COMMISSION ON HUMAN RIGHTS

Forty-fourth session

SUMMARY RECORD OF THE FIRST PART */ OF THE 50th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 7 March 1988, at 3 p.m.

Chairman: Mr. SENE (Senegal)

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cultural rights contained in the Universal Declaration of Human Rights and in
the International Covenant on Economic, Social and Cultural Rights, and study
of special problems which the developing countries face in their efforts to
achieve these human rights, including:

(a) Problems related to the right to enjoy an adequate standard of living;
the right to development;

*/ The summary record of the second part of the meeting appears as

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at this session will be consolidated in a single corrigendum, to be issued
shortly after the end of the session.
(b) The effects of the existing unjust international economic order on the economies of the developing countries, and the obstacle that this represents for the implementation of human rights and fundamental freedoms;

(c) Popular participation in its various forms as an important factor in development and in the full realization of all human rights (continued)

Question of human rights in Chile (continued)

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

(a) Question of human rights in Cyprus (continued)
The meeting was called to order at 3.20 p.m.

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; THE RIGHT TO DEVELOPMENT;

(b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(c) POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS


1. The CHAIRMAN drew the attention of the members of the Commission to the draft resolution on the right to food which was being recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights for adoption and was contained in the Sub-Commission's report (E/CN.4/1988/37, chap. I, sect. A, draft resolution XI). The Commission also had before it amendments to that draft resolution which had been submitted by the Federal Republic of Germany and were contained in document E/CN.4/1988/L.89.

2. Mr. SCHWANDT (Federal Republic of Germany), introducing his delegation's amendments to draft resolution XI, as recommended by the Sub-Commission on pages 10 and 11 of its report, said that, in operative paragraph 2 of the first part of the draft resolution, the words "based on free consent" should be added after the words "international co-operation", in line with the wording of article 11, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights.

3. Operative paragraph 3 of the second part of the draft resolution, which would be recommended to the Economic and Social Council, should be amended to read: "Draws the attention of the Committee on Economic, Social and Cultural Rights to the study prepared by Mr. Asbjørn Eide and invites it to submit its observations thereon to the Economic and Social Council at an appropriate time". In procedural terms, it was hard to see how one body of independent experts could make detailed suggestions on the methods of work and procedures of another body of independent experts. It was therefore more appropriate simply to draw the Committee's attention to the suggestions contained in the study and to respect the Committee's mandate, since it was the only body that was competent to define its own methods of work. In practical terms, moreover, the Committee on Economic, Social and Cultural Rights still had a backlog of 20 to 25 reports by States to consider. It was therefore obvious that, for the time being, the Committee was in no position to take on any additional work; that was the reason for the words "at an appropriate time".
4. The CHAIRMAN, inviting the members of the Commission to take a decision on the two amendments contained in document E/CN.4/1988/L.89, said that, if he heard no objection, he would take that the two amendments were adopted without a vote.

5. It was so decided.

6. The CHAIRMAN, inviting the members of the Commission to take a decision on the draft resolution, as contained in the Sub-Commission's report (E/CN.4/1988/37, chap. I, sect. A, draft resolution XI) and as amended, said that, if he heard no objection, he would take it that the draft resolution, as amended, was adopted without a vote.

7. It was so decided.

QUESTION OF HUMAN RIGHTS IN CHILE (agenda item 5) (continued)


(a) QUESTION OF HUMAN RIGHTS IN CYPRUS (continued) (E/CN.4/1988/27)

8. Mr. MAVROMMATIS (Cyprus) said that, although there had been some developments within or affecting Cyprus that might allow renewed hope for a better future for the Cypriot people as a whole, the Commission should not attach too much importance to them. It should, rather, continue to deal with the situation of human rights in Cyprus exclusively on the basis of humanitarian criteria, without any geopolitical, geostrategic or other considerations. It was in that spirit that his delegation once again drew the Commission's attention to the case of the people of Cyprus, which was a genuine case of continuing human rights violations.

9. Turkey had invaded and occupied Cyprus in 1974 and was still keeping 37 per cent of Cypriot territory under military occupation. That was a fact, a visible reality. The occupying power had used force to uproot a large number of Cypriots, who had become refugees in their own country. The advance by the occupation troops had led to a series of flagrant violations of human rights, including mass murders, the disappearance of persons who were still missing, rapes and other types of inhuman treatment, the destruction of property and the deprivation of possessions.

10. The European Commission on Human Rights had found Turkey responsible for the following acts: refusing to allow over 170,000 Greek Cypriot refugees to return to their homes; the eviction of Greek Cypriots from their homes; the separation of Greek Cypriot families as a result of the displacement of a large number of persons; the confinement of thousands of Greek Cypriots in detention centres set up in schools, churches, etc; the detention of Greek Cypriot military personnel and civilians in Turkey; mass murders of Greek Cypriot civilians by Turkish forces; rapes and other acts of violence.
including the ill-treatment of prisoners held in Turkey; the seizure of movable and immovable property belonging to Greek Cypriots; and discrimination against the Greek Cypriot community in the area occupied by Turkey.

11. Those were not the only tragic consequences of Turkey's actions in Cyprus. Turkey had pursued a systematic policy that was designed to change the demographic structure of the occupied part of Cyprus and was destroying the island's historical and cultural heritage by pillaging archaeological treasures, churches and other places of worship. Even more serious in that regard was the Turkish policy of the systematic colonization of the occupied part of Cyprus through the implantation of thousands of illegal settlers from mainland Turkey. Those settlers now numbered 65,000 and, together with the 35,000 members of the Turkish army, they formed a group that was as large as the Turkish Cypriot community. The presence of so many settlers in the occupied part of Cyprus was, moreover, also a violation of the rights of Turkish Cypriots themselves because the settlers received preferential treatment and were entitled to vote and to be elected, thereby enabling them to distort the Turkish Cypriots' political will. The Turkish Cypriot community was thus being subjected to segregation that isolated it from the Cypriot population as a whole and its voice was being drowned out by the vocal settler element.

12. In addition to the attempt which was being made to change the demographic structure of the occupied part of Cyprus and which was disapproved both by the Secretary-General of the United Nations and by the non-aligned countries, another aspect of continuing violations of human rights in Cyprus was the case of the enclaved persons in the northern part of the country. Following the 1974 invasion and occupation, 20,000 Greek Cypriots had been cut off from their community. As a result of Turkey's policy, which was totally contrary to an agreement reached under United Nations auspices, to the Fourth Geneva Convention and to international law in general, the number of Greek Cypriots enclaved in the northern part of the island had gradually been reduced and, according to the report by the Secretary-General to the Commission (E/CN.4/1988/27, para. 3), only 661 of the original 20,000 had still been living in the occupied part of the island in November 1987. The fundamental rights of the enclaved Greek Cypriots that were being systematically violated included the rights to freedom of movement, to freedom of religion, to liberty and security of person, to respect for family life, to property, to participation in political life and to work.

13. The ongoing problem of refugees in Cyprus was another basic feature of the Cypriot tragedy. From 1974 to 1977, the Greek Cypriot population of the enclaved area had either been expelled by the Turkish army or had been forced out by means of harassment and intimidation in order to make room for settlers from Turkey. All Greek Cypriot refugees had lost their homes, their assets, their savings and their livelihoods and the Turkish army had systematically looted property belonging to Greek Cypriots, even those who had remained in the occupied area.

14. In asking to be able to return to their homes, the Cypriot refugees were doing no more than claiming their most basic rights, which were guaranteed to them by the international conventions on human rights and on the protection of persons in time of war and occupation. Turkey had violated many international legal instruments in its treatment of Greek Cypriot refugees, including the
European Convention on Human Rights, the International Covenants, the Geneva Convention, the Hague Convention, the Universal Declaration of Human Rights and many United Nations resolutions, particularly Commission resolution 1987/50. Turkey had continued to disregard the repeated appeals made by the international community. It continued to block any possibility of a peaceful settlement involving the restoration of and respect for the basic human rights of all Cypriots.

