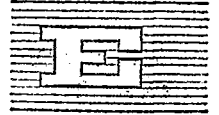


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Fortieth session

SUMMARY RECORD OF THE 25th MEETING

held at the Palais des Nations, Geneva, on
Thursday, 23 February 1984, at 10 a.m.

Chairman: Mr. BIANCHI (Argentina)

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The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation (continued)

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

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (agenda item 9) (continued)
(E/CN.4/1984/15, 16, 41, 52, 53, 55 and 61; E/CN.4/1984/L.9, L.13 and L.15;
E/CN.4/1984/NGO/14, 15, 18, 20, 23 and 26)

1. Mr. KHERAD (Observer for Afghanistan), speaking in exercise of the right of reply, said that the representative of China, a country which had been one of the instigators of the undeclared war being waged against the Afghan people, had made a number of fallacious observations about his country. Such methods were not surprising on the part of a hegemonist Power which had occupied vast foreign territories by force and continued to manipulate minorities of Chinese origin in other countries with a view to the economic blackmail, subversion and destabilization of the countries in question.

2. Everyone was aware that hegemonist China, which had begun to co-ordinate its anti-Afghan subversive activities in 1978 with the assistance of the secret services of the United States and Pakistan, was supplying arms to the terrorists who were attacking the Afghan civilian population and, in collusion with its imperialist allies, was even waging an undeclared war against revolutionary Afghanistan, whose population's only ambition was to build a new society and to defend the achievements of the Afghan revolution.

3. That was obviously only a manoeuvre by the expansionist forces, which were trying to deceive world public opinion and divert attention from their hegemonous machinations and aggressive designs on Asia and other parts of the world. Instead of making untrue assertions, China would do better to reflect on its own record for acts of violence, aggression, subversion and terrorism.

4. Mr. THUONG (Observer for Viet Nam) said that the struggle for the right to self-determination was linked more closely than ever to the general struggle of peoples for international peace and security and for the right to life and independent development.

5. In the Middle East, Israel, with the strategic co-operation of the United States, was shamelessly pursuing its policy of expansion and the annexation of Palestinian territories, violating Lebanon's sovereignty and territorial integrity and forcibly establishing its settlements in the West Bank, in the Gaza Strip, in the Syrian territory of the Golan Heights and in Jerusalem. Namibia's achievement of independence was being impeded by the establishment of puppet structures that served imperialist and neo-colonialist interests. Small territories, especially in the Caribbean and the Pacific, were the targets of annexationist schemes devised by the forces of imperialism.

6. The right to self-determination was thus being jeopardized by the political, economic and military intervention of the proponents of neo-colonialism and international imperialism, as shown by the shameless invasion and occupation of the small island of Grenada by the largest capitalist Power in the world, whose actions had been condemned almost unanimously by the General Assembly at its thirty-eighth session. The policy of aggression being pursued by United States imperialism and its strategic allies was a serious threat to international peace and security and it must be denounced by the international community, as must

pressure on and provocations, armed intervention and acts of international terrorism systematically carried out against countries which had opted for self-determination, political independence, justice and progress.

7. The Vietnamese Government and people unreservedly supported the struggle of the Palestinian, Namibian and Grenadian peoples. They also condemned the undeclared war being waged by international and regional forces of reaction against the Democratic Republic of Afghanistan, which was, with the generous assistance of the Soviet Union, defending its sovereignty in the interests of peace and security in the region.

8. His delegation was of the opinion that the Commission could not consider the question of Kampuchea in the absence of the genuine representatives of the People's Republic of Kampuchea and it refused to recognize the representativeness of the genocidal criminals who had been rejected by their own people. The Minister for Foreign Affairs of the People's Republic of Kampuchea had informed the Chairman of the Commission that the people of Kampuchea strongly condemned the presence of those so-called representatives and that any resolutions adopted by the Commission would have no value whatever. Many reports by foreign observers confirmed that, since 7 January 1979, the Kampuchean people had been freely exercising its right to self-determination outside the orbit of imperialism and hegemonism and that the human rights situation in the People's Republic of Kampuchea was better than in some other countries in the region. In the light of those facts, the slanderous statements made by the delegations of China and the United States concerning the alleged "Vietnamization" of Kampuchea were totally unfounded. The Australian Minister for Foreign Affairs himself had stated that he doubted that there was any basis for that accusation, since the persons in question were probably former Vietnamese residents of Kampuchea who were returning to that country. That allegation had, moreover, been made only after the dismal failure of the incriminations about the notorious "yellow rains", which were, according to American scientists, nothing but bee excrement. It was China and the United States that had, in the 1960s and 1970s, put Viet Nam and Kampuchea to fire and sword in defiance of those countries' right to self-determination and Vietnamese volunteers were in Kampuchea only to assist the Kampuchean people to protect itself from outside threats.

