



SUMMARY RECORD OF THE 13th MEETING

Chairman: Mr. GARVALOV (Bulgaria)

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The meeting was called to order at 10.50 a.m.

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

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AGENDA ITEM 66: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO COLONIAL AND RACIST REGIMES IN SOUTHERN AFRICA (continued) (E/CN.4/Sub.2/425 and Corr.1-3 and Add.1-7; A/35/419)

AGENDA ITEM 75: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS: REPORT OF THE SECRETARY-GENERAL (continued) (A/35/146, A/35/65, A/35/419)

1. Mr. BIALY (Poland) said that the accession to independence of Zimbabwe and Saint Vincent and the Grenadines was the most recent conspicuous example of the importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples. There was a close interrelationship between the four agenda items before the Committee. In some instances racial discrimination, a direct descendant of colonialism and subjugation, was a remaining form of colonialism. Unfortunately, the situation regarding implementation of the relevant international instruments and General Assembly resolutions concerning elimination of racism, racial discrimination and colonial oppression was not encouraging. Although Zimbabwe's victory, which was an important milestone, had enhanced awareness of the tasks that remained, the road ahead continued to be arduous. The emergence of an independent Zimbabwe assumed particular relevance at the beginning of the decisive phase of the Decade for Action to Combat Racism and Racial Discrimination. The pace of implementation of the Programme for the Decade was too slow, and the four-year plan of activities designed to accelerate its implementation had not yet produced the expected results. Moreover, it was regrettable that rather few Governments had furnished information on implementation of the Programme in their respective countries.

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(Mr. Bialy, Poland)

2. His country's consistent stand against racist practices everywhere was based on the principles of its socio-political system of equality and social justice. Polish legislation guaranteed equal and effective protection of citizens against discrimination in any form, and racist activities or propaganda were prohibited and punishable under the law. At the international level, his country had been actively contributing to formulation of international instruments dealing with crimes against humanity and to implementation of the Decade for Action to Combat Racism and Racial Discrimination. His delegation had always supported and complied with United Nations resolutions against colonialism, racism and apartheid. Furthermore, the Decade enjoyed the full support of his people, who had gained bitter experience from the consequences of nazism. His country viewed neo-nazi tendencies in certain countries with the utmost concern. It had, moreover, always supported politically, materially and morally the national liberation movements of peoples fighting colonialism, racism and apartheid, and the Polish people and his country's civic organizations offered direct assistance to the victims of apartheid and colonialism. His country would continue to adhere to the guidelines for the Programme for the Decade. However, it was regrettable that the Committee did not have before it a report on the study by the Secretary-General on education activities and activities of the mass media in the fight against discrimination, in accordance with General Assembly resolution 33/99.

3. With regard to the report of the Committee on the Elimination of Racial Discrimination (CERD) (A/35/18), his delegation noted with satisfaction a steady improvement in CERD's methodology and approach. That assessment also applied to CERD's consideration of Poland's sixth periodic report in August 1980. In the past several years a constructive exchange of views had been established between his country and CERD. During consideration of Poland's report, one member of CERD had remarked on the inclusion in that report, and in reports of other countries in the same region, of ideological considerations and an analysis of the causes of racism. Racism was first and foremost a product of certain ideologies. Colonialism, itself, had its roots in a specific ideology, and social inequality was part and parcel of certain ideologies and philosophical outlooks.

4. It was strange, in view of the world community's unanimous condemnation of the policy of apartheid, that there should be isolated appeals for a policy of "friendly persuasion" towards South Africa. To make repeated appeals to the Pretoria régime was tantamount to disregarding the basic human rights and fundamental freedoms of the people of Azania and to perpetuating the status quo in South Africa for the sake of foreign economic and military interests. The revised report prepared by the Special Rapporteur on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist régimes in southern Africa (E/CN.4/Sub.2/425 and Corr.1-3 and Add.1-7), which was currently before the Committee, was revealing in that respect. It had been confirmed time and time again that economic collaboration with South Africa strengthened the racist régime in Pretoria. His country fully supported the struggle of the national liberation

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(Mr. Bialy, Poland)

movements of Azania and Namibia and lent its unreserved support to international action to eradicate apartheid.

5. With regard to the importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples, the lot of the black majority in South Africa and the situation of the Arab people of Palestine were conspicuous cases in point. Each day brought new reports of mass violation of the basic human rights and fundamental freedoms of the Palestinian people, and international action to enable that people to become a free nation was still insufficient.

6. The international community was fortunate enough, where the struggle against racism and racial discrimination was concerned, to have a series of international instruments and a number of relevant resolutions and programmes that represented a good foundation for international action. The process of adopting such instruments had started 20 years earlier with the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. However, progress was far from satisfactory because: a number of Member States had not voted in favour of the important documents in question; a number of them had been ratified by only a fraction of Member States; and their implementation was too frequently subject to expediency, double standards and political convenience. It was important that all Member States should be marshalled on the side of those fighting racial discrimination.

7. Mr. WALKATE (Netherlands), referring to the CERD report (A/35/18), said that his Government attached great importance to the fact that that Committee was an independent body. However, CERD's annual report to the General Assembly submitted in accordance with article 9, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination was proof of its link with the United Nations, one of whose main purposes was to promote and encourage respect for human rights and fundamental freedoms for all. It was gratifying to see how much attention the members of CERD paid to what was being said in the Third Committee.