15. Last but not least, one of the most tragic aspects of violations of human rights in Cyprus was the question of missing persons. The facts and figures were well known, since the question had already been discussed under agenda item 10. The Government of Cyprus had always worked to ensure the smooth functioning of the Committee on Missing Persons in Cyprus, which had been set up in 1981 to investigate the fate of all missing persons, and it would like the Committee's procedures and methods of investigation to be even more effective so that the Committee could give the missing persons' families and relatives reliable information. In that connection, the recent meeting between the Prime Ministers of Turkey and Greece might be a good sign. The Government of Cyprus would, in any event, continue to co-operate in order to solve that purely humanitarian problem.

16. The Commission's role and mission were not only to be informed of the situation with regard to the human rights and fundamental freedoms of the people of Cyprus, but also to take appropriate action in that regard. Matters of political expediency should not prevent it from dealing with situations such as that of Cyprus. To claim that political solutions were the only answer to the question of human rights violations was a negation of the Commission's very raison d'être. No political issue should stand in the way of the restoration of human rights and fundamental freedoms and the Commission must do everything in its power to enhance its authority and credibility in the eyes of world public opinion so that it could effectively play its role of ensuring genuine freedom and justice.

17. If a selective approach was adopted in condemning only some violations of human rights and if the same criteria were not applied to all countries in all parts of the world, the authority of human rights bodies was bound to be undermined. Human rights violations had to be condemned wherever they occurred and for whatever reason. The case of Cyprus was not only a case of massive and gross violations resulting from military occupation, but also a test case for that approach. In conclusion, he said that his delegation supported the efforts being made by the Secretary-General to carry out his mission of good offices in Cyprus.

18. Mrs. DIKLIC-TRAJKOVIC (Yugoslavia), referring to the question of human rights in Cyprus, said that, according to the report by the Secretary-General (E/CN.4/1988/27), the situation with regard to the search for a just and lasting solution to the problem of Cyprus, which included issues relating to the human rights and fundamental freedoms of all Cypriots without exception, had remained essentially unchanged during 1987. Her delegation had always stressed that the crux of the problem of Cyprus was the occupation of the island by foreign military forces. That occupation and the partition of the island were the cause of human rights violations, including involuntary disappearances, the reduction of many persons to refugee status, the division of families and changes in the demographic structure of the country.
19. The withdrawal of all occupation forces was therefore essential for the solution of that problem. The restoration and full exercise of the human rights and fundamental freedoms of the people of Cyprus would be possible only within the framework of a just and lasting solution based on the relevant resolutions and decisions of the Security Council and the General Assembly of the United Nations. As a Mediterranean and non-aligned country, Yugoslavia actively supported all efforts aimed at such a solution and once again affirmed that it was in favour of the independence, sovereignty, territorial integrity, unity and non-alignment of Cyprus. It fully endorsed the mission of good offices entrusted to the Secretary-General by the Security Council.

20. Her country supported all the efforts being made by the Secretary-General to speed up the process of finding a solution and it welcomed the appointment of Mr. Oscar Camilión as Special Representative of the Secretary-General in Cyprus. It took the view that questions relating to the human rights of the people of Cyprus should be part of the Secretary-General's mission. Her delegation also stressed the importance of the humanitarian involvement of the United Nations Forces in Cyprus (UNFICYP) and of the results achieved in the population transfers carried out in 1986 and 1987. It hoped that the work of the Committee on Missing Persons in Cyprus would be expedited by positive new developments.

21. In conclusion, she reiterated her delegation's conviction that only a political solution based on the Charter and the relevant resolutions of the United Nations, as well as on a direct dialogue between the two Cypriot communities, could lead to the restoration of the Cypriot people's economic, social, cultural, civil and political rights. At the same time, a peaceful political solution in Cyprus could contribute to peace and security in the eastern Mediterranean.

22. Mr. HACENE (Algeria) said that he also wished to make a statement on the question of human rights in Cyprus. He noted from the report by the Secretary-General (E/CN.4/1988/27, para. 2) that "both sides in Cyprus, while maintaining their commitment to the high-level agreements of 1977 and 1979, remain divided on how to move towards implementation of those agreements". Since 1974, the General Assembly and the Security Council had been calling for the withdrawal of foreign troops and the cessation of all foreign interference, as well as respect for the independence, sovereignty and territorial integrity of the Republic of Cyprus and for its unity and non-alignment, and a solution to the refugee problem; those appeals had been taken up by the non-aligned countries, which had always advocated a direct dialogue between the two Cypriot communities, without foreign interference.

23. In recent weeks, there had been some movement towards a lessening of tensions and reconciliation between Greece and Turkey which could not fail to have beneficial effects for the question of human rights in Cyprus. In that connection, there were three new developments which should be highlighted, beginning with the Secretary-General's decision to appoint Mr. Oscar Camilión as his Special Representative in Cyprus to enable the two parties to take stock of the situation and find a way to advance towards a solution. Secondly, the meeting between the Prime Ministers of Turkey and Greece at Davos was a significant turning-point in relations between the two countries and opened up prospects of a situation in which the force of law would prevail. Lastly, the new President of Cyprus had declared his willingness to engage in negotiations with a view to restoring human rights and fundamental freedoms in Cyprus and facilitating the return of Cypriot refugees.
24. Algeria, which had consistently advocated a political situation to the Cyprus problem, welcomed any initiative designed to reduce tensions and reconcile the two communities. Such a solution would not fail to promote peace and security in the eastern Mediterranean and facilitate the restoration of human rights throughout the island. Algeria therefore supported all efforts made by the Secretary-General as part of his good-offices mission to arrive at a viable solution consistent with the provisions of the Charter and United Nations resolutions.

25. Mr. Valladares (United States of America) drew attention to the hunger strike just begun by Cuban political prisoners to protest against the fact that, at a press conference held in Havana to highlight the fate of persecuted intellectuals, the case of Cuba, and particularly the fate of the political prisoners known as "Plantados", had been ignored by an organization despite its commitment to the fight against torture. Turning to agenda item 12 (Question of the violation of human rights and fundamental freedoms in any part of the world), he said, in his delegation's view, some progress had been made, even though there were still millions of oppressed victims living without freedom throughout the world. It was encouraging to see that violations of the rights embodied in the Universal Declaration were vigorously denounced, not only by those directly affected, but also by individuals, organizations and States that had espoused the cause of the oppressed. Moreover, it was increasingly coming to be recognized that human rights issues were a legitimate topic of discussion in international relations and that, given the principles incorporated in the Charter, such discussion could not be regarded as interference in the internal affairs of Member States.

26. His delegation intended to speak, in general, about issues which had not yet been dealt with by the Commission at its current session, beginning with those countries where important developments affecting human rights had taken place during the past year. Beforehand, however, it wished to state that, in so doing, the United States did not pose as prosecutor, judge, jury or executioner, did not consider itself to be superior, did not regard itself as having a perfect system and did not feel it had the solution to all problems. The United States knew its failings and did not seek to hide them. It spoke about the situation elsewhere not only because it had the same right to do so as did any other country, but also because its experience as a democracy for over 200 years enabled it to offer something useful to the important debate under way.

