



President: Mr. Jorge E. ILLUECA (Panama).

AGENDA ITEM 21

Thirty-five years of the Universal Declaration of Human Rights: international co-operation for the promotion and observance of civil, political, economic, social and cultural rights (continued)

1. Mr. FISCHER (Austria): On the occasion of the observance of the thirty-fifth anniversary of the adoption by the General Assembly of the Universal Declaration of Human Rights, I wish to reaffirm Austria's profound and most sincere commitment to the cause of human rights and their implementation all over the world. The adoption of the Declaration on 10 December 1948 constituted a milestone for the development and consolidation of human rights. This instrument, which to this day is of most fundamental importance, had and still has a major influence on the further development of the concept of human rights and their observance throughout the world.

2. In accordance with Austria's firm and most active support for the universal implementation of human rights, the Federal President of the Republic of Austria, Mr. Rudolf Kirchschlager, has addressed a special message on today's occasion to the Secretary-General [A/38/710]. With the Assembly's permission I should like to quote one passage from this message:

"The proclamation of the Universal Declaration of Human Rights marked a historic step towards the realization of one of the main purposes and principles of the world Organization. Its adoption by the General Assembly reflected the reaction of mankind to the horrors of the Second World War and the recognition of the close relationship between respect for human rights and maintenance of international peace and security. Ever since the proclamation of the Universal Declaration of Human Rights the treatment of people by their government can no longer be relegated to the realm of purely internal affairs but has become the legitimate concern of the international community.

"Today, the interaction between violations of human rights and freedoms and threats to peace, stability and progress is no less obvious than it was 35 years ago. On the contrary, racial discrimination, political oppression and social deprivation are closely associated with situations of international conflict. To work towards respect for human rights thus constitutes not only a humanitarian task but also an important contribution to peace and stability."

3. I should also like to inform the Assembly that the thirty-fifth anniversary of the Universal Declaration of Human Rights is also being celebrated at the United Nations office at Vienna and that the Austrian Federal President is addressing representatives of the United Nations and other organizations located at Vienna on this occasion.

4. One of the most effective means to promote the observance of human rights on a universal basis lies in the field of education. It is indeed of vital importance to improve and widen knowledge of human rights, especially among the younger generation. Public education in this field is therefore of great significance. We would hope that International Youth Year, proclaimed by the United Nations for 1985, will provide a special impetus and special opportunities in that regard.

5. An ever-increasing number of legal instruments has been adopted and numerous forums dealing with the promotion of human rights have been established within the framework of the United Nations. The scope of the term "human rights" has been enlarged to encompass new concepts. However, in the field of human rights there is perhaps even greater necessity than in other areas to ensure that theory is followed by practice. Therefore, in our view, improvements in the effective observance of existing human rights have to take priority over a further broadening of the scope of human rights. Only if we are able to guarantee strict observance of human rights will the credibility of the United Nations in this field be maintained. We also sincerely believe that civil and political rights are as important and valuable as economic, social and cultural rights, and these rights must reinforce each other in their actual implementation. This balance must be safeguarded on a worldwide basis in spite of an increasingly difficult economic situation.

6. All our endeavours in the field of human rights must be directed to improving the situation of the individual human being. Today, article 1 of the Universal Declaration of Human Rights is of the same fundamental validity as 35 years ago:

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

7. The observance of the thirty-fifth anniversary of the Declaration offers an opportunity for Governments all over the world not only to raise public awareness regarding the significance of promoting and protecting these rights, but also and perhaps more urgently to rededicate their own policy to the promotion and observance of human rights. Austria will continue to regard that promotion and observance not as an abstract principle but as a most important element of everyday life.

8. Mr. DOUNTAS (Greece): On this auspicious day, I shall make a statement on behalf of the European Community and of its ten member States.

9. We are assembled here to commemorate the fact that 35 years ago in Paris a determined community of nations proclaimed the Universal Declaration of Human Rights. Representatives of the States members of this Organization's Commission on Human Rights drafted the Declaration. This was an important step towards realizing the objectives of promoting respect for human rights and fundamental freedoms and, by progressive national and international measures, of securing their universal and effective recognition and observance. Many great women

and men of those days, dedicated to the cause of mankind and to the prevention of a repetition of the horrors of that era, played their part in this.

10. An anniversary usually provides an opportunity for celebration and gratitude, and indeed there are reasons for celebration and gratitude on this anniversary. The Declaration represented a unique breakthrough of historic dimensions. It was the first document to define and enshrine human rights at a world-wide level. It embodies the acknowledgement that human rights are of legitimate concern to the United Nations and its Member States.

11. Since then many important conventions, declarations, codes of conduct and principles have been adopted by the international community. They are set out in the new edition of the United Nations publication *Human Rights: A Compilation of International Instruments*,¹ issued to mark this anniversary. Most prominent among these instruments are the international covenants, which provide a broad and internationally recognized human rights framework.

12. But the international community cannot afford to rest on its laurels. Much remains to be done to implement these instruments. Violations of human rights continue in many parts of the world. Since the Declaration was drafted, many millions of people have been deprived of the rights set out in it, including the right to life, liberty and security of person. Many millions have also suffered discrimination and have been deprived of the opportunity—in the terms set out in article 2 of the Declaration—to enjoy the rights and freedoms set forth in it, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Clearly there remains a huge gap between international norms and their fulfilment.

13. Various United Nations organs, including the Assembly and its Third Committee, the Commission on Human Rights and the Human Rights Committee, have the responsibility for improving the United Nations performance in these fields. Their work includes standard-setting, implementation, complaint procedures and fact-finding. All these activities need to be urgently pursued. The adequacy and effectiveness of the United Nations machinery needs to be improved and kept under constant review.

14. This is a task in which the international community, national Governments, non-governmental organizations and individuals all have important parts to play. Hundreds of thousands of individuals are working for human rights in their own countries. Non-governmental organizations played a major role in the drafting of the Declaration and continue today to play a major role in the promotion of its objectives. One notable example of this is the current campaign by Amnesty International for a universal amnesty for all prisoners of conscience.

15. Information, education and publicity are important tools for the promotion of respect for and an awareness of human rights. Vigorous efforts should be undertaken, particularly by UNESCO, to spread the teaching of human rights in all educational institutions, especially in primary and secondary schools. The member States of the European Community also attach great importance to the wide circulation of international human rights instruments, particularly the Universal Declaration and the international covenants, not only in all official languages of the United Nations but also in other national languages.

16. There is indeed much in which the international community can take satisfaction; but the member States

of the European Community consider that this occasion, the 35th anniversary of the Universal Declaration, should not be an occasion for self-satisfaction. It should instead be the occasion for a renewed commitment by all—Member States, non-governmental organizations and individuals—to the promotion of the ideals and objectives which it represents. The member States of the European Community remain committed to playing a full part in this.

17. Mr. WOOLCOTT (Australia): The central place of the Universal Declaration of Human Rights within the framework of international obligations in the field of human rights is unchallenged. Australia identifies itself fully with the sentiments expressed on behalf of the Group of Western European and Other States by the representative of Ireland [90th meeting]. I wish only to add a few remarks from a distinctively Australian perspective.

18. The anniversary we celebrate today is an occasion for some satisfaction but not for complacency. Amongst the basic purposes of the United Nations as established in the Charter, the protection of the full enjoyment and observance of human rights and fundamental freedoms presents one of the highest challenges to our capacity for serious and constructive action at both national and international levels. Sensitive issues are involved, but in my Government's view the demands of oppressed and suffering people everywhere require from Governments an unshakeable commitment and a readiness to pursue any avenue which might serve to strengthen the realization of the ideals contained in the Declaration and the other key international instruments in the field of human rights.

19. In March of this year a new Government was elected in Australia. In the general debate at this session [17th meeting], the Foreign Minister of Australia, Mr. Bill Hayden, reaffirmed the Australian Government's commitment to vigorous international action to promote human rights. In fact today, in Australia, Mr. Hayden delivered a major policy statement entitled "Human Rights and Foreign Relations: An Australian Perspective". I should like in particular to note here that in the course of his statement Mr. Hayden announced that Australia would seek election to the Commission on Human Rights at the elections in the Economic and Social Council in 1984. We intend to make the full text of Mr. Hayden's statement available to interested delegations in due course.

20. At this stage, however, I should like to quote some brief extracts which indicate the Government's approach on some important aspects of human rights matters. Mr. Hayden said in part:

"I am speaking as someone with a personal commitment, ready to contribute to the growing debate in Australia on what we should be doing, at home and abroad, to promote and protect fundamental rights and freedoms.

"This debate can degenerate into rhetoric about values, ideals and rights. This can give us a warm glow, but it achieves little else if it does not focus on the real situation . . .

"In the real world, individuals are subjected, daily, monthly, year after year, to appalling violations of human rights—racism, torture, starvation and forced labour.

"In the real world, rights can be eroded by a conscious act or, more insidiously, by the pressures of mass society—big government, big business, ignorance and apathy . . .

"In the real world, democracy is a fragile model. Pressures of independence, development and defence make many societies regard individual rights as a luxury.

"This is the climate in which we have to operate in order to do something about rampant inequities and injustice. To get anywhere, we have to recognize these realities, set ourselves goals which are achievable and then use all the practical skill we have to achieve them . . .

"In no area is the question of morality in international relations posed more strikingly than in that of human rights. But constraints on statesmen in pursuing moral choices in international affairs apply with special force to the area of human rights.

"The absence of shared values in the international arena has particular relevance in the human rights context. At the heart of our view, indeed at the heart of the whole Western understanding of human rights, is the egalitarian idea that everyone, irrespective of social position, race, sex or language, should be entitled to enjoy the same basic human rights.

"But morality is more than a matter of identifying our ideal standards. Just as we expect a hearing for our beliefs, so we have to understand that there are alternative views, springing from differing cultures, histories and values."

21. In seeking to promote such basic rights we need to proceed from the viewpoint of aiming at an effective policy. This will require us to exercise skill in choosing our moment, knowing whom to contact and which levers to pull. It will require us to have a feel for the futility of grandstanding and for the utility of other means of approach. Confidential approaches, efforts to remedy the economic difficulties which so often lead to human rights violations, public statements—all these can have their use. The mark of success, however, is not the size of the ensuing headlines, but whether the means employed produce beneficial results.

22. The human rights debate in the United Nations has provided a forum for dialogue about social and political change and it facilitated exchanges even between those fiercely committed to different ideologies.

23. The Secretary-General has been attempting to develop early-warning procedures to tackle world crises—including in the human rights area—before they unfold. United Nations initiatives are also in train to examine the connection between human rights problems and massive exoduses of refugees.

24. Australia fully supports these endeavours. In fact, we are determined to make the pursuit of human rights an integral part of our foreign policy. In conveying to the General Assembly in this manner and on this occasion some brief indications of the views of the Australian Government, it is my hope that we can contribute to serious reflection among Member States on ways in which international action in the field of human rights can be pursued so that the standards enshrined in the Universal Declaration of Human Rights may be put fully into effect.

25. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): Today, we are solemnly observing the anniversary of the adoption of the Universal Declaration of Human Rights. Thirty-five years after that event there can be few who doubt that this instrument has played, and continues to play, a major role in the encouragement of respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion, on the basis of the

principles of the Charter of the United Nations. The General Assembly proclaimed that the attainment of the objectives of that Declaration was a task to which all peoples and States must devote themselves.

26. Thanks to the efforts of the Soviet Union and the other socialist countries, the Declaration included such social and economic rights as the rights to work, to equal pay for equal work, to education and to social welfare. Unfortunately, in the circumstances of 1948 it proved impossible to secure the inclusion in the Declaration of certain other fundamentally important provisions, including that pertaining to the inalienable right of the people to self-determination and independence. It was only later, during the elaboration of the covenants on human rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples [*resolution 1514 (XV)*], that these omissions were remedied to a significant extent. With all its shortcomings, however, the positive significance of the Universal Declaration is beyond any doubt.