8. With regard to the problem that arose from the obligation for States parties to report to CERD every two years, it was important that that obligation should not be eroded. However, it was clear that it placed a heavy burden on reporting States, particularly smaller ones. The fact that CERD had accepted submission of Democratic Yemen's third and fourth reports in one document indicated that CERD might be willing to permit States to submit two reports at one time covering a period of four years. It would thus be possible to change the negative course that reporting by States parties had taken. The marked decline in the submission of reports over the past 10 years showed that the burden placed on Governments should not be underestimated. He wished to suggest that CERD should interpret the relevant provision of article 9 in such a way as to enable a reporting State to

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(Mr. Walkate, Netherlands)

submit two reports together at a given time. The advantage of such a procedure was that considerable time would be gained and there would still be a continuing process of reporting on the part of States parties and monitoring on the part of CERD, which was the ultimate purpose of article 9 of the Convention. Another advantage might be that CERD could thus concentrate on the reports of States that encountered difficulties in implementing the Convention. CERD might even consider permitting reporting States that had a good record to submit their following two reports together after a period of four years. In any event, the revised guidelines concerning the form and content of reports submitted by States parties would certainly facilitate reporting.

9. With regard to CERD's views concerning the holding of sessions in various regions of the world (decision 1 (XX)), his delegation could not accept the three alternative suggestions concerning the financing of such meetings proposed by the Secretariat in document A/35/414 on future meetings of CERD. A fourth possibility was that such sessions should be financed by the States parties belonging to the region in question.

10. CERD had still not acquired the competence under article 14 of the Convention to receive and consider communications from individuals or groups of individuals within a State party's jurisdiction claiming to be victims of a violation by the State party in question of any of the rights set forth in the Convention. So far only seven of the 10 States parties required had made declarations under article 14. His delegation wished to reiterate the appeal that was normally made in the General Assembly resolution on the status of the Convention that States parties should consider the possibility of making declarations under article 14. There were 11 States parties that had so far not made declarations under article 14, even although they had ratified the Optional Protocol to the International Covenant on Civil and Political Rights, which recognized the competence of the Human Rights Committee to receive communications from individuals. A comparison of document A/35/196 on the status of the Convention of the Elimination of Racial Discrimination and document A/35/195 on the status of the International Covenants on Human Rights would show which countries he had in mind.

11. Whatever international and national rules and procedures the international community had at its disposal, nothing would be accomplished if the evil of racial discrimination was not eradicated in the minds of men and women everywhere in the world. It was alarming to see how much intolerance based on racial and religious prejudices existed. Article 7 of the Convention, which obligated States parties to combat prejudices that led to racial discrimination was of prime importance.

12. His delegation did not consider the International Convention on the Suppression and Punishment of the Crime of Apartheid an effective means of combating the degrading system of apartheid. That Convention gave rise to the following legal difficulties: the definition of the crime of apartheid in article II of the Convention was too broad and vague; the definition of criminal responsibility in article III was too wide; and extraterritorial jurisdiction was

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foreign to the Netherlands system of criminal law and procedure. However, as indicated in the statement made by the Netherlands Minister for Foreign Affairs before the General Assembly, his Government was in the process of sounding out friendly countries on any possible concerted efforts, including economic measures, to bring about a change in South Africa.

13. Mrs. MUSSAIN (Pakistan), referring to agenda items 66, 67 and 74, said that her delegation attached great importance to the international community's efforts to eliminate racism and racial discrimination and considered that items concerning those issues should continue to be included in the Committee's agenda until such time as those practices disappeared altogether. The Decade for Action to Combat Racism and Racial Discrimination was a suitable vehicle for achievement of that objective. In that connexion, her delegation wholeheartedly endorsed the proposal submitted by the Economic and Social Council that a second world conference to combat racism and racial discrimination should be convened in 1983.

14. Her country was one of the first to have placed the problem of racism and racial discrimination before the Committee and one of the first to sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination. Her delegation called upon the Member States that had not already done so to accede to the Convention.

15. The fact that Pakistan's Minister for Foreign Affairs had been serving as a member of CERD since 1978 was a measure of Pakistan's commitment to abolition of racial discrimination in all forms. CERD's functions should be strengthened so that it could consider the problem of racial discrimination in all signatory States and in those other instances for which it had been given a special mandate under article 15 of the Convention. As CERD's consideration of Pakistan's sixth periodic report had brought out, the phenomenon of racism and racial discrimination did not exist in Pakistan. Islam forbade any distinction on the basis of race, colour, descent, or national or ethnic origin and called for the combating of racism and racial discrimination. For those reasons, Pakistan had consistently followed a policy of total support for peoples struggling against racial discrimination in all its forms and manifestations.

16. Her delegation condemned the racist régime in Pretoria and pledged its continued support for the South West African People's Organization, the sole representative of the people of Namibia. She also reiterated her country's support for the Pan-Africanist Congress of Azania and for imposition of mandatory sanctions against South Africa. Pakistan called upon the international community to continue to exert maximum pressure on that country.

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(Mrs. Hussain, Pakistan)

17. Much remained to be done in order to achieve total and complete elimination of all forms of colonialism, neo-colonialism, foreign aggression and occupation, alien domination and racism. In that connexion, the single most outstanding recent development was the accession of Zimbabwe to independence.