27. Several developments had occurred in the Soviet Union in 1987, including perestroika and glasnost, a new spirit in internal and foreign policy, some relaxation of totalitarian controls and the freeing of some political prisoners. The Soviets had also announced steps to end the barbaric practice of psychiatric abuse, the realities of Soviet life were presented more honestly in the media and the level of emigration for some ethnic groups had increased, although it fell far short of the level for the 1970s. In general, however, those changes had been on the superficial side and no one knew how many years the promised evolution would last; in the meanwhile, the days of many victims were numbered. Power in the Soviet Union remained concentrated in the hands of a small elite operating through a single recognized party. The secret police and its informers remained the principal pillar of the State. Thousands of persons were imprisoned for their political opinions or religious activities. At the current rate of emigration, the 375,000 Jews wishing to leave the Soviet Union would have to wait 46 years to
do so. Repression continued to be a fact of daily life in the Soviet Union, particularly in the Baltic States and in other non-Russian areas and for the Jewish community.

28. The policy of glasnost had not yet reached other countries of the world where the Soviet model was followed. Due to the complete isolation of North Korea, few details were known about the massive violations of human rights in that country, but the philosophy and repressive methods of its leaders were well known. On 29 November 1987, 115 passengers and crew members on Korean Air Lines flight 858 had been killed by a bomb placed on board by two operatives acting on the orders of the North Korean Government. Such acts should be strongly condemned by all Governments, regardless of their ideology or foreign policy. Nor had anyone forgotten the destruction of another Korean civilian plane by the Soviets. Those who failed to condemn such crimes ran the risk of becoming accomplices.

29. The human rights situation was no better in South-East Asia, where the Communist régime of Viet Nam continued to circumscribe all civil and political freedoms. Many boat people continued to flee Hanoi's totalitarian control. The Heng Samrin régime imposed by Viet Nam on Cambodia continued to commit innumerable human rights abuses, including systematic torture. The Khmer Rouge, Cambodia's previous rulers who were now in opposition to the Vietnamese invaders, also continued to exhibit a complete lack of respect for human life. The situation of the Cambodian people could not improve until the leaders of Hanoi abandoned their imperialism.

30. The people of Afghanistan had also been suffering for more than eight years from the consequences of the war caused by the USSR and from the brutality of the régime, being kept in power by the occupation forces. Year after year, the Special Rapporteur of the Commission had demonstrated that those brutalities were continuing. The United States hoped that 1988 would be the last year when the Commission would have to renew the mandate of the Special Rapporteur and that, at the following session, the Special Rapporteur would be able to report that the situation had improved with the withdrawal of the occupation forces.

31. The Government of Iran also continued its systematic violation of human rights and had failed to rebut charges of summary executions, torture, ill-treatment and religious persecution. The Special Representative of the Commission, who had noted numerous irregularities in judicial procedures in that country, had unfortunately been unable to carry out an on-the-spot investigation. The United States was also disturbed by continuing reports of violations of the rights of the Baha'i religious minority.

32. Brutal oppression characterized by political killings and abductions remained the order of the day in South Yemen. The efforts of the ruling Yemen Socialist Party to establish a Marxist-Leninist State had led to suppression of freedom of speech, freedom of association and freedom of the press. Torture, arbitrary arrests and incommunicado detention continued. In the Middle East, thousands of persons, including Palestinians, continued to suffer from the state of war that had existed in the region for more than 40 years. Many countries had contributed to that suffering and the United States regretted the deaths caused by recent events in the occupied territories. In its statement on agenda item 4, his delegation had expressed its opposition to the expulsion of Palestinians and to the practice of firing upon civilian
demonstrators. All the peoples in the area had experienced a heavy death toll. That situation would continue until a peace was reached that recognized the legitimate rights of all, including Israel's right to exist.

33. In South Africa, human rights continued to be systematically violated by the Government, which had institutionalized repression. As the United States delegation had remarked in its statement on agenda item 6, the only peaceful solution lay in a return to democracy and respect for human rights. The South African authorities must recognize that apartheid had to disappear and be replaced by democracy.

34. In Eastern Europe, the human rights situation remained precarious. The Berlin Wall continued to be a monstrous symbol of the rulers' lack of respect for the people. The situation was particularly disturbing in Romania, where political prisoners received cruel treatment that in some cases had led to death and where opponents of a régime under the virtually absolute control of one family disappeared for long periods of time. In Bulgaria, there were continuing violations, including arbitrary arrests, beatings, torture, ill-treatment or killing of political prisoners. Particular mention might be made of the case of the dissident Volodya Angelov Nakov, who had been murdered in his cell.

35. In Cyprus in recent days, there had been a positive development that might lead to a solution of the problems faced by that country. In particular, the conversations between the parties to the conflict raised hopes that the efforts of the United Nations Secretary-General would bear fruit. The recent elections in the island demonstrated that democracy could survive great difficulties and refuted the argument that a lack of freedom could be justified by social, political or economic difficulties.

36. The Commission, which had for many years focused attention on the situation in Latin America, once again had before it resolutions on Chile and El Salvador. Despite the economic problems presented by nine years of Communist guerrilla warfare, El Salvador had maintained a democratic Government chosen by the people in free elections. In spite of the war materially supported by Cuba and Nicaragua, El Salvador had been able, as the Commission's Special Representative had noted, to improve its human rights performance, but the Government of that country was the victim of a deliberate campaign of disinformation. The Commission must separate facts from fiction and adopt a resolution which reflected the truth. To that end, it should act as it had done in the case of Guatemala by terminating the mandate of the Special Representative and replacing him with advisory services designed to assist the Government, which would thus be able to continue its efforts to promote human rights.

37. Regrettably, democracy had not yet been restored in Chile, whose people was deprived of numerous rights set forth in the Universal Declaration of human rights. The Special Rapporteur of the Commission had noted cases of ill-treatment of detainees and violence by certain groups which in all likelihood were linked to the security forces. Those practices must cease, as must the growing resort to violence by some elements supported from abroad by countries that wished to impede Chile's return to democracy. According to the Special Rapporteur, the Government of Chile had taken significant steps towards opening society to opposition voices. Opposition political parties were organizing themselves and opposition newspapers existed. Opponents of
the régime could travel abroad, criticize the régime and return home. All members of the Commission had met opponents of the régime who had left Chile and returned to it. It was very important that the resolution adopted on Chile should be balanced and reflect the conclusions of the Special Rapporteur.

38. In Panama, the situation continued to be characterized by arbitrary arrests, torture and political murders, censorship of the media and brutal repression that had forced many prominent Panamanians, such as the well-known parliamentarian, Mayin Correa, to flee their country.

39. Most of the criticism in some statements on the existing situation in Colombia was unjustified. Nobody was more familiar than the Colombian delegation with that country's current problems and the statement made the previous week by the Ambassador of Colombia had been a remarkable example of a realistically self-critical attitude. The democratic Government of Colombia had to cope with bands of guerrillas and criminals armed in many cases by foreign countries, including Cuba and Nicaragua, and maintained by drug traffic. There was quite simply in Colombia a battle between the values of democracy and civilization, on the one hand, and terror and violence, on the other. The Commission should help the Colombian Government to win that battle.

40. The United States had for years pointed out that it was incongruous for the Commission to adopt numerous resolutions on human rights violations in Latin America while allowing some of the worst violators, namely the Sandinista and Castroite dictatorships, to escape condemnation. The Niaraguan régime continued to demonstrate a lack of respect for human rights and the promises made to the international community. It was estimated that there were still 9,000 political prisoners in that country. The Sandinista party maintained absolute control over the State machinery and imposed censorship in the light of circumstances. More than 15 per cent of the population had reportedly fled. In that country, nine self-proclaimed commanders decided everything in the name of the people. As in the case of Cuba, the Revolution had been betrayed by its leaders and the people were paying for that betrayal with their tears and blood.