27. In the 35 years which have passed since then radical changes have taken place in the world which could not fail to have a favourable impact on the state of affairs concerning human rights everywhere. Our country is proud of having been the initiator of the adoption, in this very Hall, on 14 December 1960, of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, which substantially supplemented the Universal Declaration of Human Rights and gave a powerful impetus to the world movement for the elimination of the colonial system of imperialism.

28. The collapse of the colonial system and the accession to freedom and national independence by many peoples of Asia, Africa and Latin America represented the supreme achievement in the sphere of human rights. The Declaration blazed the trail for the establishment, within the framework of the United Nations, of an integrated system of treaties and legal instruments to govern co-operation between States in the sphere of human rights. My country took an active part in this venture. An important place in this system is occupied by the International Covenant on Economic, Social and Cultural Rights [*resolution 2200A (XXI), annex*] and the International Covenant on Civil and Political Rights [*ibid.*]. Unlike the Universal Declaration, which has the status of a declaration, the Covenants, like other agreements, impose upon the parties thereto specific obligations under international law. Therefore, the celebration of the anniversary of the Universal Declaration should serve as a stimulus to the broadening of the range of parties to the International Covenants and the relevant conventions and to their ratification by more States.

29. Of course, this should be done, first and foremost, by those States which are particularly fond of loudly asserting their own dedication to human rights. I have in mind, first of all, the United States, the representative of which read out today a declaration packed with slanderous fabrications. We, too, could tell the truth about how human rights are being constantly, grossly and massively violated in the United States. In particular, we could talk about the racial discrimination which permeates the whole of American society; about the fact that millions of Americans are deprived of the means of subsistence. We could talk about the smoothly operating practice of the suppression of dissent by comprehensive, computerized monitoring of the American population; the keeping of files on millions of people from the cradle to the grave; about the use of false witnesses in rigged trials, and so on. But we will not do that now, given

the nature of our meeting; we will do it at a later, more suitable time.

30. The Soviet Union has been, and continues to be, a resolute advocate of respect for and the protection of human rights. It was in the name of the freedom of the peoples and human rights, particularly of the workers, that the great October socialist revolution took place. The persistent policy of the Soviet Union in the human rights sphere is determined by the very nature of the Soviet socialist State and the attainments of socialist democracy, which guarantee the broadest range of political, civil, economic, social and cultural rights and freedoms.

31. The General Secretary of the Central Committee of the Communist Party of the Soviet Union and Chairman of the Presidium of the Supreme Soviet of the USSR, Mr. Y. V. Andropov, has said:

“In our country, as indeed wherever power has been transferred to the hands of the working class, the workers have acquired at long last the rights and freedoms which capitalism has always denied them and continues to deny them, if not formally, certainly in practice.”

A milestone on the road to the further enhancement of nation-wide socialist democracy in conditions of developed socialism was the 1977 Constitution of the Soviet Union. It provides Soviet citizens, and truly guarantees in practice, a broad range of rights and freedoms covering all spheres of economic, political, social and spiritual life. It is our basic premise that man can really feel free and enjoy full rights only when he is free from exploitation and social oppression, when he is confident in the future, when he knows that he will never be denied means of subsistence and that his rights and freedoms have a material basis underlying them.

32. Human Rights Day is widely observed in the Soviet Union. At solemn public meetings on the occasion of the observance of this important date, and in many letters to the press and articles in other mass media, emphasis is placed on the need to guarantee the prime human right: the right to peace, the right to life, and demands are expressed for guarantees of the security of peoples against imperialist aggression, colonialism and racism.

33. Few would challenge the obvious fact that today, 35 years after the adoption of the Universal Declaration of Human Rights, the tasks which it sets forth continue to be far from fulfilled for many persons, and indeed for entire peoples. For example, the Declaration proclaims equal rights. But what equal rights and equality can one speak of in countries where the size of one's bank account is the sole gauge of values? Can one regard the tasks of the Declaration to be fulfilled if entire peoples live in conditions of imperialism and remain under the yoke of *apartheid*, if many millions of persons are the victims of discrimination on racial, national or other grounds? At a time when gross and mass violations of the fundamental rights of peoples continue because of policies of racism, colonialism, neo-colonialism and aggression, it is extremely important that the United Nations should concentrate its efforts on the struggle against such violations.

34. In the United Nations it is still quite common to find representatives who are quite ready to dwell at length on human rights and freedoms in almost the entire world, but who are silent when there is a need to talk about the rights of an entire people, the people of Palestine, to freedom and the establishment of its own State, or when there is a need to talk about the granting of independence to the people of Namibia or about the elimination of *apartheid* in South Africa.

35. It is deeply symbolic that the Universal Declaration of Human Rights, the first universally recognized

international instrument in the human rights sphere, owes its existence to the establishment of the United Nations, which came into being as a result of the victory over the aggressive forces of fascism and militarism.

36. The crucial question—the question of the preservation of peace and the prevention of a nuclear catastrophe, and therefore the guaranteeing of the right to life—is the yardstick by which the attitude of each State to human rights can be judged. These words of Lenin are particularly relevant today: “The greatest manifestation of democracy is in the fundamental question of war and peace”. One cannot advocate human rights and at the same time argue that the extermination of hundreds of millions of human lives and of human civilization as a whole in the fire of a nuclear conflagration is acceptable. Respect for human rights, on the one hand, and plans for nuclear war and the heightening of the military threat, on the other, are incompatible and mutually exclusive. All peoples of the world and every individual must be aware of the danger and, together, struggle for their own existence and for the right to life.

37. Mr. KORHONEN (Finland): On behalf of the five Nordic countries—Denmark, Iceland, Norway, Sweden and Finland—I have the honour to address the Assembly on the occasion of the thirty-fifth anniversary of the Universal Declaration of Human Rights.

38. Today we commemorate the adoption in 1948 of the Universal Declaration of Human Rights, which for the first time defined the essential rights and fundamental freedoms of the individual in an international setting. During the past 35 years the promotion of the universal and effective recognition and observance of human rights has attained increasing prominence in international politics and international co-operation.

39. The Declaration enumerates the rights that belong to all individuals in any society and that all States are obliged to respect. It proclaims not only the civil and political freedoms but also rights of an economic, social and cultural nature. In proclaiming this widened human rights concept, the Declaration has significantly contributed to a common understanding of human rights and fundamental freedoms. According to the Declaration this is of the greatest importance for the full realization of the pledge of Member States to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of these rights and freedoms.

40. The Nordic views and values in the field of human rights have a long tradition. They are based on our deeply rooted concepts of freedom, solidarity and justice. While we firmly believe in the validity of these fundamental convictions, we are equally aware that the international work in this field can best be carried out on the basis of common, accepted codes of conduct. In this regard the Declaration is of paramount importance.

41. Despite the adoption of the Declaration and of the principles laid down in it, human rights today continue to be widely and grossly violated. There are many ways in which we can all promote and protect human rights. We must insist on the universal respect for the rights and freedoms of the individual. We must eliminate abhorrent practices like torture and summary or arbitrary executions. We must bring an end to the last remnants of colonialism. We must wipe out racial discrimination. We must insist upon equal rights for women and a strong recognition of the rights of the child. We must promote equal treatment of minorities, indigenous populations and disadvantaged groups. We have a duty to give more meaning to basic human rights by doing more to meet basic human needs and to assure greater equity in the use of available resources.

42. The Nordic countries see a great task for all countries in promoting and implementing human rights both nationally and internationally. Success in this task will help to strengthen the rule of law and to build a durable world order based on social justice, peace and security.

43. Mr. HUMPHREY (Canada): My first words must be to thank the Canadian delegation for having invited me to take part in these ceremonies. It is a great privilege to be here and to be a part of my country's delegation, if only for a day.

44. I am certainly one of the very few persons in this Hall who were present 35 years ago in the Palais de Chaillot when the Assembly adopted the Universal Declaration of Human Rights. Many of the people who were present on that occasion, including some who played a role in the drafting of the Declaration, have passed away and live only in our memories. Let their memory live forever for their part in bringing into being this historic document, a document which Eleanor Roosevelt once called the Magna Carta of Mankind.

45. The Declaration had no father in the sense that Thomas Jefferson was the father of the American Declaration of Independence, because literally hundreds of people contributed to its drafting in the Commission on Human Rights and its two sub-commissions, in the Commission on the Status of Women, in the Economic and Social Council, in the General Assembly, in certain specialized agencies, in government departments, in non-governmental organizations and in the Secretariat. There can be no doubt, indeed, that the Declaration owes some of its great authority to its very anonymity. With apologies to Jean-Jacques Rousseau, it is, as it were, an expression of the general will of the international community. It is appropriate, however, that on an occasion like this I should mention the names of the three officers of the Commission on Human Rights who were in office at the time when it prepared its draft of the document: its Chairman, the late Eleanor Roosevelt, its Vice-Chairman, P. C. Chang, and Charles Malik, its Rapporteur, who was also the Chairman of the Assembly's Third Committee in 1948. No one contributed more to the drafting and adoption of the Declaration than these three people.

46. The adoption of the Universal Declaration was heralded at the time as a great achievement, perhaps the greatest achievement of the United Nations. And great achievement it was. For the first time in history, the organized international community had agreed on and adopted a statement of the fundamental human values and principles that should govern the relations of individual men and women with society and the State. The Declaration reaffirms and enunciates those traditional and fundamental civil and political rights which are the hallmark of democracy, rights that had been grievously violated immediately before and during the Second World War. The Declaration was indeed the response of an aroused world public opinion to those violations, violations which were the catalyst that brought about the adoption of the Declaration. But the Declaration did more than this, because, looking towards the future, it also proclaimed those economic, social and cultural rights without which human rights can have little meaning for most people.

47. In the words of its Preamble, the Declaration set out to be "a common standard of achievement for all peoples and all nations". No one who reads the newspapers or looks at television could ever think that these standards are always respected. Violations of the most fundamental rights still occur that remind us of the worst atrocities perpetrated during the war. However, Governments are more vulnerable to criticism and even

condemnation for their violations of human rights now than they were before the adoption of the Declaration, for they are on record as having agreed to certain common standards.

48. The impact and influence of the Declaration have probably been as great as those of any other contemporary international instrument, including the Charter itself. It has influenced the thinking of a whole generation and has inspired numerous treaties, including the Convention for the Protection of Human Rights and Fundamental Freedoms, and much national legislation.

49. One of the most remarkable things about the Universal Declaration is that paradoxically, perhaps—paradoxically because in matters pertaining to human rights Governments and individuals are usually on opposite sides of the ring—it was adopted by the instructed representatives of Governments. This is not a weakness. On the contrary; for Governments must be taken to mean what they say and they can be held accountable for their commitments. The fact that it was they who adopted the Declaration therefore strengthened its authority because it made them vulnerable to criticism and possibly more serious consequences if they violated the rights enunciated in it. The manner of its adoption therefore strengthened its moral and political authority.

50. Moral and political authority was all that the Declaration was meant to have when the Assembly adopted it 35 years ago: a common standard of achievement, it was meant to be an instrument of moral and political pressure. But a new dimension has now been added to it because it has been invoked so many times both within and outside the United Nations as law and it has been used so many times to interpret the Charter—which, while it mentions human rights, nowhere lists or defines them—that, whatever its authors may have intended in 1948, it is now part of the customary law of nations and therefore legally binding on all States, including those very few States which did not vote for it and those States which have not ratified the two covenants on human rights. That is, I think, something worth celebrating on this thirty-fifth anniversary of the adoption of the Declaration, for its adoption now turns out to have been a much greater achievement than anyone could have dared dream of in 1948.

51. That is the first point that I want to make in this brief intervention. The second is to emphasize the contribution that the Declaration has made to the primary purpose of the United Nations, which is to maintain peace and security. The Declaration says in its preamble that the "recognition . . . of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world". It could have used stronger language. The so-called Secretariat Outline, which was the first draft of the Declaration and which included certain suggestions for inclusion in the preamble, was much more forthright, for it said that there could be no peace unless human rights and freedoms were respected, just as there could be no human freedom or dignity unless war and the threat of war were abolished. These truths are even more evident now than they were in 1948.