18. Her delegation reiterated its support for the objectives of the International Convention on the Suppression and Punishment of the Crime of Apartheid, which her country hoped to sign very soon.

19. In his recent address to the General Assembly, the President of Pakistan had expressed concern at discriminatory treatment of Muslim minorities in various countries, emphasizing that expression of humanitarian concern at the plight of those minorities should not be regarded as interference in the international affairs of any State. Her delegation wished to bring that problem to the Committee's attention. Yet another form of racial discrimination was either being perpetuated by tradition or provoked by the influx of immigrant workers into certain developed countries. Her delegation therefore supported the drafting of a convention on the rights of migrant workers and their families. Moreover, thought should perhaps be given to the holding of seminars and conferences on themes relating to the elimination of racism and racial discrimination in countries where there were still traces of such ills but where the Governments concerned were doing their best to be rid of them.

20. Mr. KINDE (Ethiopia) said that it was indeed a sad commentary on the times that racism still plagued the human society despite all efforts made to eradicate it. It was a product of certain social systems that thrived on domination and exploitation. The doctrine of fascism and nazism which proclaimed the superiority of one race over others was historically absurd, scientifically discredited and patently false. Since the existence of racism was a threat to international peace and security, it could not be eliminated by the single-minded effort of individuals or by government proclamations, but rather by a conscious act aimed at the socialization and humanization of man through the internationalization of universal values and principles.

21. Africa, more than any other continent, continued to suffer from the odious system of slavery, exploitation and dehumanization to which it had been subjected for more than 500 years. In Africa today, racism was preached and practised in the southern part of the continent. The brutal practice of apartheid was economic, cultural, political and social slavery based on colour. The daily humiliation and degradation of the black man in a system of institutionalized sadism was one of the tragedies of the twentieth century. All efforts exerted by the United Nations to bring sanity to the rulers of Pretoria had been in vain. Apart from defying the United Nations and continuing its evil practices, the Pretoria régime had virtually colonized Namibia and committed daily aggression against Angola, Zambia, Botswana and Zimbabwe and continued to threaten the rest of Africa.

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(Mr. Kinde, Ethiopia)

Despite the efforts of the United Nations and the Organization of African Unity, the South African régime continued its defiance of the international community through the political, economic, financial, military and technological support provided to it by the forces of racism and imperialism which constantly sabotaged all efforts aimed at the speedy eradication of the evils of apartheid. Those forces placed profits above humanity, political expedience above principles and racial preference above justice. Ethiopia rejected the convenient rationales provided by some delegations justifying continued collaboration with Pretoria. The truth was that if a certain European country were to reduce its investments in South Africa by 50 per cent, over 200,000 of its own nationals would be out of work. Thanks to the heroic struggle of its people, Zimbabwe was independent. What was now needed was effective action that would isolate Pretoria and bring its irrational rulers to their knees.

22. With regard to the Middle East, Ethiopia rejected the illegal occupation and expropriation of Arab lands. It denounced the brutal discrimination carried out against the Palestinians and other Arabs in the occupied territories and demanded the implementation of the relevant United Nations resolutions so that peace could be restored in that part of the world.

23. Ethiopia had ratified all conventions aimed at the speedy elimination of racism, racial discrimination and apartheid and it would continue to render moral, political and material support to the extent its resources permitted until the last vestiges of racism, apartheid and colonialism were completely obliterated. His delegation endorsed the reports submitted by the Secretary-General on the subject and supported the Programme of Action, including the convening of an international conference and regional conferences to combat racism.

24. Mrs. SOW (Guinea) said that, while the international community could rightly welcome the tangible results obtained in the fight against racism and racial prejudice thanks to a general mobilization of public opinion, it should, however, be recognized that the implementation of the Programme for the Decade required sustained efforts. Emphasis should therefore be placed within the international community on the need for the integral implementation of General Assembly resolution 34/93, and it was in that spirit that the United Nations should provide effective material and moral support for the decision of the Heads of State and Government of OAU for the convening of a world conference on sanctions against South Africa.

25. Guinea was a party to the International Convention on the Elimination of all Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid. However, obstacles had deliberately been placed in the way of the integral implementation of those two legal instruments. The ambivalent attitude of the Western countries should be denounced because, even though they had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, they maintained all sorts of relations with the

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(Mrs. Sow, Guinea)

illegal régime in South Africa. Since it generally admitted that apartheid was a denial of human dignity and that the basis of that doctrine was internationally immoral, the United Nations should fight against that evil with all the necessary vigour. For that reason her delegation appealed to all States which had not yet done so to accede to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

26. The disastrous consequences of the economic activities of foreign companies in aggravating the systematic violation of the inalienable rights of the South African people to independence no longer needed to be demonstrated. The imperialist Powers, while feigning sensitivity to the question of human dignity, scorned by the defenders of the apartheid system, had no lack of arguments to justify their investments in that country.

27. Her delegation believed that in a situation of colonial or foreign domination, the effective realization of human rights required the liberation of people from the colonial yoke or foreign stranglehold. The United Nations could provide succeeding generations with a good lesson if it carried out a true crusade against all the iniquities of the contemporary world: the crimes of apartheid in South Africa and Namibia, the military occupation of Palestine by Israel, the all-out exploitation of the natural resources of developing countries and the inequality in terms of trade. On the occasion of the celebration of the twentieth anniversary of the historic resolution 1514 (XV) on the Declaration on the Granting of Independence to Colonial Countries and Peoples, Guinea addressed its heartfelt encouragement to all freedom-fighters throughout the world and assured them of its unconditional support and solidarity.