41. Why did human rights abuses continue even though they were condemned with vehemence? Why did human rights abuses persist in police stations, court-rooms and gaols throughout so much of the world? In his delegation's view, that happened because censorship, repression and torture were not isolated incidents independent of the philosophy of the States where such practices existed. Such acts continued because they were the only means available to the Governments concerned to keep power and eliminate their political opponents. The violation of human rights was an unavoidable necessity for Governments that suffered from political illegitimacy and regarded democracy, free speech, a free press and freedom to practise a religion as threatening. Despotic rulers feared new ideas as much as they feared the emergence of alternative centres of power such as free trade unions, an independent judiciary and religion. There was no doubt that injustices remained in many countries, but democracy was the only system that allowed opponents to work against injustices without being imprisoned. According to some doctrines, hunger could be fought with a denial of liberty and the South African leaders, for instance, claimed that blacks lived best in South Africa. Experience showed that countries which freely chose their own leaders and enjoyed human rights did not go to war to resolve differences. The world would be a much safer place if the Universal Declaration of Human Rights were respected as an essential law of society.
42. Mr. Heller (Mexico) said that the overthrow of the constitutional Government of President Salvador Allende in Chile on 11 September 1973 had aborted an exemplary democratic process in Latin America and ushered in an era of terror for the Chilean people. More than 14 years later, the human rights situation in that country fully justified priority consideration of the Chilean case by the Commission. It could hardly be claimed that significant progress had been made in Chile when the military régime derived its legitimacy solely from the use of force and applied repressive measures contrary to the most elementary human dignity. It could be seen from the report by Mr. Volio Jiménez (E/CN.4/1988/7) and the considerable amount of evidence and charges presented every year by the Chilean people itself that the Chilean military régime was continuing its systematic policy of massive human rights violations. The Special Rapporteur described numerous fresh violations of the right to life, physical and mental integrity, freedom, security and regular judicial procedure, the freedom to enter and leave one's country and freedom of expression and information, as well as new cases of involuntary disappearances. It was particularly disturbing that, in many instances, the military courts assumed functions rightly belonging to the civil courts.

43. In Chile, there was a system of "ideological apartheid" instituted by legislation restricting the civil and political rights of all members of the opposition, who were accused of basing their activities on the doctrine of the class struggle. Along with the entry into force of laws curtailing freedom of thought and expression, there had been an increase in assassinations, abductions, unexplained disappearances and torture. Political prisoners remained in a difficult position and the system of administrative detention was again being applied. While it was true that the Chilean Government had recently allowed some political exiles to return to the country, it retained discretionary authority to expel its nationals or to prohibit them from returning. Human rights organizations and opponents of the régime and their families were permanent targets for the authorities.

44. The maintenance of two different states of emergency was a source of frequent human rights violations, enabling the public authorities to take arbitrary action to restrict democratic activities. The lack of a political and legal structure deriving from the free expression of the people's sovereignty will not only make for constant human rights violations, but also gave the dictatorship the possibility of taking initiatives designed to strengthen the régime in defiance of the elementary rules of democracy. Thus, later in the year, it was planned to hold a plebiscite which, because of the application of emergency measures, serious restrictions on the exercise of freedom of thought, expression, association and assembly, and censorship of the media, could not guarantee general consultation of the people.

45. His Government reaffirmed that only the effective participation of all sectors of social and political life would permit the re-establishment of a legal order reflecting the genuine will of the Chilean people, which was a sine qua non of respect for human rights. In its resolution 42/147, based on the report by Mr. Volio Jiménez, the General Assembly had expressed concern at the serious and systematic violations of human rights in Chile. During the previous three months, the situation had not improved and its worst features had even deteriorated. It was therefore not surprising that the Commission should have before it a draft resolution objectively recognizing the plight of
the Chilean people. The Mexican delegation was convinced that, by adopting that resolution unanimously, the Commission would help to restore that people's democratic rights and traditions.

46. Mrs. LOPEZ (Colombia) said that her country, which was concerned about the human rights situation of the population of Cyprus under foreign occupation, wished to reaffirm the need for a negotiated peace that would permit the withdrawal of foreign troops, respect for the sovereignty and integrity of the territory of Cyprus and the consolidation of the geopolitical unity of the island. It was necessary to guarantee the return of Cypriot refugees to their homes, to re-establish respect for the human rights and fundamental freedoms of the minority and to avoid any act threatening the thousand-year collective heritage of Cyprus and the family and personal heritage of Cypriots. Any action designed to change the territorial status of Cyprus should also be avoided. Her delegation hoped that the good offices of the Secretary-General of the United Nations, offered with a view to comprehensive negotiations as soon as possible, would produce results consonant with the urgency of the situation.

47. Mr. RODRIGO (Sri Lanka) said that the tragic situation in Cyprus involved several important principles which had elements common to situations elsewhere in the world. Cyprus was a multi-community State and the historic and ethnic links of the two communities with other neighbouring States had influenced its history and evolution as an independent country. The commitment of successive Governments of Cyprus, in practice, to democratic political structures and the non-alignment of the State of Cyprus at the international level were positive aspects of the question. Those two factors should constitute the basis of a lasting and viable solution of the problem that would guarantee the sovereignty, independence and territorial integrity of the Republic, as well as protection of human rights for all Cypriots. The essential point was that the people of Cyprus should control their own destiny and that the Cyprus problem should be settled in a manner acceptable to all of them. In other words, the assistance provided by the international community through the United Nations and its Secretary-General must be well within a framework that accorded strictly with the interests of the Cypriot people, rather than with perceived strategic or other regional concerns unrelated or even inimical to Cypriot interests.

48. Inter-community relations between Greek Cypriots and Turkish Cypriots had been the central issue of what the General Assembly, the Security Council and the Commission called "the question of Cyprus", the Commission having, of course, stressed protection of the rights and freedoms of all Cypriots. Recent developments in Cyprus had had tragic consequences: separated families, shattered homes, missing persons and refugees. In his report (E/CN.4/1988/27), the Secretary-General mentioned other disturbing developments in Varosha which might aggravate the situation.

49. The perceived grievances of one of the communities and the dramatic political events of 1974 had led to an invasion of the Republic of Cyprus that had introduced new tensions and complicated the situation, since a so-called separate State had been illegally proclaimed in the north of the island, where it was still maintained by armed force. Fortunately, thanks to the good sense of the international community, that secessionist entity had been recognized by only one State. Since then, the Republic of Cyprus had remained divided de facto. The presence of armed forces had brought an influx of foreign
settlers who sought to alter the democratic character of Cyprus, bringing additional strains to inter-community relations. The military intervention had also affected freedom of movement and settlement and the right to property. What had been an internal inter-community problem had thus been made even more intractable.

50. Sri Lanka had consistently called for the withdrawal of foreign troops whose presence was an obstacle to a just and enduring solution of the Cyprus problem. It could not be accepted that the invasion was justified by the need to protect the human rights of a minority having ethnic kinship with the invading State; and the Security Council had repeatedly called for the withdrawal of foreign forces from Cyprus. Any viable solution must, however, take account of the interests of both the communities concerned. The Secretary-General of the United Nations had been active in seeking a negotiated settlement of the problem, had encouraged the holding of inter-community talks and, after long and intricate negotiations, had submitted proposals to the people of Cyprus. But however rational and reasonable a settlement plan might appear to the outside world, it must first of all be acceptable to the people of Cyprus, represented by their legitimate Government. It was difficult to know, at the current stage, what lay ahead for Cyprus. The new Government had certainly taken encouraging steps and the Commission should not hinder the efforts to reach a settlement undertaken by the people of Cyprus through their elected Government. As a member of the Non-aligned Contact Group on Cyprus since 1976, Sri Lanka had closely followed the evolution of the question. It seemed that a situation could once again be envisaged that would eventually ensure respect for the sovereignty, independence and territorial integrity of Cyprus and the restoration and protection of the human rights of all Cypriots. The United Nations and the Commission certainly had a role to play in that process, but only if the Republic of Cyprus so desired.