52. It is now obvious to everyone—or in any event it should be—that a major war between the thermonuclear Powers would be a threat not only to civilization but to life on this planet. The very memory of mankind might indeed disappear. This is something that worries all of us, if not for ourselves, then for our children.

53. The United Nations is dedicated to the maintenance of peace, and in its now nearly 40 years of existence it has experimented, without too much success, with various

ways of achieving this fundamental purpose of the Organization, including efforts to limit and control armaments. This is not the time to discuss them. The point that I want to make is that during all this time we have been moving, for quite different reasons and perhaps without realizing the direction in which we are going, towards the new kind of world order we must have if there is to be real peace between nations.

54. What has been happening is so radical that it is bringing about a revolution in the structure and character of international law and relations, for it is bringing about nothing less than the gradual breakdown of the exclusively inter-State character of international law. Traditional international law was a law that governed the relations of States only, to the exclusion of all other entities and of individual men and women. Only States possessed international legal personality. We now know that this definition, although one will still find it in some text-books, is no longer true of what we still call international law, but which might better now be called world law.

55. Although it is not a State, the United Nations itself possesses international legal personality; the world Court has said so. This is also true of individual men and women, wherever they may live and whatever their condition, for the rights of individuals are now recognized by international law. They also owe duties, including duties to the international community; witness the Nuremberg trials. This means, amongst other things, that if the trend continues—and it must continue if we are to have peace—the power of individual States will diminish and it will be more difficult, if not impossible, for national leaders to hide behind the collective responsibility of their States.

56. In the kind of world in which such principles are recognized and respected, it will be easier to control effectively the possession and use of offensive weapons. It should now be obvious that mere disarmament or the control of armaments is not enough and that the solution to the present world crisis must be a political one. As Jonathan Schell has said in his great book, the contemporary State system is obsolete.

57. What I am saying, on this thirty-fifth anniversary of the adoption of the Declaration, is that it is in the development of an international law of human rights that the international community has moved furthest and most rapidly towards the kind of new international order we must have if we are to have peace in this thermonuclear world. I bring you, Mr. President, no new magic formula for peace. What I am saying is that in our search for a peaceful world we must construct a new world order, in which the rights of individuals will be respected and in which individuals will be held directly responsible for their crimes, a world order in which international criminals masquerading as statesmen and hiding behind the collective responsibility of their States can be held to account. In so far as the United Nations human rights programme is contributing towards the creation of such a new world order, we have reason to celebrate this thirty-fifth anniversary of the adoption of the Universal Declaration of Human Rights.

58. Mr. MALIK (India): The observance of the thirty-fifth anniversary of the proclamation of the Universal Declaration of Human Rights provides an opportunity for reflection and rededication. It is appropriate that on this occasion we reflect on what we have achieved in the past 35 years and rededicate ourselves to the aims and principles enunciated in the Declaration.

59. Much has been achieved. The Declaration has become a platform for national as well as international

action. Its provisions have served as a frame of reference for domestic legislation and wide-ranging reforms. It has inspired the international community to adopt a wide range of important international covenants, conventions and procedures, and increasingly the Declaration has served as a code of conduct, an international yardstick by which we measure our own performance and that of others in the field of human rights.

Mr. Humphrey (Canada), Vice-President, took the Chair.

60. Much more needs to be achieved. The situation of human rights and fundamental freedoms around the world is still far from satisfactory. It having been affirmed that "All human beings are born free and equal in dignity and rights", why has the inhuman practice of *apartheid* not yet been eradicated? Having asserted that human beings "are endowed with reason and conscience and should act towards one another in a spirit of brotherhood", what have we done for the Palestinian people, whose rights are being so flagrantly violated through continuing aggression and occupation? How can we state that "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind", when the number of violations of human rights and fundamental freedoms around the world is increasing? Having agreed that everyone is entitled to the realization of "the economic, social and cultural rights indispensable for his dignity and the free development of his personality", have we done enough to fight world poverty, hunger and underdevelopment?

61. My Government is committed to ensuring respect for and the promotion of human rights. We believe that some of the most effective means for the promotion and protection of human rights are through strengthening national institutions. Each country would, of course, have its own institutions. The Indian Constitution, which is the corner-stone of the nation, aims at securing for all its citizens social, economic and political justice and liberty of thought, expression, belief, faith and worship; and at ensuring equality of status and opportunity and the promotion of fraternity, by assuring the dignity of the individual and the unity of the nation. Furthermore, an informed public opinion, a free press, an independent judiciary and, most of all, our representative parliamentary democracy are all effective guarantees of the protection and the promotion of the human rights of our citizens.

62. The commitment of the non-aligned countries was restated in the Political Declaration of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, and I should like to quote from that document:

"The Heads of State or Government reiterate their commitment to ensure respect for and promotion of human rights of individuals and the rights of peoples in accordance with the United Nations Charter and the Universal Declaration of Human Rights, which is essential to assure peace and security in the world."
[A/38/132 and Corr.1 and 2, annex, sect. I, para. 24.]

63. The Universal Declaration of Human Rights recognizes that human rights are not only civil and political but also economic, social and cultural. We therefore firmly believe that equal and urgent consideration should be given to the implementation, protection and promotion of both civil and political rights, as well as of economic, social and cultural rights. This was affirmed in the Political Declaration of the Seventh Conference, as follows:

"The Conference affirmed that the achievement of fundamental freedoms and basic human rights is

integral to the struggle for the transformation and democratization of international relations and therefore is also linked with the need for change in present international economic relations. Civil and political rights and economic, social and cultural rights are inseparable." [*Ibid.*, para. 25.]

64. I should like to recall the words of the Prime Minister of India, Mrs. Indira Gandhi, when she addressed the Assembly in September this year, saying, "We must create a new international order of humanity, where power is tempered with compassion, where knowledge and capability are at the service of all humanity." [*9th meeting, para. 31.*]

65. This day should not be allowed to pass as a mere symbol. Let us, as representatives of sovereign States, rededicate ourselves with renewed determination to the aims and objectives of the Declaration. Let us also try to integrate the principles of the Declaration into all activities of the United Nations.

66. Mr. HARLAND (New Zealand): It is a privilege and an honour, Sir, to be taking the rostrum under the presidency of the representative of Canada.

67. In the Preamble to the Charter the founders of the United Nations expressed their determination "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person". Three years later, in 1948, the General Assembly took a major step towards fulfilling that commitment by adopting the Universal Declaration of Human Rights. The Declaration laid the foundation for all that has been done since through the United Nations to promote human rights and to protect fundamental freedoms. It ranks as one of the Organization's major accomplishments. The anniversary of its adoption deserves to be commemorated regularly.

68. In the Universal Declaration of Human Rights the States Members of the United Nations have accepted certain common standards of behaviour. Those standards have been elaborated in the two human rights covenants and various other legal instruments. In acceding to them, Member States agree to limit their freedom of action, even in relation to their own citizens, so as to comply with international standards. The establishment of agreed standards is a major achievement, but it is only the first step towards fulfilling the Charter commitment. The next step, and the more difficult one, is to translate international standards into action in individual countries. The sad fact is that violations of human rights are still common in many parts of the world. The anniversary we are celebrating today will serve as a reminder to us all of the need for constant efforts to keep violations to the minimum and to uphold the standards to which we all subscribe.

69. In a statement marking the occasion in New Zealand our Minister of Foreign Affairs has pointed out that racial equality is one of the most fundamental human rights, saying, "To discriminate against people on the basis of their race is a gross affront to human dignity which can never be justified". The Minister reaffirmed New Zealand's strong commitment to the elimination of racial discrimination, and said, "It is in this spirit that we approach the Second Decade to Combat Racism and Racial Discrimination."

70. Since the Universal Declaration was adopted, the membership of the United Nations has grown to embrace a great diversity of cultural traditions and legal systems. The Organization must take full account of that diversity in continuing its efforts to ensure that human rights are respected throughout the world. The reporting procedures set up under the two human rights covenants and also

under the International Convention on the Elimination of All Forms of Racial Discrimination [*resolution 2106 A (XX), annex*] give Governments the opportunity to engage in a constructive dialogue with authoritative international bodies in the field. New Zealand has recently submitted to the Human Rights Committee its first report on the law and practice with respect to human rights set down in the International Covenant on Civil and Political Rights. The examination of our own report has confirmed our belief that this procedure can be of great value to Member States in working out the application of international standards to their particular circumstances.

71. New Zealand will continue to work with other countries in the United Nations and elsewhere to uphold the standards set in the Universal Declaration and to combat abuses of human rights wherever they occur.

72. Mr. BARBOSA DE MEDINA (Portugal) (*interpretation from French*): The Universal Declaration of Human Rights, adopted by the General Assembly at its third session, on 10 December 1948, by proclaiming "a common standard of achievement for all peoples and all nations", started a movement whose immense scope constitutes a challenge which this Organization must meet.

73. During the past 35 years, recognition of the need for the effective and universal observance of human rights has become a dominant aspect of international policy and co-operation. Acceptance of the fact that respect for human rights in any country is a legitimate concern of the international community is one of the essential aspects of the obligations that ensue from the very existence of such rights.

74. As the nucleus of an impressive range of declarations and conventions, the Declaration has served to inspire and to guide the progressive development and codification of human rights norms for the international community and for individual States.

75. By proclaiming and widening the concept of human rights, the Declaration contributed to a better understanding of fundamental freedoms. Thus, since 1948 an entire body of legal and diplomatic instruments has been formed, including the International Covenants on Human Rights [*resolution 2200 A (XXI), annex*], the International Convention on the Elimination of All Forms of Racial Discrimination [*resolution 2106 A (XX), annex*], the Convention on the Elimination of All Forms of Discrimination Against Women [*resolution 34/180, annex*], and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief [*resolution 36/55*].

76. These texts represent considerable progress towards the establishment of a universal legal basis for the protection of human rights at the international level. Several of them make it possible for individuals to call upon international agencies to ensure the observance of those rights. They therefore make a basic contribution to bridging the gap between aspirations and their attainment, to reducing the distance separating international law and human rights from the practice of different States.

77. Portugal's development of doctrine and its international activities in the context of the Universal Declaration are based on a few fundamental tenets. First of all, there is the conviction, widely confirmed by experience, that if human rights are not to be violated by Governments or by individuals, it is necessary to overcome two obstacles that have unceasingly prevented the realization of the principles of the Declaration: on the one hand, the abusive claim of privilege based on national sovereignty, as soon as accusations are levelled against a Government; and on the other, the fact that measures taken by this

Organization in certain specific cases have not been matched by similar measures in a considerable number of other cases where a disquieting silence has been as flagrant as the public accusations levelled.

78. While recognizing the link between human rights and the development process, Portugal cannot agree that the existence of a given economic and social framework can serve as a pretext to deny fundamental human rights, making their violation acceptable simply because of the level of development of the country concerned. The indivisibility and interdependence of economic, social and cultural rights, on the one hand, and civil and political rights, on the other, cannot therefore not be invoked as grounds to delay the full and complete enjoyment of human rights.

79. Lastly, it must not be forgotten that the Universal Declaration lists the rights that every human being possesses and that social institutions, including the national authorities, must always unswervingly promote, respect and protect. Acceptance of the principle that all persons are born free and equal in dignity and rights and that everyone has the right to life, the right not to be subjected to torture, the right to freedom of thought, conscience and religion, to freedom of opinion and association, to work, to education and to an adequate standard of living, all are norms which form the very basis of the Declaration. They underscore the basic fact that effective recognition of these essential individual rights is a precondition for the exercise of all other human rights.