28. Mr. TSVETKOV (Bulgaria) said that racism and racial discrimination had long been condemned as a complete denial of human dignity and fundamental human rights and freedoms. The policy of racism and racial discrimination, as pursued by racist régimes and their supporters, had been generally acknowledged to be a serious threat to international peace and security. It ran counter to the high ideals and noble principles for whose implementation the United Nations had been created and for which the progressive and democratic forces and countries of the world were fighting today. The policy of racism and racial discrimination could not be regarded as a mere humanitarian problem. It constituted, today more than ever, an urgent and acute political problem of which the international community was fully aware and whose total suppression could no longer be delayed.

29. The United Nations had on many occasions undertaken practical measures in that regard. Thanks to those efforts and the many positive developments in international life in general, tangible results had been obtained in recent years. The vast movement of national liberation in colonial countries and territories supported by progressive forces throughout the world had brought new successes in the struggle

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(Mr. Tsvetkov, Bulgaria)

against colonialism. The most recent example was the victory of the heroic people of Zimbabwe. While it was comforting to note the considerable successes in that field, it should not be forgotten that such negative phenomena still existed and that the efforts of the international community to accelerate the process for their complete elimination must be continued. The most important task in that regard was the struggle against the racist régime in South Africa. The policy and practices of apartheid followed by the Pretoria régime constituted a blatant form of legalized racism which had been constantly condemned by the international community. The oppressed peoples of Namibia and South Africa continued to exist in conditions of the most cruel exploitation. The explosive situation in southern Africa had been aggravated, on the one hand, by acts of aggression systematically committed by South Africa against sovereign neighbouring countries and, on the other, by the incessant military and other collaboration of the racist régime with certain Western countries known to all.

30. The situation in the Middle East was another major reason for concern. Israeli militarism continued to occupy Arab territories by force, strengthening its presence and conducting a policy of massive repression against the Arab population. The pursuit of that policy, which the United Nations had described as one of the forms of racial discrimination, brought untold suffering to the Arab people of Palestine and the denial of their legitimate right to self-determination, including the establishment of their own independent State in accordance with resolutions of the General Assembly.

31. However, the geographic scope of racism and racial discrimination was not limited to southern Africa and the occupied Arab territories. Another source of justified concern was the manifestations of covert racial discrimination, the intensification of racist propaganda, the unpunished acts of racist and neo-fascist organizations and the exploitation of migrant workers or indigenous populations taking place in certain Western countries. Racism and racial discrimination in all their forms were the product of social relations based on the exploitation of man by man. The socialist socio-economic system excluded all possibilities of the manifestations of racial discrimination. The socialist State and the socialist society, whose supreme goals were the well-being of humanity, offered all the necessary conditions for the effective assurance of equality of all citizens. In the People's Republic of Bulgaria, all citizens enjoyed equal rights and obligations.

32. At the international level, Bulgaria had consistently stated its opposition to all forms of racial discrimination and had supported the efforts of the United Nations for the complete elimination of racism, racial discrimination and apartheid. The People's Republic of Bulgaria had ratified all international legal instruments in that regard. As an active member of the Committee on decolonization, the Commission on Human Rights, the Council for Namibia and the Committee on the Elimination of Racial Discrimination, Bulgaria was making a concrete contribution to the efforts of the United Nations in that field. In accordance with that policy, Bulgaria maintained no diplomatic, political, economic, cultural or other relations

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(Mr. Tsvetkov, Bulgaria)

with the racist régime of South Africa, thus strictly complying with the relevant United Nations resolutions. Furthermore, Bulgaria continued to provide substantial assistance to the national liberation movements in southern Africa. Bulgaria maintained active ties with African countries based on equality. Evidence of that policy was represented by the visits of the President of the Council of State to several African countries and the official visits to Bulgaria by the Presidents of Ethiopia, Zambia and Mozambique.

33. Bulgaria attached great importance to the question of the universalization of international instruments to counter racism, in particular, the International Convention on the Elimination on All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid. It reiterated its insistence that any attempts to provide assistance or support to the racist régime of South Africa should be most severely condemned. The duplicity of the policy of certain allies of South Africa, which had declared themselves in favour of the United Nations efforts while in fact they continued their collaboration with the racist régime, should be unmasked and condemned. His delegation supported the proposal to convene an international conference on the imposition of sanctions against the apartheid régime and was ready to work actively for the total elimination of racism, racial discrimination and colonialism.

34. Miss BROSHAKOVA (Czechoslovakia) said that she would confine her statement to agenda item 67 and 74. The Czechoslovak Socialist Republic had always actively and consistently supported United Nations efforts to eliminate all vestiges of racism, apartheid and other forms of racial discrimination. Following the recent independence of Zimbabwe, the situation in southern Africa had much improved, although under the racist régimes in South Africa and Namibia, supported to a considerable extent by certain Western countries, millions of people were still suffering under the racist yoke. Furthermore, racism continued to oppress peoples in Israeli-occupied Arab territories, some capitalist countries and other countries. The struggle of the international community against racism must be strengthened, not only by applying pressure on those States that followed a policy of racial discrimination and those States that supported them in order to gain profits, but also by sincere efforts on the part of those States that discriminated against their citizens on the basis of race, political opinion, nationality, and so forth.

