misinformation on the refugee issue, and the Pakistan authorities were using that issue to achieve their own political and economic ends. In order to exploit the matter to the utmost, the Pakistan authorities had grossly inflated the number of refugees. The figures given were false and were based on calculations that could easily be challenged. The figures included a large number of nomads who had been travelling between the two countries for over 5,000 years. During their stay in the Sind valley in the winter they were registered as refugees, and they were so registered each time they returned from their summer quarters in the higher altitudes of Afghanistan. Double registration was a common practice, and refugees were often registered in two or three camps either by themselves or by self-appointed chieftains who ran the camps and shared the misappropriated surpluses with the local Pakistan authorities. A recent study by the United Nations Research Institute for Social Development, entitled "Sustaining Afghan refugees in Pakistan", had stressed the possibility that the actual population figures might be much lower than the official figures.

85. The Pakistan authorities had registered as refugees the counter-revolutionary bandits trained in numerous camps in Pakistan and regularly sent to commit crimes against the people of Afghanistan. Pakistan territory was being used as a base for an undeclared war against the Democratic Republic of Afghanistan. Counter-revolutionaries were trained in Pakistan by Western advisers and sent across the borders to create havoc and destruction among peace-loving people.

86. Mr. ALI SHAH (Pakistan) said that to find the number of Afghan refugees in Pakistan, the representative of the Kabul régime could refer to the official documents of the Office of the United Nations High Commissioner for Refugees. Those documents unequivocally showed a figure of about 3 million, made up mostly of women, children and the elderly. Their exodus from Afghanistan and their presence in Pakistan was eloquent testimony to the reign of oppression imposed by the Kabul régime in an attempt to subdue the Afghan people's resistance to foreign occupation. The Kabul régime should heed the call of the international community and take steps to redress the situation in the country instead of persisting in its reckless reliance on foreign bayonets and in blaming others for its difficulties.

87. The CHAIRMAN reminded members that a second statement made in exercise of the right of reply was subject to a five-minute time limit.

88. Mr. WEEDY (Afghanistan) said he wished to remind the representative of Pakistan that Pakistan was waging an undeclared war against his country. Afghanistan was a staunch supporter of friendly relations with its neighbours, and it had put forward creative proposals for the solution of the problems affecting the two countries. In addition to the proposal of December 1979, a general amnesty had been declared for refugees. Obstacles to the return of the refugees had been created by the Government of Pakistan; he hoped that those obstacles would be removed and that the matter could be resolved through negotiations.

89. Mr. ALI SHAH (Pakistan) said that the representative of the Kabul régime had made a statement which contained nothing new. As his country had so often stated in the past, it desired a peaceful solution to the problem. Pakistan had had a heavy burden thrust upon it and lacked the economic resources to support such a burden.

90. The CHAIRMAN announced that the Committee had concluded its general debate on agenda item 74 and would consider a draft resolution on the item at a subsequent meeting.

The meeting rose at 5.50 p.m.