



SUMMARY RECORD OF THE 9TH MEETING

Chairman: Mr. GARVALOV (Bulgaria)

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 67: IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued) (A/35/371; A/C.3/35/L.3)

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1. Mrs. SHALHOUB (Jordan) said that the Islamic religion was based on the principles of liberty and equality among people and that the Jordanian Constitution and legislation promoted tolerance and equality. Jordan was an example of peaceful coexistence in which all enjoyed their rights without any kind of discrimination.

2. As demonstrated by its support in the struggle of peoples suffering under the yoke of racial discrimination and apartheid, her Government intended to break off all relations with Governments which carried out those policies. Co-operation among all countries in the struggle to eliminate those evils must be strengthened, the world must be made aware of the dangers of racism and all countries must be encouraged to accede to the International Convention on the Elimination of All Forms of Racial Discrimination.

3. Jordan had not submitted its third report to the Committee on the Elimination of Racial Discrimination pending receipt of the results of the recent national census. It supported the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid (A/35/197).

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(Mrs. Shalhoub, Jordan)

4. Unfortunately some peoples were still living under the yoke of racial discrimination. Every delay in their accession to independence created international tensions, conflicts and crises which impeded their development. For Jordan that crisis was an every-day occurrence and it had to allocate a large amount of resources to the defence budget owing to the persistent occupation of Arab territories by Israel and Israel's failure to recognize the right of the Palestine people to self-determination, all of which was bringing closer and closer an armed conflict which Jordan was trying to avoid. An over-all and just solution must be found to enable the Palestine people to enjoy their rights in their own country.
5. In addition, the sufferings of the people of Namibia, of which Jordan was very conscious, resulting from the relations between Israel and South Africa, must not be forgotten.
6. Jordan supported the proposal of Morocco concerning the adoption of the resolutions of the recent Islamic Conference of Foreign Ministers.
7. Mr. VOLLERS (Federal Republic of Germany) recalled that the Federal Republic of Germany had not only signed the International Convention on the Elimination of All Forms of Racial Discrimination but, in keeping with its Constitution, was also ensuring an end to all forms of racial discrimination by means of appropriate legislation and court rulings.
8. The report prepared by the Committee on the Elimination of Racial Discrimination (CERD) was excellent. His delegation considered that the attendance of representatives of ILO and UNESCO at the meetings of CERD had had a positive effect. The independence of CERD from all other international bodies should be respected by all States.
9. The members of CERD themselves felt that their task was primarily a legal one and that they must abide fully by the wording of the Convention. Political struggle, an extension of the mandate of CERD or of the Convention's area of application, did not fall within their competence because that would require modification of the Convention.
10. CERD had carefully examined and assessed the reports submitted to it. Sometimes Governments were being over-optimistic in stating that there were no signs of racism in their countries. It would be a sign of greater sincerity if the efforts of the authorities to counter primitive human reaction were described openly.
11. As regards the report of the Secretary-General on future meetings of CERD (A/35/414), he supported the proposal in paragraph 7 (a) to set up a trust fund to meet any travel expenses incurred by CERD. He had, however, reservations on alternatives (b) and (c), according to which the additional costs of CERD meetings outside Headquarters should be defrayed by the States parties to the

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(Mr. Vollers, Federal Republic of Germany)

Convention or by the General Assembly. In that connexion, the rule successfully established for other bodies, whereby the host State accepted in principle to meet any additional costs, should be considered.

12. His Government was gratified that no fewer than half of the States Members of the United Nations had signed the Convention, which indicated that more and more States regarded racism as a problem that must be tackled by concrete and direct action, first and foremost at the national level.

13. Mr. MOOSAWI (United Arab Emirates) said that, so long as peoples continued to be oppressed and rights continued to be usurped, it was necessary to speak up and to struggle until those rights were re-established and all forms of discrimination were eliminated. The United Arab Emirates had reaffirmed its position on that subject in keeping with its commitment to uphold justice, liberty, fundamental rights and self-determination. His country had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and was participating in all international conferences on the matter.

14. The United Arab Emirates would continue to support the national liberation movements of southern Africa and congratulated Zimbabwe on its accession to independence, which proved that the will of peoples could not be broken.

15. The assistance given by certain States to the racist régimes ran counter to the efforts of the United Nations. He referred specifically to the way in which Israel was being encouraged by economic and military aid. The international community should put a stop to that situation.