9. The facts clearly proved that China continued to seek a military solution which could not be accepted by any Government that was concerned about its people's security and still less by the Government of the People's Republic of Kampuchea, whose people had survived the genocide that had been ideologically inspired and materially supported by Peking. China rejected any proposal by Viet Nam for a peaceful settlement and was keeping the question of Kampuchea alive to use it for the purposes of its global strategy and to sow discord among the countries of Indo-China and the Association of South-East Asian Nations. It was negotiating with the United States, while even temporarily setting aside its national claim to its own territory of Taiwan, and with the Soviet Union by setting up obstacles that were not, however, preliminary conditions. Was it not rather strange that it was only with regard to Viet Nam that it should make a peaceful settlement subject to preliminary conditions?

10. The Socialist Republic of Viet Nam and the People's Republic of Kampuchea had concluded agreements providing that the Vietnamese volunteers would withdraw as soon as the foreign threat was eliminated; those agreements had already been partially implemented and another phase would be completed in 1984. In the final communiqué of their last meeting (E/CN.4/1984/52), the Ministers for Foreign Affairs of the three Indo-Chinese countries had proposed five possibilities for the peaceful settlement of disputes. His own country was more anxious for peace than any other and was seeking to normalize relations, in equality and mutual respect, with the great Chinese people. Steps had been taken with the member countries of the Association of South-East Asian Nations to establish dialogue and co-operation, a general trend that was being encouraged by many countries, by the movement of non-aligned countries and even by Australia and some European countries. The Secretary-General of the United Nations himself had acted in his personal capacity to encourage that trend.

11. He hoped that the Commission would adopt an objective and impartial attitude that would promote the right to self-determination and respect for human rights in Kampuchea. It must, in any event, not do anything that might strengthen the enemies of human rights in Indo-China.

12. Mr. NGO PIN (Observer for Democratic Kampuchea) drew attention to General Assembly resolutions 38/16 and 38/17, to Commission resolution 1983/5 and to the many earlier resolutions and decisions which the General Assembly, the Economic and Social Council and the Commission had adopted in the past four years and in all of which the international community had strongly condemned the invasion of Democratic Kampuchea by Viet Nam that dated back to 25 December 1978.

13. The war of aggression in Kampuchea was characterized by the fact that over 200,000 soldiers and 50,000 Vietnamese civil servants were becoming increasingly bogged down in Kampuchea and the fact that Viet Nam was now totally isolated, both politically and diplomatically. After the attacks by the National Army of Democratic Kampuchea on the capitals of four strategic provinces, the Vietnamese aggressors and criminals were in a desperate situation, but that did not prevent the Vietnamese authorities from continuing to commit their crimes. The failure of that war would mean the end of Hanoi's rule, the failure of the Soviet Union's expansionist policy in South-East Asia and, in the long run, the victory of the liberation movements in South and Central Viet Nam and in Laos.

14. The Vietnamese expansionists' objective was not merely to dominate Kampuchea, but also to swallow it, just as their ancestors had, in the sixteenth century, swallowed the Islamic Kingdom of Champa, which was now Central Viet Nam, and, in the eighteenth century, the 65,000 square kilometres of Kampuchean territory which today formed most of South Viet Nam.

15. To achieve their objective, the Vietnamese expansionists had exterminated millions of Kampucheans by means of conventional and chemical weapons, as well as by starvation. There had been many reliably attested cases of the use of chemical and biological weapons in the past five years and, more recently, in December 1983 and January 1984. On 8 February 1984, the Vietnamese troops had launched a gas attack on a camp which belonged to the National Front for the Liberation of the Khmer People and was located about 1 km from the Thai border.

16. Hundreds of thousands of Kampuchean living in wealthy areas had been driven from their ancestral lands to make way for Vietnamese settlers. On 13 September and 19 October 1982, the puppet regime of Phnom Penh had issued instructions to facilitate the settlement of Vietnamese in Kampuchea.

17. The five annexes to the written text of his statement confirmed the crimes committed by the Vietnamese invaders: annex I was a document entitled "Kampuchea: A War of Genocide" and illustrated by photographs; annex II was a communiqué issued by Mr. Thiounn Thoeun, the minister in charge of the Co-ordinating Committee for Public Health and Social Affairs of the Coalition Government of Democratic Kampuchea, on 5 April 1983 and entitled "Syndromes and evolution of patients intoxicated by the toxic chemical compounds used by the Vietnamese occupiers in Kampuchea"; annex III contained a communiqué on "the new form of the use of chemical weapons in Kampuchea by the Vietnamese occupiers", issued on 15 January 1984; annex IV was an article published on 12 October 1983 in The Australian and entitled "Vietnamese defector gives details of 'yellow rain' warfare"; and annex V was a map of Vietnamese settlements in Kampuchean territory, published in May 1983.

18. The Phnom Penh puppet ministerial cabinet was a screen behind which the Vietnamese hid while actually deciding everything themselves. That had been made increasingly evident by the growing number of defections by high-ranking officials of the Vietnamese puppet regime -- the most recent of which had been that of the Mayor of Phnom Penh, who had crossed over to the guerrilla forces of Democratic Kampuchea on 24 January 1984.

