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E. Final observations

60. The Committee will confine its final observations on the foregoing Chapter to the question of the continuing presence of Soviet armed forces in Hungary. The Committee fully realizes that the problem of the stationing of contingents of armed forces of the major Powers in territories of other States has world-wide aspects and that it is neither its function nor its responsibility to make pronouncements or recommendations on this general subject. Its study of the Hungarian situation based on wide human contacts and rich documentary material, leads it, however, to the inescapable conclusion that, with the exception of a few doctrinaire communist party members - whose numerical weakness and lack of authority has become apparent during the October-November events - and of secret police agents estranged from the rest of the population by their past misdeeds and fearful ^{of} ^{losing} to lose their only protection, it is the general will of the Hungarian people that Soviet troops be withdrawn from their country.

61. The legal basis for the presence of Soviet forces is tenuous. The Warsaw Treaty does not provide for it expressly, nor do the declared purposes of that Treaty require it. The accompanying "decision" of the signatories subordinates it to the agreement of the States concerned and, as confirmed by the Soviet Declaration of 30 October, Soviet forces are actually present on the territories of only some of the parties to the Treaty. What juridical weight is to be given to "an agreement" by the Kadar Government, is a question which may only be answered in the light of an assessment of the political and constitutional factors surrounding its establishment; the position publicly taken by the Nagy Governments

with respect to Hungary's intentions as to the applicability of its Warsaw Treaty obligations is, however, ^{an} incontrovertible fact.

62. As a United Nations organ, the Committee cannot but be guided in its considerations by the Charter principles of self-determination of peoples and of sovereign equality between Member States. The aspiration for the withdrawal of the Soviet forces is based on the particularly strong patriotic feelings of the Hungarians having their source in a proud and glorious European history. The will for regaining full international independence as promised by the Peace Treaty is particularly vivid, and has been greatly strengthened rather than weakened by the role played by the Soviet military command in the post-war years in the establishment of a political regime rigidly patterned after that of the Soviet Union and, more recently, by the Soviet massive military intervention to guarantee the regime's continuation. The awareness of the daily subordination to Russian international military and economic interests and, last but certainly not least, the absence of the highly-prized individual and political freedoms makes these feelings painfully acute. The presence of the Soviet army on Hungarian territory is for the Hungarians the visible attestation of Hungarian subordination to an outside Power and of the impossibility for their country to pursue its own ideals.

63. The Committee has not found that these feelings and aspirations were antagonistic to the Soviet Union as a State or to the Soviet people as individuals or that they excluded the sympathy of a great many Hungarians

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for a number of features of the Soviet economic and social system. Hungarian leaders who appeared before the Committee, or whose statements have been examined, have asserted the necessity for their country to maintain with the Soviet Union correct and even friendly political, military and economic relations and have indicated their readiness to give, in that connexion, all the necessary guarantees.

? 64. What is then the merit or even the long-term effectiveness of a permanent military occupation when it is an economic burden on the occupied as well as the occupier, when it is passively and, at times, actively, but firmly and constantly, opposed by the generality of the population, when it is condemned by many leaders of world public opinion, when it also appears to be contrary to the very principles enunciated by all parties concerned as the basis for their own international policies? The Committee feels that it is not outside its role to submit this question to the judgement of the Members of the United Nations.