51. Mr. LOMEIKO (Union of Soviet Socialist Republics) said that the Commission's task was to study cases of violations of human rights in order to remedy them in a spirit of co-operation, without any ideological or hypocritical ulterior motives. The Commission must not be used to score political points.

52. The Commission had repeatedly condemned the racist apartheid régime in South Africa, which should be eliminated without further delay. There had also been reports of numerous cases of human rights violations committed by Israel in the occupied Arab territories, where the Israeli authorities were making war on an entire population. That situation was an obstacle to the settlement of the Middle East question and it increased tensions in the region. The reason why the Israeli authorities could pursue their policy with impunity was that they had the support and understanding of a powerful strategic ally. The international community was also much concerned at the increase in terrorism and violations of human rights which were occurring elsewhere and for which fascist and dictatorial régimes were responsible. The situation remained serious in Chile, El Salvador, Paraguay, Haiti and South Korea. Where the Governments of some countries did not directly repress the forces of democracy, they had recourse to mercenaries who made money by spilling the blood of innocent people. In Nicaragua, for example, the contras had thousands of corpses on their conscience. In Angola too, the mercenary groups committed bloody acts. Those so-called freedom fighters were in fact the new agents of imperialist and colonialist policy.
53. There was every reason to hope for a quick settlement of the problem of Afghanistan. Already, more than 110,000 refugees had returned to their country; many members of the opposition had given up the armed conflict; and all the necessary conditions were fulfilled for reaching a general agreement on the withdrawal of the Soviet troops which had come to the assistance of the Afghan Government. That progress was causing concern in some quarters, however. Thus, since the unilateral cease-fire, arms deliveries had increased considerably and foreign aid to the opposition had exceeded $US 1 billion. That interference in the internal affairs of the Afghan State could only be an obstacle to peace. The Special Rapporteur himself had affirmed in his report (E/CN.4/1988/25) that respect for human rights in Afghanistan was conditional on the withdrawal of forces and the cessation of foreign aid, together with a general cease-fire.

54. Being convinced that the settlement of any regional conflict must be a political settlement, his delegation considered that the problem of Cyprus must be settled by the Cypriots themselves, in a peaceful manner. The island would thus remain independent and maintain its territorial integrity and its status as a non-aligned country. The settlement should take account of the interests of all parties and preclude any risk of foreign interference. His delegation appealed to all States to help find a comprehensive solution to the problem.

55. During the discussion, many delegations of western countries had made accusations against the Soviet Union. He would not dwell on the failure of delegations to observe the time-limit imposed on speakers by the Bureau. With regard to the substance of the discussion, while he welcomed the attention and interest aroused by democratization and "perestroika" in his country, he could not help noting that some of the judgements made were based on crude stereotypes. The Soviet leaders had never objected to critical discussion, provided that it was conducted honestly and in good faith. No one knew the deficiencies of their country better than they did and self-criticism, as practised currently in the Soviet Union, would be desirable in States which so readily criticized others. They should, for example, be more concerned at the recurrence of racial discrimination, inequalities, restriction of freedoms, the intensification of the use of repressive machinery and some of the dangers of computerized information, which had been denounced by western nationals themselves. They should also give more attention to unemployment and the living conditions of the less privileged population sectors and to the activities of transnational corporations, which continued to support the economy of dictatorships such as the Pinochet and apartheid régimes. It was time to stop exploiting humanitarian questions for political purposes. Unfortunately, the Commission on Human Rights too often provided an example of such exploitation; that was shown by the resolutions it adopted at each session concerning Cuba. The Commission on Human Rights enjoyed a certain authority and it should continue to be a meeting-place for co-operation between sovereign States. It should not become a tribunal in which some particular delegation sat in judgement, since no one had a prerogative concerning the cause of human rights, the defence of which must be based on international rules.

56. Mr. FRAMBACH (German Democratic Republic) said that his country had great hopes for the talks between Afghanistan and Pakistan, which had reached a decisive phase giving reason to expect an end to the dangerous conflict and
the establishment of the peace needed for the independent development of Afghanistan. The return to normality and the process of national reconciliation were making headway. At the end of 1986, the Afghan Parliament had adopted a national Constitution, drafted with the participation of over 2 million Afghans, and had enacted a law guaranteeing freedom to form political parties. A proposal on the establishment of a coalition government providing for the widest possible representation of political forces, including groups still opposed to such a solution, was under study. All those moves showed the political will of the Afghan Government to achieve a peaceful settlement of the conflict that would take account of the interests of the people of Afghanistan and of all countries in the region. It should also be recalled that Mr. Mikhail Gorbachev, the General Secretary of the Communist Party of the Soviet Union, had said that Soviet troops could begin to withdraw on 15 May 1988. The action taken jointly by the Democratic Republic of Afghanistan and the Soviet Union had set in motion a process which must no longer be hampered by outside interference. It was regrettable that the resolutions of the Commission on Human Rights were obstacles to a political solution. The only conclusion to be drawn from the attitude of certain States and political circles was that they were interested in maintaining serious tensions in the region; that was all the more evident because they were undercutting all the efforts made by the Secretary-General of the United Nations. The Commission on Human Rights therefore had to choose between promoting and obstructing efforts for peace.

57. As in the past, Cyprus could count on the support of the German Democratic Republic in its efforts to bring about a just, peaceful and lasting settlement that would guarantee the independence, sovereignty, territorial integrity, unity and non-alignment of the country. The disturbing human rights situation could only be irreversibly improved if the issue was settled with full respect for the people's right to self-determination. The violations of human rights perpetrated in Cyprus and described in the Secretary-General's report (E/CN.4/1988/27) were very serious and showed that the population had fallen victim to a foreign settlements policy. His delegation saw no solution but the withdrawal of all foreign troops and the removal of military bases; it was convinced that a representative conference on the question of Cyprus, under United Nations sponsorship, would make it considerably easier to establish peace in the island and to strengthen security and trust throughout the eastern Mediterranean. That position had been reaffirmed by the Chairman of the Council of State of the German Democratic Republic to the Greek Prime Minister during his visit to the German Democratic Republic at the end of January. The Commission on Human Rights could contribute to the unification of Cyprus and to the re-establishment of respect for human rights throughout the island by supporting the legitimate interests of the population.

58. His delegation protested against the arrest and inhuman treatment of the General Secretary of the Turkish Communist Party and the General Secretary of the Turkish Workers' Party, who were victims of repressive measures because of their democratic aspirations, and appealed for their immediate release.

59. Mr. STRASSERA (Argentina) said that his delegation, which was concerned about the human rights situation in Cyprus as described in the Secretary-General's report (E/CN.4/1988/27), believed that the appointment of a special representative afforded good opportunities for co-operation, dialogue and reconciliation between the two communities, and hoped that it
might quickly result in the reunification of the population, the full exercise of freedom of religion and movement, the right to choose one's place of residence and the right to property.

60. His delegation wished to pay a tribute to the United Nations Force which was doing useful work, particularly in supervising the voluntary transfer of the population from one part of the island to the other. It deplored the breach of the status quo by the accommodation of students in buildings inside the fenced area of Varosha; and it hoped that the matter would be quickly settled and that measures of that kind, which only increased tensions and reduced the possibilities of dialogue, would be avoided in the future.

61. His delegation welcomed the work of the Committee on Missing Persons in Cyprus and hoped that it would soon be able to formulate its conclusions, so as to relieve the anxiety of families. His delegation had heard with great satisfaction the announcement made by the Prime Ministers of Greece and Turkey regarding the resumption of the activities of the Committee.