35. Racial discrimination was foreign to the ideology of her country, in which two nationalities and several national minorities lived. Full equality of all citizens was guaranteed by law and other protections were extended to assist members of minority groups. Legal protection against racism and racial discrimination was embodied in the Czechoslovak Criminal Code and the Labour Code. Furthermore, remedies were available in Czechoslovak courts and other administrative organs for those who felt that they had been the victims of discrimination. Another important

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(Miss Brosnakova, Czechoslovakia)

approach adopted by his country in its efforts to combat racial discrimination was the education and raising of young people. Children and young people were made aware of the harmful effects of racism and racial prejudice. Each year educational institutions celebrated the International Day for the Elimination of Racial Discrimination on 21 March. Reading materials and lessons dealing with racism and racial prejudice and the situation in southern Africa had been prepared for educational workers in conjunction with the Decade for Action to Combat Racism and Racial Discrimination. School curricula included geographical and historical materials dealing with the history and culture of non-European peoples and the countries of Asia, Africa and Latin America. Public opinion in Czechoslovakia was continuously informed about the liberation struggle, in particular in southern Africa, about the international ramifications of that struggle, and the need for international solidarity with peoples struggling to achieve independence from an alien Government espousing an illegal ideology based on racial superiority. Various mass organizations of workers, women and youth participated in programmes and events demonstrating solidarity with oppressed peoples.

36. Czechoslovakia had been one of the first States to ratify the International Convention on the Elimination of all Forms of Racial Discrimination and systematically co-operated with all relevant bodies of the United Nations concerned with the status of the Convention. The sixth periodic report of Czechoslovakia had recently been favourably received and considered by the Committee on the Elimination of Racial Discrimination. His Government attached special importance to article 4 of the Convention. Unfortunately, a number of countries in ratifying the Convention had stated reservations in respect of that article, claiming that it conflicted with national legislation protecting, inter alia, the freedom of expression. The Committee on the Elimination of Racial Discrimination had not accepted such reservations and had requested all States to ensure that their domestic legislation met the requirements of articles 4 (a) and (b) of the Convention. It should also be remembered that article 29 of the Universal Declaration of Human Rights placed certain restrictions on the exercise of rights and freedoms, stipulating in particular that such rights and freedoms might in no case be exercised contrary to the purposes and principles of the United Nations. The Committee had also called upon all participating States to terminate all contacts with those Governments that espoused a policy of racial discrimination. It was also unfortunate that only two thirds of the membership of the United Nations had ratified the International Convention especially as among that group were certain very influential States Members of the United Nations. It should also be remembered that the prohibition of racial discrimination applied even to those Governments which had not ratified the Convention, in that the principle of the equality of races had become part of international law with the status of jus cogens. It was also regrettable that less than 60 States, mainly the socialist countries and the developing countries, had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid. In conclusion, she said that Czechoslovakia would remain loyal to its consistent peace-loving foreign policy and would continue to co-operate actively and fully in efforts to eliminate colonialism, racial discrimination and apartheid.

37. Mr. COUSSERAN (France) said that violence and intolerance were phenomena that were reappearing everywhere and spared no country, even a country such as his own which was one of the most vigilant with regard to racial discrimination. He assured members of the Committee that those responsible for the recent reprehensible and criminal bomb attack on a synagogue in Paris would be sought out and prosecuted to the full extent of French law. French society was based on the traditional values of equality, liberty and dignity for all. France condemned the absurd and intolerable system of apartheid and could not accept the enforced suppression of peoples and the permanent denial of justice to the majority. While expressing its condemnation of apartheid without reservations, his Government continued to believe that the best way to liberate southern Africa from racism was through peaceful means, which were the only effective way to induce South Africa to recognize and grant to all of its inhabitants the same rights, the same obligations and the same opportunities.

38. The French legal system was particularly suited to combating racial discrimination, in that the Constitution and the laws and regulations were aimed at protecting the individual, whether French or foreign, against discrimination, be it racial, economic or political. Furthermore, the judicial system punished acts of terror and manifestations of intolerance. Specific legislation had been adopted in 1972 against racial defamation; it punished those guilty of racial acts and made readily available various remedies for individuals and groups that felt that they had been the victims of discrimination.

39. His Government was convinced that effective action against racism must begin at the national level, in particular, by the enactment of national legislation along the lines called for by the International Convention on the Elimination of all Forms of Racial Discrimination. Racism could appear anywhere, in any country, whether rich or poor, developed or undeveloped, based on one ideology or another. Discrimination took the form of religious intolerance, political persecution or racial violence and was a reality that must be constantly fought. In that context it seemed difficult to accept that certain countries still refused to enact specific legislation dealing with racism, on the mere pretext that the racism was unknown and alien to their civilization. The prohibition of discriminatory practices must be included in the fundamental law of the country and reinforced by penal sanctions.

40. In conclusion, his delegation wished to pay tribute to the work of the Committee on the Elimination of Racial Discrimination and supported its proposal that one of the coming sessions of the Committee be held away from the New York and Geneva offices, provided that such a plan could be realized without financial implications for the United Nations.