80. The universal scope of the Declaration has at the regional level been reflected in collective action with differences in implementation as a function of the social, cultural and political variables of the peoples concerned. The American Convention on Human Rights, the African Charter of Human and Peoples' Rights and the Convention for the Protection of Human Rights and Fundamental Freedoms, to which Portugal is a party, are examples, as well as the Final Act of Helsinki, whose complete application has become a collective requirement, not only of the European continent but of the international community as a whole.

81. Moreover, the implementation of human rights norms by each State, while showing a pronounced tendency towards a uniformity which is in fact desirable, is none the less an area where diversity can be of undeniable value to the legal elaboration of the principles of the Declaration.

82. The principles of the Universal Declaration enshrined in the Constitution of the Portuguese Republic have been reflected by Portugal at the international level in a whole series of steps, the most recent of which in this field has been our ratification of the Optional Protocol to the International Covenant on Civil and Political Rights, which entered into force for my country last August. Portugal's deep commitment to basic human rights principles makes the commemoration in which we are now engaged of particular interest to Portuguese public opinion.

83. We fully realize that many generations will have gone by before the fundamental objectives of the Declaration are fully achieved, but awareness of that fact will not prevent our using this moment of commemoration and reflection to reaffirm our conviction that this event will give new impetus to the widening of complete co-operation among all States, in order to encourage and to develop respect for human rights on the basis of the principles of the Charter of the United Nations.

84. Mr. SOKALSKI (Poland): The mind and body of *homo sapiens* crave human rights as much as they crave

fresh air to breathe. But for both human rights and fresh air there must be an auspicious natural environment in which to thrive. Thirty-five years ago, that environment was created by the tragic experiences which twice in the lifetime of the founding fathers brought untold sorrow to mankind. The Universal Declaration of Human Rights, like this world Organization, was the product of a super-human effort to save human rights from the most barbarous totalitarian system ever known. The Declaration emerged as a tribute and memorial to more than 50 million victims of the Second World War, some 35 million of whom were nationals of the Soviet Union, Yugoslavia and Poland. Theirs proved to be the unwanted right to die in defence of the inherent right to life. Ours is the right to life, which we owe to them.

85. *Pax et justitia*, peace and justice—this is the objective of the Charter of the United Nations that reigns supreme throughout the Universal Declaration. Neither of the two is conceivable without the other, just as human rights are inconceivable without equality and the dignity of the human person, whether individually or collectively. Indeed, the Declaration has preceded a succession of momentous and ever valid United Nations documents bound to give real meaning to what it defines as the imperative necessity "to promote the development of friendly relations between nations". As the first of 32 solemn declarations so far adopted by the General Assembly, it stands together with other documents, including the historic Declarations: on the Granting of Independence to Colonial Countries and Peoples [resolution 1514 (XV)]; on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [resolution 2625 (XXV), annex]; on the Strengthening of International Security [resolution 2734 (XXV)]; on Social Progress and Development [resolution 2542 (XXIV)]; on the Establishment of a New International Economic Order [resolution 3201 (S-VI)]; on the Deepening and Consolidation of International Détente [resolution 32/155]; on the Inadmissibility of Intervention and Interference in the Internal Affairs of States [resolution 36/103, annex]; on the Prevention of Nuclear Catastrophe [resolution 36/100]; and on the Preparation of Societies for Life in Peace [resolution 33/73]. It is so because, along with the principles of the non-use of force, the peaceful settlement of disputes, self-determination, peaceful coexistence, disarmament and the prohibition of war propaganda, respect for human rights constitutes one of the basic principles of contemporary international law. It is based, at the same time, on the Universal Declaration's cardinal premise that war is not inevitable, that lasting peace is an attainable goal.

86. Just as 35 years ago the Declaration stood out as a milestone in setting a common standard of achievement for all peoples and all nations, so the entry into force of the International Covenants on Human Rights represented another milestone in relation to the symbolism and inspiration of the Declaration. The Covenants endorsed once and for all the indivisibility and interdependence of all human rights. They likewise granted the right to self-determination the full rank of a guiding principle of international law, whereby all peoples without exception are entitled to determine freely their political status and pursue freely their economic, social and cultural development.

87. It is a matter of profound gratification that, in addition to the translation of the lofty provisions of both the Charter and the Declaration into a language of progressive development of international relations, recent decades saw, too, the creation of other human rights

standards and obligations of States, contained in a number of declarations and conventions. This proved possible because of the formation of a world "rainbow coalition", following the victory of socialist ideas in many countries of the globe and the unprecedented process of emancipation of former colonial peoples.

88. The Declaration teaches us that human rights are inherent and inalienable rights. No country can arrogate to itself a monopoly on establishing, preaching or imposing them, no matter how many hypocritical and politically motivated proclamations may be read out in this Hall or human rights weeks proclaimed for the sake of ideological hatred. They cannot be given unless previously taken away. Their enjoyment depends on the extent of social justice that States are ready to ensure under their respective socio-political systems. Much as we rejoice on this thirty-fifth anniversary, we must not lose sight of the only too many spots on this globe where there is misery so appalling that no one knows what freedom and justice mean any more. A hungry man is not a free man. A frightened man, for instance at the prospect of a nuclear conflagration, will have a stricken conscience in regard to human rights, because this is contrary to the Declaration's precept that all human beings are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. In this respect, notwithstanding the progress made in the promotion and protection of human rights and fundamental freedoms since the proclamation of the Declaration, the world's natural environment for the enjoyment of human rights is at present still seriously contaminated. This trend has to be reversed.

89. Respect for human rights, with dignity, is part and parcel of the Polish mentality. Poland has always been an active participant in all United Nations endeavours concerning human rights. We sponsored the drafting of several international human rights covenants and conventions. We are actively involved at present in completing an international convention on the rights of the child. We are contributing our constructive share to the codification of the right to development. The Declaration and other human rights instruments are a permanent part of Polish school curricula and mass-media activities. Poland is a party to all the main international human rights instruments under United Nations auspices. Even during times as difficult for the country as the past two years, we have managed to keep our human rights record in conformity with the international rules we have accepted. We have also been extending our full co-operation to the Secretary-General, with whom an earnest dialogue is under way concerning all matters of mutual interest, including human rights. Poland will not cease its efforts to pursue national and international policies and actions, in full harmony with the aspirations and interests of the Polish people, for the promotion of human rights as a common standard of achievement for all peoples.

90. Mr. VALLÉ (Brazil): Brazil is honoured to be participating in the commemoration today of the thirty-fifth anniversary of the Universal Declaration of Human Rights, proclaimed on 10 December 1948 by the General Assembly.

91. Since that date the Declaration has formed the basis for international co-operation in promoting respect for human rights, in accordance with the purposes and principles of the Charter. It has set a common ideal for peoples and nations in the struggle against all forms of injustice and discrimination.

92. The Declaration establishes a global and integrated approach to human rights and sets forth their political, social, economic and cultural dimensions, thus surpassing

the classic understanding of human rights as only the formal guarantee of civil liberties. It is an expression of the aspiration of mankind to a more just and equitable order, in which all countries are able to ensure the well-being and the dignity of their populations. From the Declaration arises the concept of the right to development, which forms a link between the struggle to free mankind from poverty and the ideal of inalienable human rights.

93. There are no priorities in the fulfilment of human rights. They are indivisible and interdependent. The attainment of civil and political rights relates intrinsically to the attainment of economic and social rights, a process which grows in effectiveness as countries develop economically and socially.

Mr. Illueca (Panama) resumed the Chair.

94. In the light of General Assembly resolution 36/169 and in commemoration of the Human Rights Day in Brazil, the Council for the Defence of the Rights of the Human Person held this week a solemn session at Brasilia, presided over by the Minister of Justice, in which representative sectors of Brazilian society participated, as well as members of the diplomatic corps. Extensive nationwide coverage of the anniversary of the Declaration was also provided by the Brazilian mass media.

95. Promoting the dignity of the human person on a rising scale is a commitment that we have made to ourselves. Much has been done, but much also remains to be done. Brazil pledges its responsibility to promote and protect the human rights of its people. At the international level, we reaffirm the will to collaborate, especially within the United Nations system, in the fulfilment of the ideals proclaimed three and a half decades ago.

96. Mr. MOUSHOUTAS (Cyprus): While commemorating the thirty-fifth anniversary of the Universal Declaration of Human Rights, unanimously adopted and proclaimed by the States Members of the United Nations on 10 December 1948, we should not lose sight of the fact that this Declaration is not a goal in itself but a basis for the realization and consolidation of these rights. It constitutes a common standard of achievement for all peoples and all nations in the field of human rights and fundamental freedoms, to which all men and women everywhere are entitled without discrimination.

97. The paramount importance of the Declaration lies in the fact that, for the first time in the history of mankind, the responsibility for the promotion and protection of human rights was assumed by the entire international community and was accepted as a permanent obligation.

98. Since the proclamation of the Universal Declaration of Human Rights, a large number of significant human rights instruments of paramount importance have been elaborated and adopted by the international community in the field of human rights. A major goal of the Organization was achieved, in 1976, with the coming into force of the two legally binding International Covenants on Human Rights, namely, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Another international human rights instrument of equal importance is the International Convention on the Elimination of All Forms of Racial Discrimination, which calls for an end to racial discrimination and establishes international machinery to achieve that aim. Still another important instrument on human rights is the International Convention on the Suppression and Punishment of the Crime of Apartheid [resolution 3068 (XXVIII), annex].

99. Yet, despite our achievements in the elaboration and adoption of many human rights instruments, millions of

our fellow human beings the world over suffer daily from massive and flagrant violations of their most fundamental rights and freedoms and their very dignity and worth as human beings. Millions suffer under oppression, foreign domination and military occupation. Millions live under inhuman conditions and deprivation as refugees or displaced persons. Millions die from hunger and disease and from political or racial persecution. Millions remain detained, imprisoned or tortured, their only crime being that they fought for freedom and respect for their most fundamental human rights. Others disappear without trace, leaving behind the anguish and drama of relatives who long for their return.

100. In the majority of these and other cases of mass and flagrant violations of human rights, the international community is virtually unable to do anything decisive or effective to combat and eliminate situations that are so shameful for the human race.

101. Mankind still has a long struggle to wage in attaining a universal order of justice and brotherhood. Unless we build a world based on an international security system, a world of order for the promotion of economic and social development all over our planet, unless the arms race and war are eradicated, unless poverty, starvation, infant mortality and illiteracy are wiped out, unless we all have the right to express ourselves without fear, the Universal Declaration of Human Rights will remain a dream still to be materialized.

102. Human rights and fundamental freedoms are indivisible and interdependent. Only the effective exercise of each one of these rights, and of all of them in their entirety, can lead to equality between human beings and harmony among States.

103. Idealistic declarations alone, which certainly have an enormous moral validity, are unfortunately not enough. More urgently needed are the concerted efforts and determination of the international community in the sphere of the effective and full implementation of laboriously prepared human rights instruments.

104. That is why we firmly support the trend which has appeared in international conventions adopted in recent years which provide the machinery for their effective implementation. The International Covenant on Civil and Political Rights is one case; the International Convention on the Elimination of All Forms of Racial Discrimination is another. Cyprus expresses satisfaction and appreciation for the work done by the Human Rights Committee and the Committee on the Elimination of Racial Discrimination, in both of which my country has the honour and privilege to be represented.

105. Determined and co-ordinated effort is still needed, as well as re-dedication of the international community to human rights in order that the dream embodied in the Universal Declaration of Human Rights can be materialized and universally applied.

106. At least for my country, Cyprus, and our people, the only reality is the dream. As a result of the Turkish invasion of Cyprus, the uprooting of thousands of citizens from their ancestral homes and properties, the disappearance of several hundred Cypriots and the continuing occupation of part of our island compose a picture of the continuous mass violations of the human rights of the people of Cyprus by Turkey.

107. Mr. KAMPER (Netherlands): As representative of the Netherlands, I have the honour to introduce draft resolution A/38/L.42/Rev.1, on behalf of the delegations of Costa Rica, Mexico, Morocco, Norway, Senegal, Spain and Sweden and my own delegation—and now also on behalf of the delegations of Canada and Somalia, which have become sponsors.