19. The Vietnamese aggressors were systematically destroying Khmer culture and civilization; they had even attacked the world-famous monument of Angkor Wat. In areas temporarily controlled by the invaders, Khmer children had to study the Vietnamese language two hours a day, even before learning to read and write in Khmer. Kampuchean women were forced to marry Vietnamese or to become their concubines. The history of Kampuchea had been rewritten so that it would be closely linked to that of Viet Nam and to prove that the two nations had a common origin.

20. The wide range of crimes committed by the Vietnamese invaders had been emphasized by Mr. Carlos Rómulo, the Minister for Foreign Affairs of the Philippines, in the statement which he had made to the General Assembly on 31 October 1983 and in which he had also said that, in terms of lives lost and property destroyed, of the general dislocation of society and, above all, of the deliberate and wilful destruction of the cultural identity of the Kampuchean, the cost was incalculable and, unless stopped, could assume the proportions of massive national destruction. Moreover, a well-known American journalist, Mr. Santoli, had stated in an interview he had given in Bangkok on 15 October 1983 that the Vietnamese wanted to transform Kampuchea completely by means of forced marriages and the massive influx of Vietnamese farmers.

21. In view of the favourable development of the military struggle of the Kampuchean people and of political and diplomatic developments, his delegation hoped that the Commission would reaffirm its position with regard to continuing violations of

human rights by the Vietnamese aggressors and exert more pressure on Viet Nam to implement the relevant resolutions adopted in the past five years by the General Assembly, the Economic and Social Council and the Commission on Human Rights.

22. At the fourth meeting of the Council of Ministers presided over by Norodom Sihanouk, the Coalition Government of Democratic Kampuchea had issued a communiqué in which it had stated that: "Only by implementing the five successive United Nations resolutions can a genuine solution be found to the problem of Kampuchea. In this regard, the Coalition Government of Democratic Kampuchea once again declares its readiness to sign with the Socialist Republic of Viet Nam a treaty of peace and non-aggression based on the five principles of peaceful co-existence, provided the latter withdraws all its troops from Kampuchea". At that meeting, the Coalition Government had also reaffirmed the unity of the Kampuchean people in its struggle for the expulsion of the Vietnamese aggressors and for national survival and independence.

23. Mr. GREKOV (Observer for the Byelorussian Soviet Socialist Republic) said that, with a view to speeding up the liberation of peoples under the colonial yoke, the United Nations had adopted a number of instruments and, in particular, the Declaration on the Granting of Independence to Colonial Countries and Peoples. The fact that two thirds of the Members of the United Nations today were former colonies was eloquent proof of the changes that had taken place in the world and of the success achieved by liberation movements. Peoples had often attained their independence at the cost of heroic struggles, in which they had had the support of the socialist countries.

24. Unfortunately, the right of peoples to self-determination was not yet universally established. That right was being flouted in southern Africa, in Palestine, in some island territories and in other parts of the world where peoples were still subject to the will of colonialists and racists, who applied the old principle of "divide and rule" to those under their control. South Africa practised a policy based on the inhuman concept of apartheid, to which it had given a legal basis. One of the results of that policy was that 80 per cent of the population of the country had to be crowded together on 13 per cent of the land, which consisted of arid reservations known as "bantustans". South Africa was trying to apply the same treatment to Namibia. The Namibian people's heroic struggle would, however, already have been successful if the South African racists did not have the support of the Western Powers and, especially, of monopolistic interests in the United States of America. The Western Powers also wanted to go on benefiting by the existing order in South Africa and, to that end, were supplying that country with substantial military assistance. Such support encouraged South Africa to extend its policy of division and domination beyond its borders by means of increasingly violent acts of armed aggression against neighbouring States, particularly Angola.

25. The United States of America also supported the Zionist regime in Israel, which was preventing the Palestinians from exercising their right to self-determination and was committing acts of aggression against Arab States. The

United States was, moreover, opposed to the self-determination of certain island territories. In 1980, it had imposed on Micronesia a so-called "free association" under which the approximately 2,000 islands constituting that territory had been divided into four colonial-style administrative units. Micronesia's political life and economy were thus completely dependent on the United States. Other colonial Powers were behaving in the same way with regard to territories in the Pacific, the Indian Ocean and the West Indies. The United Kingdom, in particular, continued to impose colonial status on about 20 territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples was applicable. Colonial territories were often used as naval or air bases or even for nuclear tests.

26. The invasion of Grenada by the United States was a flagrant violation of the Grenadian people's right to self-determination. The United States representative had vainly attempted to justify that invasion before the Commission, which must demand an end to the occupation of Grenada. The undeclared war which the United States was waging in Nicaragua should also cease. The imperialists were, moreover, trying to prevent the Afghan people from living in a new era, their purpose being, on the contrary, to make it return to the Middle Ages. To that end, they supported gangs that attacked Afghan territory, often using Chinese weapons. The imperialists' policy in that regard was, however, also doomed to failure.