62. Finally, it should be remembered that the Ministers for Foreign Affairs and the heads of delegation of the non-aligned countries had issued a statement at the forty-second session of the United Nations General Assembly in which they had expressed their anxiety at the great increase in the occupation forces and the constant arrival of foreign settlers in the occupied territory, requested the immediate withdrawal of the occupation forces and the settlers, as an essential step towards a settlement, and emphasized the urgent need for the voluntary return of refugees and action to shed light on the fate of missing persons. They had also stated that they were in favour of a just solution to the problem of Cyprus, based on observance of the United Nations Charter and the resolutions relating to that country, and had supported the good-offices mission entrusted to the Secretary-General by the Security Council.

63. Mr. SUKUL (India) deplored the fact that, since 1976, when the Commission on Human Rights had first placed the question of Cyprus on its agenda, the human rights situation in that country had not improved and, as was shown by the Secretary-General's report (E/CN.4/1988/27), the population was still suffering as a result of the displacement and separation of families. His Government fully supported the cause of unity and independence of the Republic of Cyprus, its territorial integrity and non-aligned status, and stood for the restoration and safeguarding of the human rights of all Cypriots. That position had been reaffirmed at the last summit meeting of Heads of State and Government of non-aligned countries, who had called for the immediate withdrawal of all occupation forces as an essential basis for the solution of the Cyprus problem. It was only under those conditions that all refugees would be able to return to their homes and that all the people of Cyprus could enjoy their civil and political rights, as well as their economic, social and cultural rights.

64. His Government supported the continuation of the mission of good offices entrusted to the Secretary-General by the Security Council, with a view to finding a just and viable solution to the Cyprus problem, and hoped that that mission would soon bear fruit. The Commission on Human Rights should continue to follow the human rights situation in Cyprus in order to help improve conditions for the population as soon as possible.
65. Mr. KOLBY (Norway) said it was regrettable that the progress made by the United Nations in elaborating a set of international human rights instruments and in setting up mechanisms to monitor the implementation of those rights had not led to an improvement in the human rights situation throughout the world. At its current session, the Commission had again listened to information on a broad range of violations in all areas and by very different régimes. If repressive Governments were afraid that the enjoyment of human rights by their own citizens would threaten national security, they were mistaken: history had shown that the fulfilment of all rights for everyone without discrimination strengthened countries and promoted economic, social and cultural development.

66. In view of the many situations where the State apparatus was used for oppression, through the proclamation of states of emergency and the enactment of special security legislation or through the widespread use of force, the Commission on Human Rights should give priority to the right to life and the right not to be subjected to torture, imprisonment and arbitrary detention and to means of preventing violations of those rights. It should also pay closer attention to the increasingly frequent phenomenon of abuses committed by opposition groups which were beyond the control of Governments and included death squads and vigilante groups that sometimes had external support.

67. The Commission's point of departure should always be the men, women and children who were in need of protection and the persons who were risking their lives to defend human rights. Since its ultimate goal was the universal promotion of respect for human rights it should focus on violations wherever they occurred in order to encourage Governments to take the necessary steps to rectify unsatisfactory situations.

68. The Commission had gradually developed a set of fact-finding procedures which enabled it to deal with situations of concern and which supplemented the monitoring system set up under the instruments ratified by States. The system of periodic reports by States parties was clearly insufficient, particularly because many countries with serious human rights problems were not parties to the instruments under which monitoring committees had been established. That made the Commission's special procedures, such as special rapporteurs, special representatives and working groups, all the more important. The United Nations, States and non-governmental organizations should intensify their efforts to make such mechanisms more widely known and to ensure co-operation by all the Governments concerned.

69. In addition to those special procedures, his Government would welcome the further development of country visits and on-site investigations, which would make it possible to formulate specific recommendations in particular cases. It believed, however, that all such procedures were complementary and that no one procedure should replace another. Thus, a country that was being investigated under one procedure had no legitimate reason for failing to reply to requests for information under another procedure; rather, it had a duty to co-operate whenever the Commission asked it to do so.

70. His delegation found it most regrettable that it had been possible to appoint special rapporteurs only in the most serious cases and that there was increasing reluctance to initiate new country examinations. The system of special rapporteurs was particularly appropriate for improving the human rights situation in the long term and consolidating the progress made by countries where a democratic process was under way.
71. His delegation had already had occasion to express its reservations with regard to the tendency in the Commission to transfer the consideration of certain situations from the confidential procedure to the framework of advisory services at too early a stage. That position did not imply that his delegation was opposed to giving practical assistance to countries trying to establish the necessary infrastructures to comply with international human rights standards. It nevertheless warned against excessive haste, for, as long as serious violations of human rights continued and the Governments in question did not take the necessary measures to bring them to a halt or to investigate and punish those responsible, the mandates of special rapporteurs to investigate such violations should be extended. Under such circumstances, practical assistance in the form of advisory services should be given in addition to - and should not instead of - the continued monitoring of those situations. In that connection, it might be worthwhile to restructure the consideration of the agenda item relating to advisory services; countries might be divided into three groups: those which refused to co-operate, those which did co-operate and those which were emerging from serious crises and still required United Nations assistance in order firmly to establish a climate conducive to respect for human rights.

72. With regard to the human rights situation in countries that were subject to the Commission's special monitoring procedures, he recalled that, in an earlier statement, his delegation had strongly condemned South Africa's apartheid policy, called for comprehensive and mandatory sanctions against South Africa and expressed concern about the Israeli policy in the occupied territories. He would therefore deal with other regions.

73. In Chile, a number of fundamental rights and freedoms were constantly being violated, particularly under the state of emergency and on the pretext of protecting national security. According to the Special Rapporteur, the population was exposed to increasingly serious measures of intimidation and many critics of the Government, such as trade unionists, journalists, actors, judges and human rights workers, had been subjected to death threats, kidnap-style detention, torture and harassment by clandestine squads linked to the security forces. There was no genuine guarantee of a proper trial. The military courts were becoming more and more oppressive. Under the Anti-Terrorism Act, prolonged periods of incommunicado detention were frequently ordered. Involuntary disappearances of persons had resumed. In his delegation's view, there had been no basic change in the human rights situation in Chile and the mandate of the Special Rapporteur must therefore be continued. His delegation urged the Government of Chile to take immediate steps to abide by the Special Rapporteur's recommendations and continue to co-operate with him with a view to rectifying the human rights situation.

74. The human rights situation in El Salvador also gave rise to concern. The judiciary did not function independently and the action it took to investigate and punish serious human rights violations continued to be highly unsatisfactory. Summary executions and disappearances were still occurring. President Duarte had not yet gained control over all State agencies. It must be borne in mind that the obligation to promote and protect human rights and fundamental freedoms required not only measures of protection, but also measures of prevention. Against that background, the Commission should renew the Special Representative's mandate. His delegation urged the Government of El Salvador to do everything in its power to implement the recommendations by the Special Representative. The Esquipulas commitments were of exceptional
importance for respect for human rights in El Salvador and other Central American countries. The Government of El Salvador and the FMLN should engage in political dialogue within the framework of that peace agreement. Both sides should also end human rights violations and fulfil the aspirations of the peace accord.

75. The efforts being made by the Government of Guatemala to improve respect for human rights deserved the international community's full support, but it was regrettable that serious human rights violations, particularly disappearances, were still taking place and that there continued to be a climate of violence and uncontrolled use of force in the country. The Government must take effective measures to put an end to that situation. The human rights situation in Guatemala was closely linked to an unjust social and economic system, which also had to be changed. To prevent further human rights violations, the Government should ensure that those responsible for previous violations were brought to justice. The international community should continue to follow the situation in Guatemala and to provide the Guatemalan people with the support it needed. The visit to Guatemala by the Working Group on Enforced or Involuntary Disappearances had been important and the Group should continue the work it was doing in that regard. The Expert's mandate should also be renewed. His delegation hoped that appropriate assistance in the field of human rights would be provided to Guatemala with a view to fostering advances in democracy and strengthening the institutions responsible for ensuring respect for human rights.