108. Tomorrow, 10 December, it will be 35 years since the Universal Declaration of Human Rights was proclaimed in Paris. Today we are assembled here to commemorate that moment, which can be characterized as a breakthrough of historic dimensions.

109. My delegation is gratified at the fact that many delegations have agreed to put forward a draft resolution on the occasion of the thirty-fifth anniversary of the Declaration. The draft resolution incorporates almost all the ideas, suggestions and proposals that were given to me by delegations from all the regional groups. In a spirit of real compromise, and despite the short time that was available, it proved possible to draft the revised version. I should like to thank the sponsors and the other delegations that were involved in the drafting for their patience and understanding and for their efforts.

110. We all agree that we still have a long way to go before all the provisions of the Declaration are implemented to the fullest extent. The draft resolution, in its own words, recognizes that fact of life. There is a need for constant vigilance by the international community in this field. An important condition for promoting respect for human rights and fundamental freedoms is the dissemination on the widest scale and in as many languages as possible of the texts of the Declaration and other human rights instruments. This is a task for the United Nations and other intergovernmental organizations and for Governments, non-governmental organizations and individuals alike. The teaching of human rights in all educational institutions, particularly in primary and secondary schools, deserves more attention in our renewed efforts to further progress in regard to awareness, information and education in human rights. The children of the world should know about their human rights and fundamental freedoms. As children and later as adults they will play their part in making this world a better place to live in.

111. The Declaration and all the human rights instruments that were born of it, in particular the International Covenants on Human Rights, are part and parcel of human rights awareness and education in human rights.

112. It is the conviction of the sponsors of the draft resolution that all delegations wholeheartedly agree that all people must know about their human rights and that we must try to achieve the goal of bringing home the importance of human rights to the young at an early stage. That being so, we hope that the draft resolution will be adopted by consensus, on the occasion of this thirty-fifth anniversary of the Universal Declaration of Human Rights.

113. The PRESIDENT (*interpretation from Spanish*): Two delegations wish to explain their votes before the voting.

114. Miss STREDEL (Venezuela) (*interpretation from Spanish*): I appreciate this opportunity for my delegation to address the Assembly to affirm our complete support for draft resolution A/38/L.42/Rev.1 and at the same time to inform representatives present here that, as a further demonstration of the work being accomplished by my Government for the cause of human rights and fundamental freedoms, Luis Herrera Campins, President of the Republic of Venezuela, has officially declared 10 December of each year Human Rights Day in Venezuela. This decree contains the following provisions:

“Article 1: The 10th of December of each year shall be declared Human Rights Day.

“Article 2: The Venezuelan State shall do all in its power to teach the importance of the Universal Declaration of Human Rights.

"Article 3: Seminars and discussions shall be organized in public agencies on the topic of the significance and scope of human rights.

"Article 4: Education programmes shall include the teaching of human rights and the promotion of special activities so that students may participate in the observance of Human Rights Day.

"Article 5: Through the Ministry of Education, a special essay competition shall be organized for primary or secondary school students on the topic 'Significance of the Universal Declaration of Human Rights for our generation'.

"Article 6: Through the Postal Telegraphic Institute, an organ of the Ministry of Transport and Communications, a stamp commemorating this Declaration shall be issued".

115. In that way, Venezuela is once again demonstrating its unconditional support for the principles of freedom and democracy, on the basis of the ideals of the Liberator Simón Bolívar and of the promotion of human rights and support for peoples struggling to obtain, preserve or regain their right to freedom, so that a solution may be found to the present conflicts that affect and thwart mankind's progress in the quest for peace, solidarity and the well-being of all.

116. Mr. WEEDY (Afghanistan): My delegation would like to take this opportunity to explain its position on draft resolution A/38/L.42/Rev.1.

117. The principled stand of my Government is very clear with regard to promotion of civil, political, economic, social and cultural rights. It has fervently supported measures to ensure the universal realization of all internationally accepted principles of human rights.

118. It is a great honour for me to take this opportunity to read out the message of Babrak Karmal, General Secretary of the Central Committee of the People's Democratic Party of Afghanistan and President of the Revolutionary Council of the Democratic Republic of Afghanistan, addressed to the Secretary-General on the occasion of the celebration of the thirty-fifth anniversary of the Universal Declaration of Human Rights, which reads as follows:

"It is a great pleasure for me to convey the heartfelt congratulations of the people and Government of the Democratic Republic of Afghanistan and my own congratulations to you on the occasion of the celebration of the thirty-fifth anniversary of the Universal Declaration of Human Rights.

"The adoption of the Declaration of Human Rights by the United Nations, which took place in the third year of its foundation, was a timely event and has guaranteed all accepted human rights to every human being, irrespective of colour, race, sex, religion or political belief.

"Thirty-five years have elapsed since the adoption of the Universal Declaration of Human Rights. In spite of the constructive efforts of the United Nations and forces of peace and progress, owing to the irresponsible policies of imperialism, millions of people on our planet are still deprived of their elementary human rights. The danger of war, especially nuclear war, is threatening the fundamental rights of mankind, the right to life and peace, today more than ever before.

"Thousands of innocent Palestinians and Lebanese are still suffering from Israel's massive and continuous violation of their human rights. The heroic people of Namibia, under the repressive rule of the racist régime of Pretoria, are still deprived of their fundamental rights. In Chile, El Salvador, Guatemala and other regions of the world, human rights are still massively

and systematically violated. The developing countries are still facing difficulties in ensuring the enjoyment of human rights because of the present unjust international economic order.

"It is our belief that one important contribution to the prevention of the massive, systematic violation of human rights is the struggle against imperialism, racism, zionism, *apartheid* and the revival of fascism. Also, the elimination of the present unjust international economic order would be an essential element in the effective promotion of human rights and basic freedoms.

"As is evident, the United Nations has a number of achievements to its credit in combating mass and flagrant violations of human rights. The Democratic Republic of Afghanistan, in line with its policy of principle, will always support the efforts of the United Nations in promoting and protecting human rights.

"The Democratic Republic of Afghanistan, with a firm belief in the further consolidation of human rights in the interest of our people and all humanity, has ratified the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, and the International Convention on the Elimination of All Forms of Racial Discrimination. Other similar conventions are under consideration.

"In Afghanistan, since the victory of the National Democratic Revolution of 1978, democratic rights and freedom, including the right to live a secure life, the right to work, the right to health protection and social insurance, the right to education and other rights are ensured and guaranteed by law for citizens of the Democratic Republic of Afghanistan.

"For the first time in the history of our country, real equality between the nationalities and tribes inhabiting Afghanistan and equality between men and women have been ensured, and practical steps have been taken to give effect to such equality.

"The release of all political prisoners, a general amnesty for all deceived people who have left the country, including those who have participated in anti-revolutionary activities, if they return to their country, and a guarantee of favourable conditions for the employment of them and their families in useful social work are clear proof of the humanistic policy of the Democratic Republic of Afghanistan.

"While the Democratic Republic of Afghanistan reaffirms its admiration of the efforts of the United Nations in further promoting and protecting human rights, it believes that the inhuman actions of imperialism, including zionism, racism and *apartheid*, which are flagrant violations of human rights, deserve strong world-wide condemnation."

119. The PRESIDENT (*interpretation from Spanish*): The Assembly will now take a decision on draft resolution A/38/L.42/Rev.1. May I take it that the Assembly wishes to adopt this draft resolution?

The draft resolution was adopted (resolution 38/57).

120. The PRESIDENT (*interpretation from Spanish*): I call on the representative of the Islamic Republic of Iran, who wishes to explain his position on the resolution just adopted.

121. Mr. ZARIF-KHONSARI (Islamic Republic of Iran): My delegation would like to explain its position on draft resolution A/38/L.42/Rev.1, dealing with human rights education and awareness of human rights, just adopted by the Assembly.

122. According to Islamic teachings and the holy book of Muslims, the Koran, the human being occupies an exalted position in creation. The Koran declares that human beings are vicegerents of God on Earth, whose rights and dignity should be safeguarded and respected by all. Thus, in Islamic jurisprudence there is a rich body of literature containing ways and means, as well as rules and procedures, to ensure that the rights of individuals, as well as those of their collectivity, are respected in an Islamic system, and those who violate these divine rights are punished.

123. As the Assembly is well aware, the people of Iran, after great sacrifices, were able to establish an Islamic system of government with the specific mandate of implementing Islamic values, teachings and rules. The Government of the Islamic Republic of Iran thus feels obliged to follow this mandate.

124. As we stated in the debate in the Third Committee last year, we recognize that the Universal Declaration of Human Rights, which emanates from a secular liberalist tradition, embodies many important, valid and truly universal principles. Universal respect for and observance of these principles are certainly required if the dignity of the human person and the welfare of society are to be maintained. However, we have also found some ambiguous notions and concepts, as well as some principles based on non-universal values, in the Universal Declaration of Human Rights. Therefore we can only revere the Universal Declaration in its totality.

125. Thus, while going along with the consensus on this important resolution, my delegation feels obliged to place it on record once again that the Government of the Islamic Republic of Iran cannot accord validity to any principle enshrined in any instrument which is not in conformity with Koranic teachings and the divinely oriented values in Islamic jurisprudence.

126. The PRESIDENT (*interpretation from Spanish*): I wish to announce that, in addition to the messages referred to in the debate on this item, some others have been received from heads of State or Government of Austria, Bangladesh and Spain and also from the Director-General of the Food and Agriculture Organization of the United Nations.

AGENDA ITEM 34

The situation in the Middle East: reports of the Secretary-General (*continued*)*

127. Mr. OULD HAMODY (Mauritania) (*interpretation from French*): We read carefully and with great concern the report of the Secretary-General on the question of Palestine and the general situation in the Middle East [A/38/458]. The report gives us an opportunity to observe that, more than ever, the situation gives no grounds for optimism—far from it.

128. For almost half a century, but particularly since Israel was created by aggression and terror in May 1948, the Arab Middle East has been the scene of a human tragedy with incalculable consequences. There is certainly no need to give the chronology of the question, which has been before the Assembly since its first session. We are all aware of the responsibilities for, and the facts of, a problem which has so dominated contemporary affairs and has several times threatened the security of everyone by bringing us to the brink of a world conflict, particularly in 1955, 1967 and 1973.

129. Israel's demands are constantly changing, as is its greed for territory. But certain truths remain immutable, difficult to hide and impossible to bury.

130. First, there exists in the Middle East an unprecedented situation. With conventional colonialism coming to an end, an artificial entity, based on a mythical right and a title deed which it claims dates back 2,000 years, has succeeded in creating a colonial State, through a resolution of the Assembly. A feature of that colonial State, Israel, is the mass expulsion of the indigenous populations, the expropriation and hoarding of their property and the desecration of their holy places, both Muslim and Christian.

131. This colonial State, with still undeclared geographical claims, is also characterized by an insatiable appetite for expansion. The Assembly will recall the series of *faits accomplis* by Israel resulting in the successive occupation of Galilee, the Negev, Sinai, Jerusalem, the West Bank, the Gaza Strip, the Golan Heights and, finally, Lebanon.

132. This colonial State has a third peculiarity: it and its South African ally are the only countries on earth with blatant racism, institutionalized and elevated to the status of State philosophy.

133. Of course, Israel has become a master of the art of confusing the facts, blackmail and the use of half-truths to hide its actions.

134. The abusive use of the sufferings of the Jews over many centuries, particularly from the abominable practices of nazism against the European Jews, has for years hidden the true nature of zionism, its racist ideology and its inhuman practices against the Palestinians and the other Arab peoples of the Middle East.

135. This studied confusion, supported by a powerful, widespread propaganda machine, has neutralized in particular, by instilling feelings of guilt, the leaders and public opinion of Europe and North America. Also, relying on the weariness of the peoples of the third world, Israel has, through a remarkably orchestrated campaign, and with Western complicity, succeeded at one moment in history in having zionism recognized, by those who were not aware of the facts, as a "noble and authentic" liberation movement.