27. In conclusion, he expressed the hope that the decisions which the Commission adopted at its current session would contribute to the elimination of the vestiges of racism and colonialism, the collapse of apartheid and the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

28. Mr. ZAWALONKA (Observer for Poland) said that few documents in the history of the United Nations had been more important than the Declaration on the Granting of Independence to Colonial Countries and Peoples, which had been adopted by the General Assembly in 1960 on the initiative of the Soviet Union and other socialist countries. It had given fresh impetus to the process of decolonization and had helped many new countries to achieve independence. Its adoption had provided substantial moral support for national liberation movements. Today, however, colonialism was still the cause of serious tensions and it had to be totally eradicated.

29. Millions of people were still being oppressed by colonialism and apartheid. Increased repression by South Africa in Namibia, together with acts of aggression against neighbouring independent States, was a matter of particular concern to the international community. In the Middle East, the Palestinian people, which had the support of most of the Member States of the United Nations, was struggling to secure recognition of its legitimate aspirations to self-determination and independence. Foreign oppression, in the name of false freedom and false democracy, was still all too prevalent in other parts of the world as well. What had occurred in Grenada was only one recent example.

30. Solidarity with peoples struggling for self-determination and independence was one of the cornerstones of his country's foreign policy. His delegation was, however, of the opinion that, in referring to Kampuchea and Afghanistan, some delegations had greatly distorted the meaning of the right to self-determination. The Kampuchean people, which had rid itself of the genocidal Pol Pot regime, was now engaged in a creative effort to normalize life in the country and to ensure full respect for human rights. In Afghanistan, the democratic national revolution of April 1978 had given the people the opportunity freely to shape its future. Acts of armed aggression and other forms of interference had, however, forced the Afghan Government to appeal to the Soviet Union in accordance with the Treaty of Friendship concluded by the two countries in 1978 and with Article 51 of the United Nations Charter. Acts of aggression also threatened the independent development of Nicaragua and other countries which had been able to free themselves from colonial or neo-colonial domination.

31. Lastly, he said he regretted the fact that, when speaking in exercise of the right of reply, the United States representative had had some unfriendly remarks to make about Poland. His delegation rejected any accusation of that kind against a sovereign country. Moreover, what the United States representative had had in mind was based on usual practice in international relations.

32. Mr. CANKOREL (Observer for Turkey) said that the question of the right to self-determination was obviously of crucial concern to the Commission. The denial of that right to the peoples who were entitled to it under the United Nations Charter and the relevant resolutions was not only a violation of a fundamental principle, but also seriously endangered regional and world peace. Nothing could better illustrate the traumatic consequences of the denial of that right than the tragedy of the Palestinian people and the resulting explosive situation in the Middle East. As his delegation had already had occasion to state its views on that question, it would limit itself to reaffirming that a comprehensive, durable and just settlement could be based only on the withdrawal of Israel from the Arab territories, including Jerusalem, which it had occupied since 1967 and on the recognition of the Palestinian people's right to self-determination.

33. His country was still gravely concerned about the situation of the Afghan people, with which it had always maintained fraternal ties. The fact that some 4 million Afghans, out of a total population of 15 million, had taken refuge in neighbouring countries was the best possible proof that the Afghan people categorically rejected the foreign domination imposed on it by force. Any negotiated settlement should enable that people to exercise its right to self-determination and ensure the withdrawal of foreign troops and the return of Afghan refugees to their homes.

34. As a founding member of the United Nations Council for Namibia, his country reaffirmed its solidarity with the struggle of the Namibian people for independence under the leadership of SWAPO. The illegal occupation of Namibia was an offence against the conscience of mankind. It was to be hoped that the obstacles to the implementation of the United Nations plan for the Independence of Namibia would soon be removed.

35. No progress had been made on the problem of Kampuchea. A just and comprehensive political solution required the withdrawal of all foreign forces from Kampuchea and the recognition of the Kampuchean people's right to self-determination. His delegation hoped that the Commission would adopt the two draft resolutions on Afghanistan and Kampuchea which had been submitted by Pakistan and the Philippines, respectively, and of which his delegation was a sponsor.

36. Mr. DARSA (Observer for Indonesia), replying to the fallacious allegations made by certain speakers in connection with the question of East Timor, said that his delegation had been surprised to hear Mr. Lopes, the former Apostolic Administrator of Dili, speak on behalf of Pax Christi, a non-governmental organization which persistently defamed Indonesia. In any event, Mr. Lopes had, in his statement repeated the same biased arguments and unsubstantiated allegations that had been put forward for years by those who slandered Indonesia in international fora. In his brief review of the events that had led to East Timor's integration into Indonesia, Mr. Lopes had failed to mention the most important factors and had referred to the 1975 civil disturbances which had caused the Portuguese to abandon the island, but he had not tried to explain the reasons for those disturbances.