41. Mr. CAHANA (Israel) said that Israel was dedicated to the struggle against racial discrimination, a struggle that was part of the guiding principles underlying the State of Israel. The Jewish people had been the victims of racial discrimination under the most brutal régime in history, and their complete

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solidarity with the victims of racial discrimination was thus borne of their own experience. The most odious example of such discrimination was the policy of apartheid in South Africa.

42. Israel's adherence to the principles of equal rights and opportunities for all peoples had added to its satisfaction on witnessing the emergence of the new State of Zimbabwe. Its independence represented a significant achievement for the cause of self-determination, freedom and equality for all peoples regardless of colour or origin.

43. The attention of the United Nations in the sphere of racism and racial discrimination had been focused on the situation in southern Africa. The world, however, was infested with different manifestations of racism and racial discrimination, and some of them deserved more attention than was now given to them.

44. Recent eruptions of violence and terror in France must draw the attention of the whole international community to the dangers posed by the resurgence of nazi and neo-fascist organizations which were generally anti-Semitic and frequently collaborated with certain international terrorist groups, such as the murderous Palestine Liberation Organization.

45. Anti-Semitism was still alive, taking different forms in changing circumstances. Sometimes it disguised itself with semantics and attacked Jews by calling them "Zionists".

46. In 1980, additional harsh limitations that violated elementary human rights were imposed on Jews who sought to leave the Soviet Union and emigrate to the State of Israel. Anti-Jewish propaganda continued to be diffused in the Soviet Union.

47. His delegation was duty-bound to alert the international community to the persecution of Jews in Iran. Many Jews in that country had been imprisoned, or tried summarily and executed, on the pretext of "contact with Israel". Although it was difficult to deal with the present régime in Iran, which ignored fundamental concepts of human rights and norms of international relations, he hoped that the plight of the Jews in Iran would not be forgotten.

48. Israel also expressed anxiety over the condition of the tortured Jewish people of Syria, many of whom had been imprisoned and had had their property impounded. The international community must hold the Government of Syria responsible for respecting the basic human rights of its Jewish community, which it held hostage by preventing Jewish emigration.

49. The treatment by Syria of its Jewish minority was symptomatic of the typical attitude of many Arab Governments towards non-Arabs and non-Moslems. Although incriminating information was frequently suppressed, reports which managed to reach the free press of the world revealed that racial discrimination was widely practised in most countries belonging to the Arab League. Those countries had been

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the scene of numerous outrages, such as the massacre of Kurds in Iraq and the enslavement of blacks in Mauritania. Those violations of human rights rarely found their way into the records of the United Nations, since the members of the Arab League held a privileged position in the Organization. They were immune from scrutiny or condemnation. They had numbers, votes and oil; they held strategic territories. Few nations had the courage to challenge their wrongdoings or risk displeasing them. They could manipulate the United Nations, twist the Charter and procedures around and abuse the lofty principles, declarations, plans, programmes and resolutions on human rights. Whenever they wished to exploit those immunities, privileges and economic and political power in order to direct the Organization for their sectarian war with the one non-Arab State in their midst, they found the Organization ready to cater to their prejudice and wishes.

50. The ruler of Libya, Omar Kadhafi, had provided a further illustration of the threat confronting non-Arabs and non-Moslems in the Middle East. In response to a question on the fate of Christians in the Arab homeland, Kadhafi had stated, in a recent interview published in the Beirut newspaper Al Safir on 15 August 1980, that the Christians had followed a mistaken path and they must change their ways, to the extent that they really and truly were Arabs. Kadhafi had added that, if they wanted to maintain their Arab identity, they must convert to Islam. Syria, which had its own non-Arab and non-Moslem minority and which occupied and controlled most of the territory of Lebanon with its various Christian and other communities, was now preparing to unite and identify itself with the author of that concept and the policies derived from it.

51. It was not merely the victims of discrimination in the Middle East but the people of the world at large who must be alerted to that arrogant and ambitious racism which threatened to spread along the northern and eastern shores of the Mediterranean and deep into Africa. It was a concept and strategy which aspired to turn the whole of the Middle East and extended parts of Africa into an exclusive Arab-Moslem empire. As for non-Arabs and non-Moslems, at best they were to be tolerated, provided they relinquished their own national identity and became meek second-class subjects. The champions of that strategy had shown that they had few inhibitions in the pursuit of their hegemonistic racial goals.

52. Nowhere was that policy so fiercely demonstrated as in Israel. Israel remained the main target of that strategy, a fact that accounted for the origin of the Arab-Israel conflict. It was not what Israel did or refrained from doing that was so objectionable to the Arabs. It was rather the very existence of a non-Arab State in their midst. That had been the policy of the Arab League for over 40 years, long before the State of Israel had been established.

53. On the other hand, there was one small people and nation that had been forced to fight for its life and independence. The Jewish liberation movement had culminated in the establishment of the State of Israel and represented a response

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to the racism and racial discrimination directed against the Jews for centuries. Most of them were themselves refugees who had fled from racial or religious discrimination and had sought freedom and independence in their own land. About half of them had escaped religious or ethnic persecution in Arab countries. They had sought refuge and self-determination in their ancestral homeland through peaceful accommodation with their Arab neighbours, but had been confronted by the exclusive, implacable Arab refusal to tolerate any non-Arab national movement in their midst.