136. But facts will out. What is going on is difficult to hide, and public opinion throughout the five continents has been awakened and can no longer be misled by this unprecedented psychological campaign. This awakening of the universal conscience has resulted in zionism being compared to another racist movement, which tries to hide its racism by the use of the inoffensive word "*apartheid*". And it was an act of wisdom by the Assembly!

137. There is a parallel to which I must draw attention. To justify taking the Arabs' land away from them, a Zionist, Max Nordan, came up with the slogan "Land without inhabitants; inhabitants without land". To justify the forced dispossession of indigenous populations, the *apartheid* State uses the African "reserves" under the Land Act of 1913. The former colonial Powers used a similar theory of "uninhabited lands" to justify carving up the world between them. The only difference between the Zionist and South African practices of expropriation is in the length of time they have been going on. It took the Boers two centuries to seize virtually all the good land of South Africa. But three decades were enough for the same result to be achieved in Palestine. Obviously, we are in a century of technological progress and speed.

138. My second and last parallel concerns citizenship. The *apartheid* régime openly denies non-whites the right of citizenship, through the artifice of bantustans or separate development. Zionism is more subtle. The first

*Resumed from the 89th meeting.

article of its Law of Return, promulgated in 1950, stipulates that every Jew has the right to enter the country as a citizen. The Law of Nationality is clearer, advocating Jewish immigration to Palestine with the right of citizenship, but not to anybody having ceased to reside in Israel before the entry into force of this law, that is, the Palestinians.

139. Moreover, the two régimes are very similar in the way in which they carry out their difficult and subtle task of defining exactly who belongs to the "Chosen People"—Jews here, and whites there. In South Africa, one can be white, a shade of white, completely black, yellow and so on. In Israel, one can be a half-Jew through one's Jewish father, a Jew by assimilation, completely Jewish through one's mother, and so on. These criteria are far from the universally accepted human rights and remind one shockingly of the criteria of Aryan purity which was dear to the Nazi racial experts.

140. Israel's blatant and arrogant racism has served as a basis for a constant policy, increasingly applied, of the annexation of the land of others and the denial of their historic rights. This scarcely concealed contempt for international law and refusal to take part in any peace process has led the Zionist entity to turn the whole region into its own preserve, where the security of others does not exist, their frontiers are not inviolable and their lives are not sacred. In addition to its military occupation of land, to which I have already referred, we have witnessed other practices which are not acceptable under international law. I refer to the premeditated and unjustified attack on the Iraqi peaceful nuclear reactor at Tammuz; the periodic raids since June 1982; the prolonged occupation of Lebanon, with contempt for its sovereignty and national security; the proposed cutting of a canal between the Mediterranean and the Dead Sea; the indiscriminate bombing of the capital of a sovereign country—Beirut; the deliberate violation of the air space of Saudi Arabia, Iraq, Jordan, the Syrian Arab Republic and so on.

141. The Organization, which admitted the Zionist colonial State by a General Assembly resolution, which included certain conditions, has rightly passed many resolutions since 1948 condemning its war-like, terrorist and reckless policy towards the Palestinian Arab people and the brother Arab peoples of the region.

142. The forums at which Zionism has most recently been condemned by the vast majority of Member States are the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983, and the International Conference on the Question of Palestine, held at Geneva from 29 August to 7 September 1983. But, as in the past, the Organization is meeting with the stubborn refusal of Israel to comply with the international consensuses. Israel is still abiding by the principle of Zionism: no law, no justice, no security for others and, above all, no right to judge the actions of Zionism. Thus, blackmail invoking anti-Semitism, easily resorted to and often dissuasive, is set in motion.

143. However, even more serious is the fact that the Organization is also confronted by those who, against all reason, work hard to find extenuating circumstances to excuse the usurper. Israel is rewarded for its aggression and its open rebellion against the Organization and all that it represents.

144. The latest encouragement is the promise to give the Zionist State vast financial aid, free of charge, together with the possibility of stockpiling in occupied Palestine enormous quantities of sophisticated weapons and the promise to engage in joint military manoeuvres with that Zionist State.

145. My country, which has a true appreciation of the cordial relations and the interdependence of interests between the Arab world and the United States, is disturbed by this alliance. It provides the possibility for an openly warlike entity to use it in a new escapade, plunging the Arab Middle East into a new war with unforeseeable consequences.

146. The Islamic Republic of Mauritania, which does not credit the Zionist State with any desire for peace or moderation, reaffirms its solidarity with the Arab people of Palestine and all other peoples of the Arab Middle East. My country reaffirms its abiding conviction that we must seek a true, just and definitive solution to the problem of the Middle East in general and the Palestinian problem, which is the core of the Arab-Israeli dispute, in particular. In so doing, we are abiding by the relevant, and reiterated, decisions of the United Nations, which body continues to be the ideal framework within which to work out a comprehensive settlement. In this also, our views are similar to those of a Head of State who, on 20 February 1957, declared, after the Suez aggression against our brother country of Egypt and the first occupation of Sinai: "The decisive moment has come when we have to choose. Either we must acknowledge that the United Nations is incapable of restoring peace in the region or the United Nations must redouble its efforts to make Israel withdraw." Those very true, courageous and responsible words were pronounced by General Eisenhower, who was then President of the United States.

147. For Mauritania, any solution of the question must involve these essential conditions: the total and unconditional withdrawal of Israel from the occupied Arab territories, including Jerusalem, the Golan Heights and Lebanon; the annulment of the illegal annexation of Jerusalem and the Syrian Golan Heights; the cessation of the rampant colonization of the West Bank and Gaza; the renunciation by Israel of its barely concealed intention to occupy Lebanon on a permanent basis; the exercise of the natural right to return of Palestinians and all refugees so desiring and proper compensation for the others in keeping with General Assembly resolution 194 (III) of 11 December 1948; the exercise of the inalienable and inviolable rights of the Arab people of Palestine, particularly the right to establish their own homeland in Palestine; and the inclusion of the Palestine Liberation Organization [PLO], as the sole legitimate representative of the Palestinians, in any negotiations for a comprehensive peace settlement in the Middle East.

148. The Middle East is obviously a region balanced on a knife edge, of great strategic importance, and like no other region in the world in respect of its energy potential and its geopolitical position. Moreover, this is a symbolic region because of its spiritual significance and the emotional attraction it has for most of mankind.

149. Israel can extend the frontiers of its usurpation and annex new lands, establish permanent State terrorism, enjoy an astonishing complaisance on the part of the West, and receive rewards for aggression in the form of great floods of weapons, manpower and money, yet despite all this the Zionist entity will never have peace, still less security. On the contrary, the pursuit of a systematic policy of denial of human rights and the rights of the peoples of the Arab orient, together with the permanent challenge to the United Nations and to international public opinion, is likely to create an endless state of warfare in the region with the danger of involving the super-Powers. The danger will be headed, stability will be restored to the region and security assured only by the guaranteeing of a just peace that will permit the exercise of the inalienable and inviolable rights of the Palestinian

people and of the sovereignty of the Arab States of the region.

150. This truth and justice, which are the essential conditions for a real peace, involve the ending of the Zionist occupation of Palestine, the Syrian Golan Heights and Lebanon, and the emergence of a sovereign Palestinian State under the guidance of the PLO.

151. The peace and justice in the Middle East that would create a real possibility of improved international relations must involve an end to the aggressive and terrorist practices of the Fascist Israeli State, an entity with a marked "tendency towards domination", to use the very judicious words of General de Gaulle.

152. Mr. AL-SABBAGH (Bahrain) (*interpretation from Arabic*): The question of Palestine is at the core of the Middle East question. Since 1967, when Israel occupied the territories of three Arab States, we have been continually debating this question under the item entitled "The situation in the Middle East". Year after year we have been calling upon the General Assembly to restore the rights of Palestinian people and to establish its independent State on its national soil. I will not speak here about the hundreds of resolutions adopted by the Security Council and the General Assembly with a view to finding a just, comprehensive and peaceful settlement of this question, which concerns all mankind, and in particular to implementing Security Council resolutions 242 (1967) and 338 (1973). Israel has rejected those resolutions and has been fiercely resisting the establishment of a Palestinian State, with East Jerusalem as its capital.

153. In his diary, President Carter states, concerning the Camp David talks, that "Israel rejected the basic provisions of resolution 242 (1967) . . . and refused to withdraw its forces from the occupied Arab territories". After the Camp David accord, Israel annexed East Jerusalem and the Golan Heights and occupied Lebanon. Just as it justified its aggression against the Iraqi nuclear reactor in July 1981, it justified its occupation of Lebanon by claiming that it was for strict security reasons. These acts of aggression of course violate the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.²

154. Moreover, Israel rejected the Arab peace plan³ adopted at Fez on 9 September 1982 by the Twelfth Arab Summit Conference. The resolutions of the Fez summit are based on the substance of United Nations resolutions and are a clear indication by the Arab States and the PLO of the acceptance of a negotiated settlement on the basis of a comprehensive and just solution to the question of Palestine. Israel also rejected the initiative of President Reagan,⁴ which included constructive elements, as it had refused the earlier initiative of United States Secretary of State William Rogers.

155. We were optimistic, together with the European Community, about achieving a just and comprehensive settlement in the Middle East on the basis of resolutions 242 (1967) and 338 (1973), but the European initiative, contained in a statement issued at Bonn on 6 June 1982 by the Ministers for Foreign Affairs of the 10 member States of the European Community,⁵ met with a categorical rejection from Israel.

156. The Security Council has devoted 49 out of 82 meetings to considering the problem of the Middle East, because of its importance and the grave consequences of the continued failure to solve it. Hence, if the United Nations is to restore its prestige and affirm its role in the maintenance of security and peace in the region, it must contribute to the achievement of a just solution to this

question, especially since the United Nations is responsible for the resolution on partition and the establishment of the State of Israel in 1948.

157. There is a trend favouring positive negotiations in which the PLO would participate, as the sole legitimate representative of the Palestinians, on an equal footing with other parties. As for the negotiations that Israel seeks today, these are unjust and illogical because they are based on force and on Israel's argument that Jerusalem is a single, indivisible city, that it is Israel's eternal capital and that Israel's settlement of the West Bank and the Gaza Strip is an inherited Jewish right which promotes Israel's national security.

158. Moreover, the project for building a canal linking the Mediterranean and the Dead Sea is part of a comprehensive and integrated plan drawn up by the Zionists early in the nineteenth century with a view to controlling the water sources of the region; this would begin with the draining of the Al-Hula Lake, proceeding to the diverting of the Jordan River and culminating in the seizure of the Litani River. The General Assembly has condemned the canal project. Moreover, American Presidents during the past 15 years have opposed the establishment of settlements in the occupied territories, but Israel has disregarded all that.

159. Having occupied Lebanon, Israel is today building fortifications in southern Lebanon, bringing life there to a halt. In the past two weeks, the American press has written extensively about the oppressive stop-and-search activities inflicted on the population of southern Lebanon on the pretext of security.

160. If we go back a little, we find that Ben-Gurion referred in his diary for 1948 to the need to eliminate the Lebanese Government and establish a Christian State. The diary of Moshe Sharett, Prime Minister of Israel in 1949, shows the same approach.

161. Israel is at present planning the establishment of an alternative homeland for the Palestinians, which runs counter to the latter's desire to exercise self-determination and for recognition of their rights, which are today denied them.

162. Zionist settler colonialism and military and political control over the area will never be achieved, regardless of what havoc Israel wreaks in the Middle East, depending not only on its own capability but on foreign capability generously provided by the United States of America. The co-operation between those two countries has recently been formalized in the agreement on strategic co-operation between them.