76. The report by the Special Rapporteur on Afghanistan revealed continuing grave and massive violations of fundamental human rights. There had been no real change in the situation in Afghanistan: the right to life, liberty and security of person continued to be violated and incidents of torture were still occurring. Large numbers of political prisoners had been detained without due process of law. The military occupation continued to represent a fundamental violation of the human rights and fundamental freedoms of the people of Afghanistan. His delegation welcomed the declared intention of the Soviet Union to withdraw its troops from Afghanistan and hoped that the withdrawal would take place without further delay. The withdrawal of all foreign forces was a prerequisite for the restoration of respect for human rights in Afghanistan and would make it possible for the refugees to return to their country.

77. The human rights situation in Iran should continue to be dealt with by the Commission and other competent United Nations bodies because of the many detailed allegations of grave violations referred to in the report by the Special Representative, particularly of the right to life, the right to freedom from torture and the right to liberty and security of person and freedom from arbitrary arrest. His delegation was also concerned that trials did not meet international standards with regard to the right of defence. As a party to the International Covenant on Civil and Political Rights, Iran should ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant and should, in particular, it permit minority groups, such as the Baha'is, to exercise their rights. His delegation strongly recommended the renewal of the Special Representative's mandate and urged the Government of Iran to reply to the Special Representative's request for information.
78. Mr. PAK (Observer for the Democratic People's Republic of Korea) said his delegation could not fail to note that, despite the Commission's efforts, the human rights situation throughout the world had deteriorated further. His delegation strongly condemned the Zionist policy in the occupied Arab territories and the racist policy of South Africa. It also condemned human rights violations in the southern half of the Korean peninsula, which had worsened, as a delegation of the International Commission of Jurists that had undertaken a mission to South Korea had revealed in describing torture rooms specially equipped with bath-tubs in one of the main interrogation centres in Seoul. In 1987, a University of Seoul student had died in a bath-tub in one of those torture rooms. A forensic pathologist called in to examine the student's body had revealed that he had been requested by high-ranking police officials to indicate a cause of death other than torture. It was still fresh in everyone's memory that four soldiers had been beaten to death because they had refused to cast ballots in favour of a candidate of the ruling party during the "presidential election". South Korea was perhaps the only place where sexual torture had become a common practice. Nothing could justify the assertion that the human rights situation had improved as long as events occurred such as the one in the city of Kwangju, which had been bathed in blood when tanks had run over the inhabitants and the breasts of young female students had been cut off. The Commission should send a mission to South Korea to report to it at its next session, after meeting with the victims of torture, including sexual torture, who had no remedy available to them.

79. On 3 March 1988, the observer for South Korea had referred to the KAL airplane incident and had wrongly blamed the Democratic People's of Korea for it. Since that incident had resulted in more than 100 deaths, his delegation could not help but mention it. For the first time in 30 years, a "presidential election" had been held in South Korea in which the democratic forces had had prospects of seizing power. The KAL incident had occurred one month earlier and, with the extradition of the woman suspect from Bahrain to Seoul on the eve of the election, the ruling party had received 1 million additional votes, as the authorities themselves had admitted. Those authorities had not even waited until the local authorities, who had arrested the suspect, had investigated the incident. First, they had asserted that South Korean "agents" had shadowed a man and a women holding Japanese passports all the way from Vienna to Abu Dhabi. Why had those agents failed to find the radio and wine bottle which had been filled with explosives and left behind in the cabin by the man and the women when they had got off the plane? It was unimaginable that such elite South Korean agents who had kidnapped Kim Dae Jung in broad daylight in a first class hotel in Tokyo and had blamed North Korean agents after placing a cigarette packet made in North Korea in his room should fail so miserably in their task. Secondly, the South Korean authorities had claimed that the man and the woman in question had attempted to commit suicide by poisoning themselves, but that theory had been refuted by a doctor at the Bahrain hospital. The man, who had visited South Korea five times with a Japanese passport, had been murdered by South Korean agents and the woman had simply fainted when she had seen him die a sudden death. Perhaps the South Korean CIA had eliminated the man because it had needed only the woman. Thirdly, the couple in question had reportedly had no problem going through the security checking points in the Belgrade and Baghdad airports with the radio and wine bottle filled with explosives. It was hard to believe that security checking facilities in those airports were so ineffective. The Belgrade airport authorities had immediately rejected that allegation. The authorities of the Democratic People's Republic of Korea also had independent materials which were available to the members of the
Commission and which showed that the theory of the lifeboat, the only material evidence produced thus far, was false and that it was impossible to blow up a plane such as a Boeing with the explosives placed inside a radio set or a wine bottle.

80. The South Korean authorities were more eager to link the incident with the Democratic People's Republic of Korea than to try to find the remains of the plane so that an investigation could be conducted. The remains of planes that had crashed in the Indian and Atlantic Oceans had been found with the help of the "black boxes", which emitted signals for one month, and the Andaman Sea was only 200 m deep. Only the South Korean CIA knew the truth concerning that incident.

81. In 1983, the South Korean CIA had forced a Boeing 747 into a reconnaissance route on the instructions of a super-Power. It was clear that those who had converted two persons having nothing to do with the Democratic People's Republic of Korea into North Korean "spies" would continue to fabricate lies to slander that country. His delegation demanded that the South Korean authorities should apologize for degrading the dignity of the Democratic People's Republic of Korea and insulting its people.

82. The Commission should not tolerate the actions of a super-Power that attacked small non-aligned countries while continuing to violate human rights in its own territory. He was referring to the Government of the United States, which violated human rights at home and abroad, had attacked Cuba, Nicaragua and other countries with false charges and had set itself up as a judge on human rights issues. The Commission should denounce and oppose such arbitrariness.

83. Mrs. POC (Observer for Democratic Kampuchea) said that, for nearly 10 years, the overwhelming majority of the international community had constantly been reaffirming that the continuing Vietnamese occupation of Kampuchea was preventing the Kampuchean people from exercising its right to self-determination and was the main violation of human rights being committed in Kampuchea at the present time. The Vietnamese aggressors were holding on to Kampuchea at any cost in order to establish their "Indo-Chinese Federation". To keep the occupation going, they were using increasingly barbarous methods against the civilian population. The war they were waging was not an ordinary war of aggression, but, rather, a war of territorial annexation, a war of genocide against an entire people. The invasion for the "liberation" of Czechoslovakia and Poland by Hitler's troops had been no less shameful than the invasion of Kampuchea by the Vietnamese troops. Moreover, the 200,000-strong Vietnamese army which had invaded Kampuchea was, in terms of population size, two and one half times as large as the number of Nazi troops which had occupied France during the Second World War.

84. The installation of more than 700,000 settlers, who were taking over Kampuchea's fertile lands, was part of a genuine policy of planned Vietnamese population transfers that was designed to change Kampuchea's legal status and its social, cultural and economic environment. The demographic imbalance that was being created would eventually threaten Kampuchea's national identity. In September 1984, the President of the International Conference on Kampuchea had stated that some 500,000 Vietnamese had already settled in the country, which had 6.5 million inhabitants. Thus, if the process of Vietnamization was not stopped in time, there would no longer be a "Kampuchean problem". Within a
few generations, that country would have disappeared from the face of the earth. As it was swallowed up by the growing influx of Vietnamese settlers, the Kampuchean people would become a minority in its own country. Hence the importance of the resolution the Commission had just adopted by a large majority.