54. Long before the State of Israel had been established in 1948, all the members of the Arab League at the time had prepared to prevent Israel's birth by force of arms. Since that time, the fundamental nature of the Arab-Israel conflict had remained unchanged. Members of that League, which currently included the Palestine Liberation Organization, still refused to recognize the legitimacy of the State of Israel. The Arab-Israel dispute could have been solved long ago if it were not for that exclusivist Arab doctrine.

55. Driven by their anti-Israel obsession and uninhibited by international law, the countries of the Arab League had been engaged in a total war against Israel since its inception, and even before. In their war they had taken advantage of all conceivable means and opportunities, one of which had been the vicious propaganda pursued in the United Nations and in the Third Committee. Through travesty upon truth, distortion of concepts and name-calling, political and economic arm-twisting, facilitated by oil blackmail, petro-hegemonism and petro-dollar bribery, they had injected their own racial prejudice and political hostility towards Israel into the resolutions, declarations, plans and programmes of the United Nations and different international forums. They had managed to introduce, for example, the entirely false and obscene notion that the Jewish national movement - Zionism - was a form of racism; or that Israel's policy with regard to the Arabs under its administration represented racial discrimination, a claim which was false and vicious. In their attempt to delegitimize Israel and suggest that its people were not entitled to self-determination, they had managed to introduce into United Nations resolutions the absurd notion that the Palestinian Arab people had an absolute right to self-determination which superseded Israel's claim to that right.

56. There was no similarity between Zionism and racism. Indeed the two concepts were antithetical. Zionism was a revolt against discrimination, a self-emancipation movement of a people who had been the classical victims of racism. One of the central goals of Zionism was the realization of the rights of the Jewish people through peaceful accommodation with their Arab neighbours. It was not only possible but historically inevitable that the day would come when the Israeli and Arab peoples would look back on the present conflict as a tragedy which belonged to the past, and instead would take pride in their peace and co-operation, as befitted closely related peoples and good neighbours.

57. There was nothing in Israel's attitude towards Arabs, whether in ideology, policy or practice, which could be characterized as racism or racial discrimination. Israel's relations with many Arabs were regrettably still far from being peaceful.

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Most Arabs still rejected Israel's offer to live and let live. Israel had ample reason to take Arab threats seriously and to take defensive security measures. The Arab League countries supported the terrorist Palestine Liberation Organization, which aspired to destroy the State of Israel. Supporters of those designs were sometimes found among the Arabs of Judea, Samaria and Gaza. When they carried their views into acts of terror or incitement, Israel was obliged and entitled to treat them according to their deeds, not their origin. No other nation faced with similar assaults and threats against its security -- indeed survival -- would have pursued a policy as liberal as Israel's, nor exercised such restraint.

58. The Arabs who refused to treat Israel other than as an enemy could not expect Israel to treat them otherwise. But those who abstained from hostility found Israel most forthcoming and ready to take great risks, provided there was a chance of reconciliation. Now that the greatest of the Arab nations had made peace with Israel, there had been an outpouring of friendship and respect by the people of Israel towards the people of Egypt. Israel's approach to different Arab nations was dependent on their conduct towards Israel and was based on the same considerations employed by all States in relation to their friends and enemies. If that was racism, then all States were racist; but obviously it was not racism.

59. The condemnation by Israel's enemies aimed at much more than the defamation of Israel's attitude towards certain Arabs. By singling out Jewish nationalism for condemnation, Israel's adversaries questioned the very right of the Jewish people to exercise self-determination and sovereignty. Those machinations were not only anti-Israel; they were anti-Semitic. They were a contemporary expression of the old evil of denying Jews and the Jewish people their inalienable rights.

60. The hostile references to Israel and Zionism inserted in resolutions related to the Declaration of the Programme for Action for the Decade against Racism had seriously undermined the effectiveness of those documents. Irrelevant anti-Israel references had engendered profound opposition on the part of many nations, important organizations and those spheres of public opinion noted for their active support for the cause of human rights. One obvious result of those manoeuvres had been the detraction of significant support from the otherwise rightful goals of the Decade against Racism.

61. When the Programme for the Decade for Action to Combat Racism and Racial Discrimination had been recommended to the twenty-eighth session of the General Assembly, the delegation of Israel had supported it unequivocally. It had been therefore particularly disappointing for Israel to realize later that such essential and noble goals had been allowed to be subverted and perverted by political designs diametrically opposed to the Charter of the United Nations, the Universal Declaration of Human Rights and the true aims of combating racism and racial discrimination.

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62. Falsehood and calumny remained falsehood and calumny no matter how many times they were repeated. The falsehoods perpetrated at the United Nations represented the very disease that the Decade was designed to cure. They themselves demonstrated discrimination and incitement against a people, its nationhood, and its inalienable rights.

63. If the United Nations wished its fight against racism to be based on intellectual and moral integrity, it must first deliver itself from the cloud of cynicism and falsehood which would continue to hang over its efforts as long as it persisted in defaming Israel's nationalism and unjustifiably maligning her policies.

64. Despite its disappointing experience, Israel was not inclined to disregard the important achievements which had already been attained and the important tasks which still lay ahead in the effort to eliminate racial discrimination. Thus Israel had ratified in 1979 the International Convention on the Elimination of All Forms of Racial Discrimination, and had submitted its first national report pursuant thereto.