16. His delegation had requested that sanctions should be imposed against the régimes of South Africa and Israel because both deprived the people of their most elementary rights and the world could not remain a mere spectator of that situation. In the Arab world there was the case of Palestine and southern Lebanon, where Israel was violating human rights and defying the resolutions of the United Nations. His country was also supporting the struggle of the Palestine people to create a State of Palestine through its sole representative, the Palestine Liberation Organization.

17. Mr. CHUTHASMIT (Thailand) said that his country was proud of its record of support for various resolutions of the United Nations and of the international community urging eradication of racism, racial discrimination and apartheid. Those practices caused intolerable suffering for millions of men, women and children in Africa and elsewhere and constituted a serious threat to international peace and security.

18. The crime of apartheid should be faced by means of a common effort on the part of all peoples, Governments and institutions, and his delegation therefore considered it altogether appropriate that the United Nations had established a Programme for the Decade for Action to Combat Racism and Racial Discrimination. In his delegation's view, high priority should be given to the programme of

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(Mr. Chuthasmit, Thailand)

activities to be undertaken during the second half of the Decade contained in the annex to General Assembly resolution 34/24. In that connexion, he called on the Committee to vote in favour of the draft resolution submitted by the Economic and Social Council in document A/C.3/35/L.3.

19. Thailand was a country with more than six centuries of independence, and in its struggle to avoid falling into the grip of colonialism it had realized the importance of the universal right of self-determination and independence. His delegation therefore noted that the current General Assembly marked the twentieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, whose principles should be reaffirmed by all States. International organizations, particularly the United Nations, should give maximum publicity to the Declaration and to the struggle being waged by oppressed peoples for their self-determination and independence in Africa and elsewhere in the world.

20. His delegation welcomed the delegations of Zimbabwe and Saint Vincent and the Grenadines, countries that had recently been admitted as Members of the United Nations, and expressed the hope that Namibia would soon gain independence, so that it could occupy its rightful place in the international community.

21. Mr. EDIS (United Kingdom) said that his country, which was a long-standing party to the International Convention on the Elimination of All Forms of Racial Discrimination, had just submitted its sixth periodic report to the Committee on the Elimination of Racial Discrimination. Paragraph 386 of the report before the Committee (A/35/18) stated that the Committee commended the United Kingdom for its well-organized report and, in particular, for its frankness and the open and serious way in which it had made efforts to take action to reduce the number and gravity of instances of racial discrimination in the country.

22. As indicated on previous occasions, his delegation supported and encouraged the work of the Committee on the Elimination of Racial Discrimination, whose experience and professionalism during the current year had strengthened the confidence it inspired. The United Kingdom urged countries that had not already done so to ratify the Convention and observe its provisions.

23. His delegation continued to hope that the Committee would be mindful of its obligation to work within the mandate established by the Convention, which was the instrument that contained the only legal and acceptable basis for its activities.

24. In a recent statement, the representative of Yugoslavia had referred to the preparation of a draft resolution on CERD's report. He hoped that, in view of the previous year's experience, adequate consultations on its terms would be held with a representative group of States parties before the draft resolution was submitted. If possible he wished to avoid that draft being put to the vote. He was particularly concerned at the fact that that draft resolution had had only very limited support in recent years.

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(Mr. Edis, United Kingdom)

25. The Committee had to consider a practical matter in relation to the venue of future meetings of CERD, as indicated in document A/35/414. Although the idea of publicizing the work of CERD more widely was attractive, his delegation believed that the meetings of such bodies should be held at the headquarters of the substantive units of the Secretariat. However, it was willing to consider the recommendations in paragraphs 7 (a) and (b) of the report of the Secretary-General, provided that the necessary administrative arrangements would not lead to any increase in the regular budget of the United Nations.

26. One of the aspects of CERD's work that sometimes caused problems was the attempt to extend obligations under the Convention and to question States parties on their relations with South Africa. His delegation had always had to take the line that that matter was not an appropriate subject for CERD because it went beyond the terms of the Convention and there were other forums where the matter could be considered more appropriately, such as the Third Committee.

27. The Government and people of the United Kingdom firmly condemned apartheid and deplored the suffering and loss of human dignity it caused. There could be no defending a social and legal system that divided citizens of a country according to their colour. As the Minister of State for Foreign and Commonwealth Affairs, Mr. Neil Marten, had said during the meeting of the Commonwealth Parliamentary Association held at Lusaka, apartheid was not only repugnant but morally inhuman.