37. Indonesia had on many occasions pointed out that civil war had broken out in East Timor in 1975 because FRETILIN, one of the five political parties which had been created after the 1974 revolution in Portugal and had been supported by elements within the Portuguese colonial administration, had tried to seize power by force and terror. Before the civil war, that party had always refused to participate in an orderly and democratic process of decolonization and, in 1975, it had unilaterally declared independence without even bothering to create any kind of democratic process to ascertain the true wishes of the people.

38. As Mr. Lopes had indicated, the five parties that had been created in East Timor in 1974 were UDT, APODETI, KOTA, TRABALHISTA and FRETILIN. According to the Portuguese authorities and impartial observers, the largest party was UDT, which had the support of 230 of the 472 clans in East Timor. Together with KOTA and TRABALHISTA, UDT, and not FRETILIN, as Mr. Lopes and the representative of Zimbabwe had suggested, obviously represented the overwhelming majority of the people of East Timor, which had resisted FRETILIN's reign of terror and had, in the end, opted for independence through integration with Indonesia. The right to self-determination had thus been exercised in East Timor, which had been decolonized in accordance with the democratic tradition of the East Timorese people and with General Assembly resolutions 1514 (XV), 1541 (XV) and 2625 (XXV). That process of decolonization had been observed by many foreign diplomats and international media representatives, and had culminated in the promulgation of the statute of integration by the President of Indonesia on 17 July 1976.

39. Ever since the decolonization of East Timor had begun following the change of regime in Portugal in 1974, Indonesia had always shown great restraint. On 1 November 1975, during one of the consultations held by Portugal and Indonesia on that subject, the Indonesian Minister for Foreign Affairs at the time, Mr. Malik, had stated that he hoped that Portugal would move ahead with the decolonization process as swiftly as possible by establishing self-government in the territory in November 1975 and providing for a referendum in 1976 so that the people could decide on its future political status in accordance with the plan for decolonization announced by Portugal in July 1975. Indonesia had thus never had any ambition to annex East Timor, as had been alleged, and it was absurd to suggest that it had any designs on its neighbours' territory.

40. Mr. Lopes had deplored the fact that an increasing number of States refused to recognize the East Timorese people's right to self-determination because of their "commercial links" with Indonesia. The fact was that Indonesia had received massive support from many developing countries, in Asia, Latin America and Africa that had no substantial investments in Indonesia or "commercial links" with it. A growing number of countries were supporting Indonesia's position simply because they were now more fully aware of the situation in East Timor and knew that the majority of the population favoured integration.

41. It was astonishing to hear Mr. Lopes say that the Timorese were Melanesians, while the Indonesians were Javanese. Such a ridiculous statement might be excusable on the part of someone from outside the region, but certainly not on the part of a Timorese. Mr. Lopes knew full well that Indonesia was a mosaic of racial and ethnic groups, mostly of Malayan, Polynesian and Melanesian stock, and that it also comprised millions of persons of Chinese, Arab, Indian and European origin. How could he say that the people of West Timor, who inhabited the same island and spoke the same dialect as their brothers on the other side of an artificial border, were of a different ethnic origin? Were the inhabitants of neighbouring Indonesian islands, such as Flores, Sumba, Sumbawe and Wetar, all Javanese? Indonesia was proud to be a nation which was not based on race and had always struggled against all forms of racial discrimination. The dangerous idea that nationhood was based on race had been put to rest some 40 years earlier, but not before it had triggered a world war.

42. Since 1976, his Government had allocated substantial development funds to the people of East Timor, where per capita development assistance had for a long time been the highest in the country. The reason was quite simple: after suffering 400 years of colonialism and having opted for integration with Indonesia, the people of East Timor had every right to expect the Indonesian Government to accelerate its development so that it could catch up with other Indonesians politically, economically, culturally and spiritually. It was therefore both naive and cynical to insinuate that such development efforts served no other purpose than to divert attention from alleged human rights violations.

43. The representative of Pax Romana had gone even further in making insinuations against Indonesia, to which he had attributed sinister designs, and in painting a picture of famine, killing, torture, rape and corruption in East Timor. If even half of those charges, which had been made on a number of occasions by well-known delegations, were true, they would probably have been reported by the representatives of the many international organizations which had been working in East Timor, in some cases, since 1979, and which included UNICEF, UNHCR, ICRC and Catholic Relief Services. He would not engage in a point-by-point rebuttal of the unfounded statements made by Pax Romana, whose ridiculous allegations that the population of East Timor was being forced to speak Indonesian and was being subjected to torture had, moreover, already been given the treatment they deserved.

44. The representative of Zimbabwe had made allegations of the same kind by claiming that one third of the population of East Timor had disappeared after integration. His delegation had already had occasion in 1983 to refute that accusation, which was the result of an exercise in statistical juggling. The representative of Zimbabwe would do well to find out about the humanitarian activities which international organizations had been carrying out in East Timor since 1979 and to which reference had just been made. In that connection, he noted that his Government had recently taken further steps to facilitate ICRC's activities on the main island of East Timor and on the island of Atauro.