65. It might have been expected that the report would have been received by impartial experts as factual, explicit and comprehensive. It had been met, however, with highly political reservations by certain members of the Committee on the Elimination of Racial Discrimination, who had injected into the discussion of the report extraneous political elements in a manner completely incompatible with the Committee's practices and traditions. As a result of those manoeuvres, the examination of Israel's national report by the Committee had been postponed until 1981.

66. Israel's detractors at the United Nations had demonstrated great interest in the human rights of the inhabitants of Judea, Samaria, Gaza and Sinai. They should therefore have been the last to take umbrage at Israel's reporting on that matter and its readiness to discuss it with a Committee composed of supposedly independent experts. Such a Committee should have realized that manifestly political questions, such as the recognition of boundaries and the status of various territories, were beyond the scope of its legitimate interest. One could imagine what Israel's detractors' response would have been had Israel refrained from reporting on the status of human rights in the territories in question. Now that Israel had done so, in the justified belief that the human rights of the inhabitants of those territories by far exceeded those enjoyed by the nationals of Israel's Arab detractors and their supporters, they equally found fault with the report. They probably felt embarrassed at the prospect of a comparison between the human rights of their nationals and those of the inhabitants of Judea, Samaria, Gaza and Sinai. Unfortunately, examination of Israel's report by the Committee on the Elimination of Racial Discrimination had been impeded by political bias. Israel would be glad to co-operate with an impartial Committee in the future.

67. Many Member States of the United Nations had pledged themselves to support the cause of peace between Israel and the Arabs. They should understand that the cause

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of reconciliation could not be advanced through vilifying one party. United Nations resolutions which ignored Israel's right to self-determination, security and peace could serve only the enemies of peace and violators of human rights.

68. He appealed to those delegations in the Committee who were ready to pursue a responsible and impartial approach to reject unequivocally any renewed attempt to subvert the genuine objectives of the Committee to political prejudice and to support wholeheartedly sincere efforts to eliminate racism and racial discrimination and to promote self-determination and peace.

69. Ms. SHALHOUB (Jordan), speaking in exercise of the right of reply, said that it was ironic to hear the delegate of Israel accusing others of racial discrimination, given Israel's unjustifiable close ties, especially in the nuclear field, with the racist régime in South Africa. Although the Israeli representative claimed that there was no intolerance in Israel and that all citizens enjoyed equal rights, Jordanians, many of whom had relatives and friends in the Israeli-occupied Arab territories, knew full well that Arabs in Israel were treated as third-class citizens without even the right to higher education. Israeli claims that Arab countries discriminated against non-Moslems were entirely false; there was, for instance, no discrimination against minorities in the labour markets of any Arab country. Anyone who knew Moslem civilization was aware of the past and present toleration and equal treatment accorded to Jews in Arab countries. It was not the Arab countries that were exclusivist, but rather Israel, which did not consider non-Jews living in Israel as citizens of the country. The representative of Israel should also remember that he had no right to refer to the occupied territories as Judea and Samaria; those territories had been Arab territories for 20 centuries or more and the inhabitants of those territories were fully justified in exercising their legitimate rights of self-defence and self-determination. Many United Nations studies had documented the inhuman Israeli treatment of Arab inhabitants in the occupied territories. Several prisoners had recently been executed by Israeli authorities in a prison in the Palestinian desert after cruel treatment and torture. Even many Israelis were aware of the mistreatment of prisoners in the occupied West Bank territories and had appealed to the international community to urge their Government to improve its treatment of prisoners or release them. The Israeli Government had even resorted to invoking laws enacted before 1948 to displace the inhabitants of Arab lands.

70. Mr. HAMOUD (Iraq), speaking in exercise of the right to reply, said that the statement by the representative of the Zionist entity contained the usual quantity of lies and misinformation. The representative had spoken of racial discrimination but had not mentioned that Israel was the only country that maintained close relations, even in the nuclear field, with the racist régime in South Africa. There was even collaboration between Israeli and South African forces in training in torture techniques. The close co-operation between the racist régimes in South Africa and the Zionist entity has been confirmed by numerous United Nations studies. It should also be remembered that the sole cause of the conflict between the Arab countries and the Zionist entity was the illegal and inhuman expulsion and *deportation of Arabs from their homes and their replacement by Zionist immigrants.*

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The attitude of Arab countries resulted from the Zionist entity's usurpation of Arab land and imposition of discrimination in Palestine.

71. The representative of the Zionist entity had slanderously referred to discrimination against the Kurdish people in Iraq. It should be known that under the Iraqi Constitution all citizens, including minorities, were guaranteed full rights. The Kurds' situation in Iraq was governed by constitutionally decreed administrative and legislative autonomy and they had full rights to education in their own language. There was no persecution of Jews in Arab countries. The recent prosecution of some individuals in Iraq for acts of sabotage had been carried out in accordance with Iraqi law and had applied not only to some Jews but also a certain number of Moslem Arabs. Discrimination in Israel, however, was well documented, in particular as it affected oriental Jews and non-Jews. In conclusion, he said that the instability in the Middle East was entirely due to the existence of the Zionist entity.

The meeting rose at 1.20 p.m.