28. It was sad that the sort of resolution on the racial situation in South Africa that could easily command a consensus was only occasionally submitted to such forums as the Third Committee, the Economic and Social Council and the Commission on Human Rights. The resolutions submitted to those bodies often spoke of means and not of ends. A case in point was the Khalifa report, which the Committee had before it once again and which was based on the assumption that contacts of any sort with South Africa must be negative.

29. His country respected the strong convictions of African countries and many other countries with regard to the situation in South Africa; it well understood their feelings of anger and frustration, which were justified in view of the gross violations of human rights in South Africa. It was understandable that those countries expressed themselves in strong terms; and he wished to address himself in particular to them to explain briefly his country's position.

30. The Government of the United Kingdom had frequently stated its total opposition to South Africa's policy of apartheid and it would continue to work for fundamental change in that country. Apartheid was a policy that went against the tide of history and was bound to end in failure. In his country's view, the problems of South Africa were those of human rights rather than of colonialism. His country had condemned ill-treatment of detainees and the system that permitted detention without trial on grounds of political belief; and it had supported Security Council resolution 473 (1980), which expressed the Council's concern at disturbances in South Africa.

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(Mr. Edis, United Kingdom)

31. However, his country did not support the use of force and believed that imposition of further sanctions would not work against South Africa; on the contrary, that would seriously damage black interests in southern Africa and in neighbouring States and would only serve to entrench South Africa in its determination to resist change. In his Government's view, much more could be done by strengthening dialogue and negotiations than by means of threats and punitive action.

32. Developments that had taken place since the previous session of the General Assembly showed that the foregoing remarks were much more than mere rhetoric. Since the previous year Zimbabwe had gained independence and assumed its rightful place at the United Nations; such a development had only been possible as a result of the establishment of links with all the parties concerned.

33. Currently his country, in association with other interested parties, was pursuing its initiative to secure peaceful and internationally recognized independence for Namibia. That initiative, which enjoyed broad support from the majority of the international community and was recognized by the Security Council, could hardly proceed if diplomatic and political contacts were not established with the Government of South Africa. It was therefore necessary that there should be a little less rhetoric and a bit more recognition of reality in the Third Committee's debates and resolutions.

34. Contrary to what some of the delegations would probably allege, his country did not provide military assistance to South Africa and did not collaborate with that country in the development of its nuclear power industry. His country had substantial economic links with South Africa and did not believe that such links were incompatible with the promotion of peaceful change; on the contrary, it had committed itself to using those links to that end. Although they were not numerous, there were some indications that some of the premises on which apartheid was based might be called into question by South Africa itself. His country hoped that that might be the start of a trend towards dismantling the racial foundations on which South African society was based.

35. With regard to the Decade for Action to Combat Racism and Racial Discrimination, his delegation considered it a noble effort that had unfortunately gone off the rails. It had started on the basis of a consensus, which had broken down primarily owing to the intrusion of an element that should never have been introduced and that had irredeemably damaged the Decade as a whole. Nevertheless, his country was prepared to support constructive activities that were in accordance with General Assembly resolution 3057 (XXVIII), as demonstrated, for example, by its participation in the ECE seminar on racial discrimination recourse procedures in Geneva the previous year.

36. Mrs. CASTILLO (Dominican Republic) said that her Government was firmly opposed to any kind of racial discrimination so that there were no problems of that kind in the Dominican Republic.

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(Mrs. Castillo, Dominican Republic)

37. Her delegation had urged the South African régime to put an end to the degrading policy of discrimination and apartheid which was so prejudicial to most of that country's people. Her delegation was concerned at the continuation of the policy of Bantustans, the aggression against neighbouring countries, the ruthless repression of all opposition to the régime and its shocking indifference to the resolutions of the United Nations, its contempt for them leading to situations that were a threat to the peace and security of the region.

38. On that point, she pointed out that the Dominican Republic had signed the Convention on the Elimination of All Forms of Discrimination against Women on 17 July 1980 and was now preparing to adopt administrative, legislative and other measures for its application. In that connexion, she said that her delegation supported the Yugoslav proposal that, with the help of UNESCO, all texts containing provisions that were injurious to women should be revised.