45. Although Mr. Lopes had claimed to know what the East Timorese people really wanted in the way of self-determination, he had ignored the fact that, in 1976, the overwhelming majority had stated that it was in favour of decolonization through integration with Indonesia. By participating freely and equally in the Indonesian national election held in 1982, the people of East Timor had once more shown what it really wanted. Continued insistence on a so-called "genuine and completely free act of self-determination" might be seen as an attempt to achieve what FRETILIN had never undertaken or even thought about when it had unilaterally proclaimed independence in 1975.

46. As a country with a cherished tradition of anti-colonialism and anti-imperialism and as an initiator of the Bandung Conference and a founding member of the non-aligned movement, Indonesia did not need lessons from anyone on decolonization and self-determination. It would never sacrifice the fundamental rights and desires of the majority of the people of East Timor to the self-serving interests of a few political adventurers. All those who professed to champion the interests of the people of East Timor and to defend the principles of self-determination and respect for the views of the majority, while continuing to encourage the obsessions of the few, should consider the facts and study the history and the geopolitical and socio-economic realities of the East Timor issue. They would then see that the people of East Timor had chosen its own future and that decolonization in East Timor had already taken place.

47. Mr. ODOGH-JATO (Observer for Uganda) said that, in considering the question of the right of peoples to self-determination, the Commission was once again being called upon to state its views on the plight of millions of persons who were still the victims of colonial domination and foreign occupation, particularly in southern Africa and in Palestine.

48. In southern Africa, the Namibian people had still not achieved its independence because of the intransigent stance maintained by the racist South African regime in defiance of numerous United Nations resolutions and the unequivocal verdict of the international community. The people of Namibia continued to suffer the effects not only of the colonial yoke, but also of the system of apartheid imposed by South Africa. The Commission was all too familiar with the sad litany of acts of oppression perpetrated by South Africa against the Namibian people during the period under review. It was, however, worth recalling that, two years previously, through co-operation by SWAPO, all the major hurdles in the path of a negotiated settlement of the Namibian question had been surmounted. At that point, South Africa, true to its tradition of bad faith and acting in collaboration with a Western ally, had suddenly raised the issue of "linkage" which pegged Namibia's accession to independence to the abrogation of a defence arrangement that had been separately and lawfully concluded by the sovereign States of Angola and Cuba.

49. His country rejected the "linkage" argument and maintained that a people's right to freedom, self-determination and independence was inalienable and could not be the subject of any form of extortion, whether politically, strategically, militarily or economically motivated. It was nevertheless encouraging to note that most of the Member States of the United Nations, including some members of the Contact Group, had disavowed that argument, whose invalidity had, paradoxically, also been recognized by the South African Government itself two months previously,

when its Minister for Foreign Affairs had admitted that Cuban military personnel in Angola did not pose a threat to South Africa's security. Since no other State in the region was at war with Angola, there was no reason whatever for "linkage".

50. His delegation called upon the Commission to renew its rejection of that linkage and of any other pretext which South Africa might invoke in future. It urged the United States to eliminate that element from the ongoing negotiations so that the United Nations plan for Namibia's independence could be implemented without delay. For the Namibian people, each day under South Africa's illegal occupation was one of trauma and deprivation. If the status quo continued to prevail, the worst could be expected. To act in support of Namibia's independence now was to blunt South Africa's genocidal thirst, its ruthless oppression of Namibia and its many acts of aggression against neighbouring States.

51. His country continued to be concerned about the situation in South Africa itself, about the persistence of the abhorrent system of apartheid and its dehumanizing effects on the non-white majority in the country, which continued to be deprived of its most elementary rights, including civil and political rights, and about the brutalization of those struggling against oppression and domination. Even the so-called constitutional reform, which had been portrayed by South Africa as a step towards democratization that was supposed to guarantee the participation of Indians and coloureds in public affairs and which had been wrongly acclaimed in certain Western quarters as a constructive measure aimed at the elimination of apartheid, was nothing but a ploy. The reform was still based on segregation and, as such, it was totally incompatible with any notion of democracy. It was designed to complement the bantustan policy and to strengthen the system of apartheid with a view to the perpetual denial to the black majority of its right to self-determination.

52. It had been suggested that the armed struggle for liberation in southern Africa was a counter-productive campaign of violence that was inconsistent with the principles of the United Nations Charter. Those who adopted that view were no doubt aware of the efforts which the African States had been making over the years to bring about a peaceful settlement of the question of Namibia and the situation in South Africa and which had found expression in article 12 of the Lusaka Manifesto adopted by the Conference of Heads of State and Government of the OAU in 1969. It should be realized that, in calling for sanctions against South Africa, the African States and national liberation movements had sought to invoke the means of peaceful pressure provided for in the United Nations Charter and had actually expressed a preference for such means. It was the unyielding character of the racist South African regime and the apartheid system that had made armed struggle necessary and legitimate. Such legitimacy was, moreover, recognized in the United Nations Charter, international human rights instruments and a number of United Nations resolutions. For those reasons, his country had always given and would continue to give unconditional support to the struggle being waged by liberation movements in South Africa and Namibia.