85. The fact-filled studies published by Mrs. Marie-Alexandrine Martin, ethnologist, natural historian and research director at the French National Scientific Research Centre, were extremely informative, particularly the one entitled "Cambodge: une nouvelle colonie d'exploitation", which had been published in the journal Politique internationale in 1985, and the one entitled "Le Cambodge vietnamisé, un ethnocide silencieux", which had been published in the Singapore journal Indochina Report, in September 1986. Those studies confirmed all the statements made by former high officials of the pro-Hanoi Government who had decided to flee in order not to help the Vietnamese Vietnamize Kampuchea.

86. Since the occupying forces were bogged down on the Kampuchean battlefield, they were using all kinds of manoeuvres to deceive the international community. Prior to the 1979 invasion, they had engaged in aggression upon aggression on Kampuchea's eastern border while having subversive and destabilizing activities carried out inside the country by their "fifth column", which had been composed of the current leaders of the Phnom Penh régime. During the period while it had been preparing for its invasion, Hanoi had claimed that it was Democratic Kampuchea that was attacking Viet Nam, just as Hitler's propaganda had accused Poland of wanting to invade Germany in 1939. The truth was, however, that, for over nine years, the occupants had continued to sow death and destruction in Kampuchea. The fewer Khmers there were, the easier Vietnamization would be and the subjugation of the Khmer people therefore went hand in hand with the Vietnamization of the country.

87. Tens of thousands of persons had been killed, mutilated or permanently disabled as a result of the large-scale forced labour imposed on hundreds of thousands of Khmer civilians in the mined, malaria-ridden border areas. Similarly, Hitlerite nazism had rounded up hundreds of thousands of Jews and other European peoples and had sent them off to death or forced labour. A French woman doctor with the Red Cross, Dr. Luccioli, had decided to denounce the Kampuchean situation publicly and had agreed not to be bound by the obligation of professional secrecy. Her testimony confirmed what the delegation of Democratic Kampuchea had stated on many occasions, namely, that such forced labour was taking a great deal of manpower away from rice-growing activities, at the expense of food production. Kampuchea's "miraculous recovery" under Vietnamese domination actually meant that a country which had once exported rice had now become an international beggar. Each year, FAO and WFP estimated that Kampuchea was hundreds of thousands of tons of rice short. That was certainly not the only contradiction by the Vietnamese propaganda machine. In its attempts to legalize its invasion and occupation, Viet Nam referred to a "miracle", but, when it needed food assistance for its occupation forces, it spread the news that the Kampuchean people, against which it was waging a genuine policy of extermination, was suffering from a serious rice shortage and it made the Phnom Penh puppet régime ask for international assistance. There was ample evidence to show that such assistance went first and foremost to the occupation troops and not to the Khmer people.
88. Not content to employ conventional weapons, the occupying forces were making increasingly widespread use of chemical and biological weapons and poison gases; they had even used chemicals as fertilizers, had poisoned drinking water and had distributed poisoned foodstuffs and medicines. For example, they surreptitiously poured poison into streams which dried up in the dry season and were used by the Khmer people. Vietnamese women poisoned the food, fruit and vegetables sold in markets in the occupied areas. Kidnappings, arbitrary arrests, detention, torture and murders of civilians were occurring much more frequently in the occupied areas because the Kampuchean people's resistance to servitude was becoming increasingly stronger. There had also been an increase in the number of cases in which Khmer girls had been raped and then killed by the occupation troops.

89. None of the Khmer refugee camps in Thailand had been spared. The occupants continued to carry out deliberate artillery bombings, thus subjecting the refugees' lives to the most barbarous attacks. During some raids carried out near the border, they had thrown several hundred defenceless civilians into the trenches, executed them coldbloodedly with hand grenades and finished the survivors off with bayonets, as shown by documents A/38/88, A/38/107 and A/38/140.

90. Judging by the endless stream of refugees who had come to be known as "boat people", the régime imposed on the Vietnamese people by the Hanoi leaders was one of the worst dictatorships in the world. Who could possibly believe that the Vietnamese leaders were philanthropists who did not hesitate to mobilize all the resources of their country, one of the poorest in the world, and to send hundreds of thousands of soldiers to fight and die for the "freedom" of the Kampuchean people, when, in fact, they could not even guarantee their own people a decent life?

91. Since what was at stake was the survival of a people, a nation, a culture and a civilization that was 2,000 years old, the Kampucheans had no other alternative than to unite and continue their patriotic struggle until the Vietnamese forces withdrew completely, as a sine qua non condition for a solution to the Kampuchean problem. National unity was becoming stronger every day. The Kampucheans were not fighting against one another, but were, rather, uniting to combat the Vietnamese occupation.

92. The President of Democratic Kampuchea, Norodom Sihanouk, and the Kampuchean people again expressed their deep gratitude to the Commission for its decision to continue to give the highest priority to its consideration of the situation in Kampuchea. In so doing, the Commission was helping to ensure that the problem of Kampuchea would not be forgotten, as the aggressor wished. It was also making a valuable contribution to the survival of a small country which aspired only to live in peace and friendship, on the basis of mutual respect, with all countries in the world and, in particular, with its neighbours.

93. In view of the crimes being committed by the Vietnamese, her delegation urged the international community to speak out even more loudly so that the Vietnamese occupation troops would withdraw immediately and unconditionally from Kampuchea, for every passing day meant that the 140,000 occupation troops and the tens of thousands of Vietnamese Gestapo agents could go on arresting, looting, oppressing, raping, torturing and murdering.
94. Mrs. BOJKOVA (Observer for Bulgaria) said that her country, which was located not far from the eastern Mediterranean, was particularly concerned about the continuing crisis in Cyprus that was a result of the artificial partition of the island following the Turkish military aggression. As stated in previous years, her delegation was in favour of the preservation of the independence, sovereignty, territorial integrity, unity and non-alignment of Cyprus. The Bulgarian Government and people deplored the proclamation of the so-called "Northern Cypriot Turkish Republic", which was contrary to the relevant General Assembly and Security Council resolutions. Only a peaceful, just and lasting settlement could put an end to the tragedy of the Cypriot people, the majority of whom had become refugees in their own country because of the foreign occupation. More than 200,000 Greek Cypriots had thus been forced to leave their homes and over 50,000 families had been left without shelter.

95. The policy of installing Turkish settlers in the occupied part of Cyprus was particularly deplorable. It was obviously aimed at changing the island's demographic structure. That practice therefore had to be halted and the illegal settlers had to leave the territory so that a solution could be found. Her delegation was also deeply concerned about the fate of a large number of Greek Cypriots who had been missing for many years and about all the other human rights violations referred to earlier by the representative of Cyprus.

96. The future of Cyprus and the restoration of human rights and fundamental freedoms to the Cypriot people as a whole were inextricably linked to the achievement of a comprehensive, peaceful, just and lasting solution to the Cyprus problem, as well as to the preservation of the sovereignty, territorial integrity, unity and non-alignment of Cyprus. The question of the internal structure of Cyprus should be settled by the Greek and Turkish Cypriots themselves through peaceful means and without any foreign interference. The territory of the island should be demilitarized and all foreign military bases and sites closed down. Such measures would be entirely in keeping with the status of Cyprus as a non-aligned country.

97. In her delegation's opinion, the problem of Cyprus could not be solved without an effective system of international guarantees for the island's independence that would rule out any possibility of foreign interference or of the threat or use of force.

98. It was against that background that her delegation fully supported the Soviet proposal for the convening of an international conference on Cyprus. Such a proposal would be in keeping with the vital interests and rights of the Cypriot people as a whole, as well as with the need to safeguard peace and security in the eastern Mediterranean, in Europe and throughout the world.

The summary record of the second part of the meeting appears as document E/CN.4/1988/SR.50/Add.1.