39. Her delegation associated itself with those which had urged an intensification of the campaigns for the release of the political prisoners imprisoned by the Fascist and racist régimes because of their valiant struggle against political, social, economic and cultural discrimination and for self-determination and national independence. In the view of her delegation, the movements struggling for freedom from colonialism, racial discrimination, apartheid and all forms of foreign domination were to be commended. In that connexion, she was happy to note the triumph of the heroic people of Zimbabwe in its struggle to achieve national independence; that was unquestionably a shining example of a people's struggle for self-determination.

40. Her delegation was greatly looking forward to the holding of the second World Conference on Combating Racism and Racial Discrimination, at which the activities carried out during the Decade would be reviewed and appraised and appropriate measures to ensure the application of the United Nations resolutions would be adopted so that that shameful problem could be banished from the face of the earth.

41. Political, military, economic and other assistance to the colonialist and racist régimes of southern Africa was prejudicial to the people of that area. Although it was sometimes claimed that such assistance promoted development and the transfer of technology and provided jobs for the population, what that assistance really did was to keep régimes in power which had no popular support whatever and which crushed all opposition and constantly violated the civil, social, economic and cultural rights of their peoples. An end must be put to the exploitation of mineral and other resources with cheap labour. International organizations like the United Nations should offer their help towards the achievement of independence and the subsequent development of the colonial territories and towards preventing international monopolies from plundering those territories. The international community should make greater efforts to secure the elimination of the obstacles to the independence and development of those peoples and to the effective exercise of their human rights. There should be a greater mobilization of world public opinion so that the oppressive minority régimes would become more and more isolated. She commended the positive efforts made in that direction by some international agencies and organizations of the United Nations system, which included UNESCO, the United Nations Development Programme, the World Health Organization, the Food and Agriculture Organization of the United Nations and UNICEF.

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#### ORGANIZATION OF WORK

42. The CHAIRMAN reminded the Committee that the list of speakers on agenda items 66, 67, 74 and 75 would be closed at 1 p.m. As to the documents, he wished to report that he had got into touch with high-ranking Secretariat officials, particularly with the secretariat of the World Conference of the United Nations Decade for Women, and had received assurances that the necessary documents would be ready in time.

#### ESTABLISHMENT OF WORKING GROUPS

43. The CHAIRMAN said that, at the beginning of the current session of the Third Committee, separate proposals had been made by the United Kingdom and the United States of America that working groups should be set up to prepare a draft declaration on the rights of persons who were not citizens of their countries of residence and a set of draft principles for the protection of persons under any form of detention or imprisonment, respectively. He had consulted various delegations so as to be able to suggest arrangements that would be really acceptable to the Committee. As a result of those consultations, he proposed the establishment of one working group to deal with both of the proposed topics. The working group would adopt its own time-table and programme of work, which should be such as to enable it to deal with both subjects.

44. Mrs. SEMICHI (Algeria) said that the time to be allowed both to that new working group and to the working group that had already been established to draft a convention on the rights of migrant workers should be more clearly defined.

45. The CHAIRMAN said that he would try to ensure that both working groups would have as much time as they required, although he recalled that it would not be realistic to expect them to meet more than twice a week, since the Third Committee's programme had been organized on the basis of eight meetings a week. Therefore, each working group would hold at least one meeting a week.

46. He said that if there were no objections, he would consider that the Committee accepted the proposal to establish a working group to: (a) prepare a declaration on the rights of persons who were not citizens of their country of residence; and (b) prepare a set of draft principles on the protection of persons under any form of detention or imprisonment.

47. It was so decided.

#### REQUEST FROM THE PAN AFRICANIST CONGRESS OF AZANIA

48. The CHAIRMAN reported that a request had been received from the Pan Africanist Congress of Azania to be allowed to participate in the deliberations of the Third Committee. In accordance with paragraphs 6 and 7 of General Assembly resolution

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(The Chairman)

3280 (XXIX) and following the practice of the Fourth Committee and other Main Committees of the General Assembly, the national liberation movements recognized by the Organization of African Unity were allowed to participate as observers, on a regular basis, in the relevant work of the Main Committees concerned.

49. He said that, if there were no objections, he would consider that the Committee authorize the Pan Africanist Congress of Azania to participate as an observer in its work.

50. It was so decided.

The meeting rose at noon.