53. In the Middle East region, the Palestinian people was experiencing a tragedy of comparable dimensions at the hands of Israel, which, by persisting in its policy of illegal occupation and annexation, dismantling Palestinian administrative institutions and arbitrarily dismissing mayors in the occupied territories of the West Bank and the Gaza Strip, was continuing to deny the Palestinians their inalienable right to a homeland and to self-determination. Israel's acts of aggression against neighbouring States - which had been so tragically illustrated by its invasion of Lebanon in 1982 - had also created a permanent threat to peace and security in the region. His delegation reiterated its condemnation of Israel's determination to ignore United Nations resolutions on the question of Palestine. Although his country recognized Israel's right to exist as a nation within secure borders, it continued to maintain that the Palestinian people was entitled to the same right. It appealed to Israel to come to terms with the fact that the security which it desired for itself could not be built upon irredentist premises. It could be achieved only through the full restoration of the rights of the Palestinians and, in particular, their right to self-determination and to a homeland.

54. The people of Western Sahara legitimately yearned for the right to determine its own future. His country fully supported it in its quest and renewed its appeal to the parties concerned, namely, Morocco and the Polisario Front, to enter into negotiations at the earliest opportunity with a view to achieving a cease-fire and holding a general and fair referendum in accordance with resolution AHG/Res.104 (XIX) of the Organization of African Unity.

55. His delegation's focus on only a few specific situations did not detract from its support for the right of all countries and all peoples to self-determination, whether their subjugation was the result of the perpetuation of colonialism par excellence, of foreign intervention and occupation or of the denial to indigenous populations and minorities of their fundamental civil, political, economic, social and cultural rights. It expressed the hope that the Commission would continue to work actively to ensure the success of the struggle of all those countries and people so that the right to self-determination would become a truly universal one.

56. Mr. PILOT (Four Directions Council) said that his organization was in favour of the Commission's efforts to promote human rights and supported peoples under colonial or alien domination or foreign occupation, such as the Palestinian people, the Namibian people, the people of Western Sahara and the people of East Timor, who were struggling in Africa, Central America, Latin America and Asia to exercise their rights and, in particular, their right to self-determination.

57. In North America, the Inuit people was also under flagrant colonial domination in Labrador and north-eastern Quebec. The Inuits had once been free, sovereign and happy, but they had been reduced to a state of dependence by the colonial régime established by the Euro-Canadians in the Ntessinan region. The attempts being made to assimilate them were designed to deprive them of their traditional values, which were their only guarantee of survival as a people with cultural, social, economic and political rights. They had been stripped of their resources, which were being drained off for the benefit of the dominant State and its interests abroad, and their territory was being polluted, its ecological balance being upset by aircraft

flying over it at very low altitudes. Even the exercise of their ancestral rights was being hampered, for the Inuits were not allowed to fish or hunt freely. Although complaints had been made, nothing had come of them.

58. The Inuit people did not want to go down in history as once having existed. It still existed and wanted to continue to exist as a people with its own aspirations and to struggle peacefully to be recognized as such. In view of claims to sovereignty over its territory and of violations of its territorial and national integrity, it urged the Commission to study its case more closely, to submit it to the Special Committee of 24 and to request the International Court of Justice to deliver an advisory opinion on the claims of the Government that was colonizing it.

59. Mr. CHARRY SAMPER (Colombia) said that he would like to explain his country's general position of principle on the right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.

60. The wording of the agenda item showed that any possible violation of the right to self-determination could be discussed and the Commission should bear that point in mind when it came to consider the most flagrant cases of violations and situations in general.

61. His delegation's views on the draft resolutions that would be submitted would be based on its belief that, although each situation had its own particular characteristics and had to be examined objectively, a consistent approach had to be adopted with regard to the protection of the right to self-determination, which was indivisible. Efforts to guarantee the exercise of that right became less effective when on the basis of a selective approach, it was defended in some cases and ignored in others, usually for ideological reasons.

62. The right to self-determination derived from the United Nations Charter, but it had been specifically referred to in various international instruments and it had become one of the cornerstones of contemporary international law. It had the same status as the equal rights of peoples and had led to recognition of the right of peoples to permanent sovereignty over their natural resources. It belonged to peoples, both collectively and individually, and not to States, and was identical to the right to development as both were inherent in the human person.

63. Since one of the purposes of the United Nations was "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples", it was quite obvious that friendly relations between nations stemmed from the equal rights of States, which were vested with the right to representation within the international community, as well as from the self-determination of peoples, which were vested with a similar right. Peoples thus had rights towards States, which in turn voluntarily assumed obligations towards the international community and had to abide by certain standards of conduct, not only in relation to other States, but also in relation to their own peoples.