163. In view of this situation, it is essential to support the territorial integrity, sovereignty, unity and political independence of all States in the region. Israel is pursuing a policy of prevarication and prolonging the occupation of the Arab territories with a view to liquidating the question of Palestine and deepening the disagreements between Arab States, regardless of the continued deterioration and gravity of the situation in the region as long as that serves its expansionist, racist aims and its plans for hegemony. Israeli neo-colonialism is intended to drag the strategically important area into a large-scale, destructive war which would be difficult to contain. It is vitally necessary to keep this region free from the struggle for influence between the super-Powers and to return to a policy of détente, friendliness and harmony among the States of the region. This will only be achieved if Israel respects two basic principles of the Charter of the United Nations: those of the non-use of force and the inadmissibility of the acquisition of territory by force. It is also necessary to resist the trend towards the use of force,

which is now more evident than ever, especially on the part of Israel, for violence only breeds more violence and destruction and leads to the further complication of the situation in the region.

164. While commending the outcome of the International Conference on the Question of Palestine, held at Geneva from 29 August to 7 September 1983,⁶ we call upon the United Nations firmly to support the restoration of the rights of the Palestinian people and the establishment of its own legitimate State on its national soil, under the leadership of its sole legitimate representative, the PLO.

165. Mr. OTT (German Democratic Republic): Faced with the extreme aggravation of the international situation, nobody bearing political responsibility can remain indifferent when questions of the maintenance of peace and the prevention of wars and conflicts are at stake. At a time when the most aggressive forces of imperialism are escalating their policy of confrontation and super-armament, the peoples of the world cannot but be concerned by the fact that it has not yet been possible to settle the most protracted and most dangerous conflict in the world, the Middle East conflict.

166. The most aggressive imperialist Power and its regional accomplice, Israel, are responsible for the present situation in the Middle and Near East, in which there are no signs of lessening tension or improvement of the climate, but everything indicates that the already explosive situation in that region is becoming more acute.

167. In its striving for world supremacy, the present Administration of the United States is crusading against peace and international security. Leading politicians of that country state openly that the Middle and Near East is gaining more and more importance for them in succeeding in their global course of confrontation and super-armament. To achieve these objectives, Washington is escalating its acts of aggression in the Middle East, as evidenced by the most recent act of piracy perpetrated by combat aircraft against positions of the Lebanese national patriotic forces and Syrian troops which are part of the Arab security forces, as well as by the increasing shelling of Lebanese territory. Such acts not only intensify the tense situation in and around Lebanon but also create a pretext for the further escalation of acts of aggression directed against the Syrian Arab Republic.

168. At a meeting with the Syrian Ambassador to the German Democratic Republic, on 7 December 1983, our Minister for Foreign Affairs, Oskar Fischer, strongly condemned the imperialist policy of force designed to establish political and military domination over the Middle East. Steadfastness and politically prudent action are imperative to avert the danger of another large-scale war in the Middle East. In the face of the aggressive imperialist course against the Arab peoples, concerted action by all Arab forces committed to peace, the defence of national independence and the right to self-determination of peoples are a matter of top priority.

169. All over the world, it is observed with deep concern that the collaboration between the United States of America and Israel with regard to planning and carrying out military actions against the Syrian Arab Republic is increasing excessively. The United States of America is also increasingly pursuing its policy of intimidation and blackmail against the Socialist People's Libyan Arab Jamahiriya and other Arab countries. This aggressive policy makes it clear that it does not fit in with the plans of the ruling circles of the United States of America and Israel that progressive Arab forces are opposing their adventurist, imperialist course, which is endangering peace.

170. Against the declared will of the majority of peoples, the United States has now started the deployment of medium-range missiles in Western Europe. These new missiles are not only a danger to the peoples in Europe, they are also a direct threat to the peoples of the Middle and Near East. The already complicated situation in this region is made more difficult by the addition of this new dangerous element. It is easy to see that Washington relies on its strategic ally, Israel, in its endeavours to fulfil its aspirations to hegemony, to maintain a military presence in the Middle East and to transform this region of the world into a beach-head for action against the socialist States and the national liberation forces. This fateful strategic alliance, directed against the forces of peace and progress, is taking on new dimensions, as demonstrated by the agreements which the two countries signed only a few days ago. As reported in *The New York Times* of 30 November 1983, it is intended to establish an American-Israeli committee which will consider specific plans to hold joint manoeuvres, to co-ordinate military plans and to stockpile military equipment in Israel. At the same time, financial, economic and military support for Israel will be considerably increased.

171. The events occurring these days in the Middle and Near East, which endanger peace, reveal that the present United States Administration and Israel's ruling circles are acting together in close co-ordination against the legitimate interests of the Arab peoples. It was only the Israeli aggression against Lebanon which made it possible for the United States and other North Atlantic Treaty Organization countries to extend their military presence into Lebanese territory.

172. Under the pretext of defending its so-called vital interests and peace-keeping mission, Washington has embarked on an increasingly direct use of military force in Lebanon. It has been rightfully pointed out by many representatives that this is the same imperialist policy as that which led to the brutal invasion of Grenada and the undeclared war against Nicaragua. By its actions, the United States seeks to counteract any endeavours on the part of the non-aligned countries to carry out a policy independent of Washington's.

173. It is becoming more and more evident that the hegemonistic schemes of the aggressor, Israel, are aimed at again carrying war into the Arab States. That dangerous course constitutes a major threat to world peace and therefore is strongly condemned by the German Democratic Republic. My country demands the immediate cessation of the imperialist policy of interference and threats in the Middle East. We advocate a political solution to all the problems in Lebanon on the basis of an unconditional withdrawal by Israel in accordance with Security Council resolutions 508 (1982) and 509 (1982).

174. Protected and encouraged by the leading imperialist Power, Israel's ruling circles are escalating their reckless policy against the Palestinian people and other Arab peoples. The Arab people of Palestine is being denied its legitimate right to self-determination and to the establishment of an independent State of its own. It is exposed to Israel's aggression, occupation and State terrorism. Israel's rulers are gradually annexing the Palestinian territories of the West Bank and the Gaza Strip, after having completed the illegal annexation of East Jerusalem and the Syrian Golan Heights.

175. However, Israel and its imperialist backers should be aware that neither by aggression nor terror, nor by so-called new initiatives such as the loudly proclaimed United States Middle East plan,⁴ which is to revive the policy of separate deals, will they be able to remove from

the agenda the core of the Middle East conflict—the question of Palestine.

176. From this rostrum, the German Democratic Republic once again declares its unreserved solidarity with the legitimate struggle the Palestinian people is waging under the leadership of its sole legitimate representative, the PLO, for the implementation of its inalienable rights.

177. My country shares the view of many representatives of States that the time has finally come to take resolute action against Israel in accordance with Chapter VII of the Charter of the United Nations. In view of the aggressive policy pursued by Israel and its imperialist backers, which endangers peace, it is imperative that joint efforts for resolutely counteracting the dangerous developments in the region be increased. Therefore, at present, particular importance attaches to the cohesion of all patriotic forces in the Arab countries as well as the unity of the Palestinian resistance movement in defending the legitimate national interests of the Arab peoples. This is the only way to counter the imperialist attempts at division and interference. The German Democratic Republic declares its solidarity with the peoples of the Syrian Arab Republic, Lebanon and Palestine, as well as other Arab States, in resisting the aggressive schemes pursued by the imperialist forces.

178. Proceeding from its principled position on the Middle East and Palestinian issue, the German Democratic Republic consistently supports the proposals for a comprehensive, lasting and just solution to the Middle East question made by the USSR in its six-point plan of 15 September 1982⁷ and by the Political Consultative Committee of the States Parties to the Warsaw Treaty, meeting at Prague on 4 and 5 January 1983 [see A/38/67].

179. The German Democratic Republic highly appreciates the results achieved at the International Conference on the Question of Palestine,⁶ in particular the demand for the convening of an international peace conference on the Middle East under the auspices of the United Nations, with the participation of all parties to the Arab-Israeli conflict, including the PLO, as well as the USSR, the United States and other concerned States, on an equal footing. It also welcomes the principles adopted at the Twelfth Arab Summit Conference at Fez³ for a solution concerning the question of Palestine and a settlement of the Middle East issue.

180. Mr. PRADHAN (Bhutan): Violence and the loss of thousands of lives, the destruction of valuable property and an unpredictable and uncertain future for many have been characteristics of life in several areas of the Middle East for over three and a half decades. There is a saying that time heals. This has not been the case in the unfortunate history of the Middle East. Old wounds, more often than not, have only become worse. As year after year we examine the situation in that area, we find an atmosphere that has continued to deteriorate.

181. Each time we take up this issue, the question with which we are inevitably confronted is: how can peace, which has proved so elusive for so long, be brought to this area? Answers, in the form of various proposals, have not been lacking; but these proposals, most often laced with political ambiguities, have thus far not provided solutions. They have come from almost every internationally conscious quarter, obviously demonstrating that interest in the Middle East goes beyond the confines of the region and the continent. However, one or the other of the parties most directly concerned has, at least till now, partially or fully rejected these proposals almost from the moment they were put forward.

182. The question now arises: what further steps can be initiated by the international community? The answer is undoubtedly complicated. However, one rational course of action, my delegation believes, is the convening of the proposed peace conference on the Middle East. This conference, however, needs to be preceded by considerable preparatory activities, including behind-the-scenes negotiations, to hammer out all the basic issues among the immediate parties to the disputes. Such a process must take into consideration the crux of the problem in the Middle East, that is, the question of Palestine. Just recently, the General Assembly specifically dealt with this question, therefore I shall not go into the details of this subject.

183. However, my delegation would like to highlight once again the main points on which agreement must be reached to solve the Palestine problem: first, there must be universal recognition of the inalienable right of the Palestinians to self-determination and the establishment of an independent homeland; secondly, the role of the PLO as the authentic representative of the people of Palestine must be universally recognized, as must its right to participate in all negotiations on the question of Palestine on an equal footing; thirdly, in order to accomplish such recognition, the right of all States in the area to exist and live in peace within internationally recognized boundaries will have to be explicitly accepted; and, lastly, all parties to disputes in the Middle East must agree to negotiate a settlement of their differences without the use of force.

184. In the process of achieving a preliminary consensus on these basic issues, matters would be greatly facilitated if Israel were to put a halt to all further settlement in the occupied territories.

185. Once the groundwork was laid, the international community could then go ahead to respond to the call for the convening of an international peace conference on the Middle East under United Nations auspices. All parties to the Arab-Israeli conflict, including the PLO, and the United States, the Soviet Union and other States concerned would have to participate on an equal footing for the conference to succeed. Should the results of such a conference prove satisfactory, the Security Council would have to shoulder the primary responsibility for creating appropriate institutional arrangements in order to guarantee and carry out the accords reached at the conference.

186. The holding of a peace conference appears to be a possible way out of the morass. However, the barriers to an agreement on the convening of such a conference, as I mentioned earlier, are considerable. We nevertheless believe that, if the political will is mustered among the key parties involved, peace can be brought about. Clinging to established and rigid positions will not facilitate dialogue and negotiations. Flexibility and a degree of compromise on all sides are essential to the peace process.

187. While on the subject of the Middle East, we cannot ignore the raging and destructive war between the Islamic Republic of Iran and Iraq. At this stage, wisdom lies in urgently terminating this war.

188. The developments taking place in Lebanon have greatly perturbed the international community. The invasion and occupation of parts of Lebanon by Israel, the presence of other foreign troops and the fratricidal civil war have brought about much suffering, death and destruction in that battle-ridden nation. The situation can be improved and peace brought about only by beginning with the withdrawal of Israeli and all other foreign troops from Lebanon. Also, the contending Lebanese factions themselves must not resort to force to settle their disputes.

The start of a dialogue between them was a happy and an important development. Such a course should be vigorously pursued. As experience has shown these factions, force has not led to a desired solution. Therefore, my delegation hopes that peaceful dialogue between the different Lebanese factions will continue.

189. Further destruction and loss of life in Lebanon can also be prevented if the utmost restraint is exercised by all the parties at present involved in this battle-torn land. If the principle of "an eye for an eye and a tooth for a tooth" is relentlessly pursued, conflicts can only escalate and become more brutal. Efforts should instead be directed towards resolving peacefully the basic differences among the various factions within Lebanon and towards the withdrawal of all foreign troops.

190. The Middle East, with its rich cultural and religious heritage, its vital economic resources and the strategic position it occupies as the bridgehead between Asia, Africa and Europe, is of immense importance to international peace and security. We all have a stake in the Middle East. It would be in the interests of all of us if peace and stability could be brought expeditiously to this important region. If solutions are not found, we see grave dangers that could engulf the entire region and beyond. We cannot therefore allow existing opportunities to be missed. There must be an acceptable way out.

191. Mr. ALATAS (Indonesia): After more than three decades of unremitting violence, upheaval and untold human suffering, developments in the Middle East have once more reached an extremely dangerous point. The volatile situation brought about by Israel's massive invasion of Lebanon in June 1982 increased considerably the threat to international peace and security. More and more States outside the region have become militarily involved, thereby increasing the risk of a wider conflagration. Consequently, the international community is now confronted with problems of even greater complexity and intractability, further dimming hopes for a comprehensive, just and peaceful settlement of the Arab-Israeli conflict.

192. Recent events have served as a poignant reminder that the application of force and policies based on strategic power calculations cannot bring us closer to a solution in the Middle East and will, indeed, only result in more bitterness and hostilities. They have, most regrettably, also pointed up the growing incapacity of the Organization to influence substantially the course of events in this region, in the face of Israel's habitual flouting of Security Council and General Assembly decisions.

193. The tragedy and the agony that have engulfed Lebanon continue unabated. Israel's flagrant aggression against its neighbour has brought in its wake death and destruction of a magnitude unparalleled in recent history. It has also underscored the impunity with which Israel has sought to impose its designs on the region, in complete disregard of world censure.

194. One and a half years after the invasion, Israeli troops continue to occupy large areas of Lebanese territory. The Lebanese people and the Palestinian refugees have found no respite in their suffering under Israeli occupation and, indeed, in the past year we have seen an increased incidence and intensification of Israeli repressive measures and acts of arbitrary violence.

195. The situation has been further aggravated by a distressing resurgence of sectarian and factional strife within Lebanon. In this regard, my Government believes that an enduring solution must take into account the unique demographic reality of the country, and ensure that its varied make-up becomes its strength rather than

its weakness. National cohesion can only be achieved by observing and practising the principles of national unity through tolerance of diversity. My delegation, therefore, sincerely hopes that the negotiations which were started at Geneva among the various Lebanese factions will be resumed and that their differences will be resolved in the interest of a united Lebanon. We maintain, however, that the key to the restoration and preservation of the territorial integrity and independence of Lebanon is first to secure the immediate and total withdrawal of all Israeli forces, which will facilitate efforts towards national reconciliation among all Lebanese.

196. Our preoccupation with developments in Lebanon, quite appropriate as it is because of their acute ramifications for regional and international peace and security, should not, however, divert our attention from the more fundamental aspects of the Middle East problem. The search for a just and comprehensive peace must continue to focus on the questions that are at the center of the protracted conflict in that region: the right to self-determination for the Palestinian people and the right to their own sovereign and independent State in Palestine; Israeli withdrawal from all Arab territories occupied since 1967, including Jerusalem; and the need of the States in the region to live in peace within secure borders.

197. It has become apparent that Israel has turned the present turbulence and strife in Lebanon into a convenient cover for its attempts at consolidating its entrenchment in the occupied territories. It is doing so through the further establishment of illegal settlements on the West Bank, the forcible expropriation of Arab lands, the continued repression and violation of the human rights of the Palestinians and the systematic application of policies of terror and intimidation. This fact alone should spur us to redouble our efforts to find a just and lasting settlement, not only for the excruciating dilemma in Lebanon but for the larger complex of the Middle East problem as a whole. In pursuit of this end, there is no room for further procrastination in addressing the root causes of the Arab-Israeli conflict.

198. To the overwhelming majority of the international community, the essence of the Middle East problem is correctly perceived as one of justice, in ensuring the exercise of the inalienable rights of a people to self-determination and independence, and in safeguarding the fundamental rights of every State for respect of its sovereignty and territorial integrity, free from aggression, foreign occupation and annexation. It is most disturbing to observe, however, how the major Powers continue to view the Arab-Israeli conflict primarily in terms of a global power struggle, for which strategic alliances need to be forged and the build-up and use of armed force becomes a consequential instrument of policy. If the world community continues along this disastrous course, the risk of the Middle East region being turned into a giant fuse capable of igniting a world-wide holocaust will be frighteningly enhanced.

199. My Government, therefore, is acutely aware of the necessity for all of us to persevere on the only sensible path towards a peaceful settlement, namely, through the full utilization of the tools of diplomacy and negotiation and the strengthening of the United Nations organ specifically designed for this purpose, the Security Council.

200. In this connection, my delegation would like to refer again to the Geneva Declaration on Palestine⁶ and the Programme of Action for the Achievement of Palestinian Rights,⁶ adopted by acclamation by the International Conference on the Question of Palestine, held at Geneva earlier this year. These documents reflect the conviction shared by the vast majority of the international

community that a likely means for resolving the various aspects of the Middle East problem and the multiplicity of contending interests inherent in it would be to convene an international peace conference under the auspices of the United Nations. Such a conference would launch a comprehensive negotiating process and would provide a forum in which all the parties concerned, including the PLO, the sole legitimate representative of the Palestinian people, could participate on an equal footing. My delegation supports this timely initiative, because it has always been our view that, unless all aspects and all contentious issues are equitably addressed in a comprehensive manner, a just and lasting solution will continue to elude us.

201. Indonesia is under no illusion that the objective of a peace conference could be easily attained. After 35 years of trauma and conflict, the legacy of mutual distrust, prejudice and enmity constitutes a formidable barrier to reasoned dialogue. Resort to armed force and to the politics of expediency always appears easier than working patiently and seriously at the complicated task of negotiations and the peaceful settlement of disputes. The political will and the support of the major Powers especially will be needed. Without that, the alternative can only be a further inexorable slide towards direct major-Power confrontation. If this were allowed to happen, the consequences for the peoples of the region and of the world at large would indeed be too horrifying to contemplate.

202. The PRESIDENT (*interpretation from Spanish*): I call on the representative of the Syrian Arab Republic, who wishes to exercise his right of reply. I would remind him of the 10-minute rule, as well as of the fact that such statements should be made by delegations from their seats.

203. Mr. EL-FATTAL (Syrian Arab Republic) (*interpretation from Arabic*): The biggest contribution I can make today is to be very brief, as I know that that is what the General Assembly would like. I felt obliged to speak because the representative of the Zionist racist entity, in his last statement, produced fabricated information, made up in his fertile imagination, in order to divert the attention of the General Assembly from the item under consideration: that is, the situation in the Middle East. The situation in the Middle East is a result of the Israeli occupation of Palestine and other Arab territories.

204. Naturally, he spoke about all sorts of matters, but he did not refer to the basic principle in which the international community believes: that is, the principle of inadmissibility of the acquisition of territory by force. He justifies that course on mythical and metaphysical grounds that have no factual relation to the realities of the international community.

205. Therefore, my delegation would like to make a few points.

206. First, Zionism is a colonialist political movement having nothing to do with Judaism, which is a monotheistic religion. Not every Jew is a Zionist. Neither is every Zionist a Jew. In this context, in order to point out the anti-Israel feeling created by Israel in factions in the United States that cherish Zionism, I should like to quote an article in *The New York Times* of 5 December 1983. Rabbi Alexander Schindler, a man well known for his Zionist convictions, said at Denver before the Board of Trustees of the Union of American Hebrew Congregations:

“... many American Jews had been ‘plugged into Israel as if it were a kidney machine, a scientific marvel that keeps them Jewishly alive.’ ... For many American Jews, the State [of Israel] has become the synagogue and its prime minister their rabbi. Their opinions

on domestic and international issues are too often determined by the standard—is it good or bad for Israel? . . . The weak, the helpless, cry for relief . . . Will we heed them or block our ears so long as we see President Reagan’s benign smile when he speaks of Israel?”

207. A second point is that it has given us great pleasure to participate, with other delegations, in a meeting dedicated to the observance of the thirty-fifth anniversary of the adoption of the Universal Declaration of Human Rights. But one of the great ironies is that that Declaration was adopted in the same year in which the gravest violation of human rights since the Second World War took place. In that year, the Zionist gangs were able to establish their aggressive entity in Palestine. In that very year, while the United States was active, through its former first lady, the Chairman of the Commission on Human Rights, the Palestinian people were destroyed. We are commemorating the adoption of the Declaration for its universal values, not for the values mentioned by the Zionist representative, quoting the prophets of Israel.

208. It gives us pleasure that the United Nations has finally distributed among us in the General Assembly this blue book entitled *United Nations Action in the Field of Human Rights*.⁸ In response to what the representative of Israel said while speaking about the situation in the Middle East, I shall quote from chapter X, paragraph 17, of this publication:

“In resolution 36/147 C of 16 December 1981, the Assembly declared that Israel’s grave breaches of the Geneva Convention were war crimes and an affront to humanity. In resolution 37/88 B of 10 December 1982 it expressed ‘grave anxiety and concern at the present serious situation in the occupied Palestinian and other Arab territories, including Jerusalem, as a result of the continued Israeli occupation and the measures and actions taken by the Government of Israel, the occupying Power . . .’”

209. The General Assembly has repeatedly declared, as has the Commission on Human Rights, that occupation—mere occupation—is a flagrant violation of human rights, that is, a flagrant violation of the principles we are celebrating today. The Commission on Human Rights stated in its resolution 1983/1 A—it was not the Syrian representative who originally said what we have repeated in the Assembly—that Israel is a State based on exclusivity and on a racist concept disguised as religion, but having nothing to do with religion. The Commission said, in paragraph 2 of that resolution, that:

“... Israel’s policy in the occupied territories is based on the so-called ‘Homeland’”

—the word “homeland” is written with an initial capital letter and in quotation marks, and this reminds us of the Homelands in South Africa—

“doctrine, which envisages a mono-religious (Jewish) State that includes also”

—this means that in addition to the aggressive entity that existed before 1967 it would include the territories occupied by Israel since 1967—

“territories occupied by Israel since June 1967, and the affirmation by the Special Committee that this policy not only denies the right to self-determination of the population of the occupied territories but also constitutes the source of the continuing and systematic violation of human rights”.

This is the nature of Israel—

210. The PRESIDENT (*interpretation from Spanish*): The representative of the Syrian Arab Republic has

⁸Quoted in English by the speaker.

exhausted the 10 minutes allowed him. I therefore ask him to conclude his statement.

211. Mr. EL-FATTAL (Syrian Arab Republic) (*interpretation from Arabic*): The resolution says that occupation in itself is a violation of human rights, so perhaps the representative of world zionism can respond with another draft resolution stating that occupation in itself is a violation of human rights, except when it is Israeli occupation. If he submits such a draft resolution he will get one vote in addition to his own, that of the United States. If he wants to attack the Arab delegations, he will have to submit such a draft resolution, which will get two votes, at most.

The meeting rose at 6.50 p.m.

NOTES

¹United Nations publication, Sales No. E.83.XIV.1.

²United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

³See *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510.

⁴See *Weekly Compilation of Presidential Documents*, Washington, D.C., Government Printing Office, 1982, vol. 18, No. 35, p. 1081.

⁵See *Official Records of the Security Council, Thirty-seventh Year, Supplement for April, May and June 1982*, document S/15195.

⁶See *Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983* (United Nations publication, Sales No. E.83.I.21).

⁷See *Official Records of the Security Council, Thirty-seventh Year, Supplement for July, August and September 1982*, document S/15403.

⁸United Nations publication, Sales No. E.83.XIV.2.