64. According to the Charter, self-determination must find expression in dialogue and negotiation. It was not one single act, but a process that was completed only upon accession to genuine independence.

65. His country granted the highest priority to the protection of the right to self-determination in all its dimensions and with all its external and internal implications. It did not interfere in the affairs of any other State and was opposed to any form of intervention anywhere. Since it did not accept either foreign occupation or intervention in any case or under any ideological pretext, it fully supported the legitimate right to self-determination of the peoples of Africa, Asia and America. Like the members of the Contadora Group and some Central American countries, which had stated their position in a joint communiqué issued on 30 July 1983, his own country was in favour of dialogue and a regional political compromise which would ensure peace, restore security, promote democracy and encourage co-operation for development. His delegation would base itself on that principle, for it respected and applied the solutions which regional organizations adopted in accordance with their own procedures and rejected the tragic interventionist interdependence that was unfortunately so common at the present time.

66. The CHAIRMAN announced that the Commission had concluded its general debate on agenda item 9.

67. Mr. HILALY (Pakistan), speaking in exercise of the right of reply, said that the large number of Afghan refugees to which he had referred in his statement at an earlier meeting had been confirmed by UNHCR representatives and other independent observers. There could therefore be no doubt about that figure.

68. The tragic reality of 3 million refugees could not simply be dismissed by describing them as "nomads". The number of nomads who traditionally crossed the border between Pakistan and Afghanistan was well known: it had never exceeded a few thousand. During their seasonal migrations, moreover, nomads usually did not move in one direction only, as they had been doing for the past four years.

69. The accusation that Pakistan was setting up obstacles to prevent refugees from returning to Afghanistan was totally false. The border between Pakistan and Afghanistan, which was about 2,250 km long, ran through some of the most rugged, mountainous and inaccessible terrain in the world. How could Pakistan prevent refugees from returning to Afghanistan when even those geographic obstacles did not prevent them from leaving Afghanistan? As his delegation had repeatedly stated, the Afghan refugees could return to their homeland only of their own free will, in safety and with honour.

70. His delegation again rejected the baseless allegation that the Pakistani authorities allowed training camps to exist in their territory to mount subversive activities against Afghanistan. The only camps in Pakistan were refugee camps that were open to international inspection.

71. His delegation categorically rejected the allegation that there were "foreign bases" in Pakistan. The President of Pakistan had publicly stated on a number of occasions that there were no "foreign military bases" in that country. He had also affirmed Pakistan's readiness to give any assurance that might serve to strengthen regional security and to ensure full respect for the sovereignty, political independence and territorial integrity of all the States in the region.

72. Mr. BOJJI (Observer for Morocco), speaking in exercise of the right of reply, said that, in the statements they had made at an earlier meeting, the representatives of Mozambique and Zimbabwe had attempted to make his country responsible for obstructing the process that was to lead to the organization of a referendum in Western Sahara and that they had, in particular, claimed that Morocco's refusal to enter into negotiations with the so-called Polisario was the reason for that obstruction. He reiterated the fact that his country had repeatedly been calling for a referendum, which was the only means of enabling the peoples of the Sahara to decide freely and democratically on their future.

73. The proclamation of a cease-fire did not necessarily depend on the holding of direct negotiations. It could be brought about in a number of ways. In accordance with the mandate entrusted to it at the eighteenth session of the Summit Conference of Heads of State and Government of the Organization for African Unity, the Implementation Committee was authorized to set a date for a cease-fire, just as it was authorized to organize a referendum. To those ends, it had made all the necessary practical arrangements, which were only waiting to be applied. The existence of the Implementation Committee thus made direct negotiations unnecessary. African countries other than Morocco were, moreover, of the opinion that direct negotiations were not the only way of preparing for a referendum.

74. His country could not hold negotiations with the so-called Polisario, which was not at all representative. The peoples of the Sahara did not recognize it as the representative of their aspirations. In that connection, he recalled that more than 10 patriotic organizations which were genuinely representative of those peoples had spoken before the Fourth Committee of the General Assembly and had revealed the true nature of the so-called Polisario, which they had denounced.

75. His country could also not hold negotiations with the so-called Polisario because negotiations were a prerogative of sovereign States. His country was not prepared to give up a prerogative that it was recognized as having under international law. It should not be forced to accept the partners with which it negotiated. Mozambique might consider that it was free to enter into negotiations with the apartheid regime of South Africa and to conclude an agreement on security and friendly relations with it, but it could not ask Morocco to give up its own freedom and could not choose its partners for it.

76. Lastly, he drew the attention of the delegations of Mozambique and Zimbabwe to the fact that, unlike SWAPO, the African National Congress, the Pan Africanist Congress and the Palestine Liberation Organization, the so-called Polisario was not recognized as a national liberation movement either by the Organization of African Unity or by the United Nations.

The meeting rose at 1.05 p.m.