



SUMMARY RECORD OF THE 9th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

CONTENTS

AGENDA ITEM 75: 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)

AGENDA ITEM 76: IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 79: 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)

AGENDA ITEM 80: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued)
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued)
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (continued)

ORGANIZATION OF WORK

OTHER MATTERS

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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 75: 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) (A/37/333, A/37/413)

AGENDA ITEM 76: IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/333, A/37/338 and Add.1; A/C.3/37/L.3, L.4)

AGENDA ITEM 79: 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/37/317, A/37/333; A/C.3/37/2)

AGENDA ITEM 80: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued) (A/37/333, A/37/392, A/37/414)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued) (A/37/18)
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/148)
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (continued) (A/37/149 and Corr.1)

1. Mrs. CAMARGO VILLAREAL (United Nations Educational Scientific and Cultural Organization) said that action by UNESCO to combat racism and racial discrimination and apartheid was carried on in three distinct forms: normative global action against racism, racial discrimination and apartheid, assistance to African liberation movements recognized by OAU, and research and studies in social sciences carried out by UNESCO to combat racism and apartheid. In addition, the resolutions adopted and recommendations made by the UNESCO General Conference had shown, firstly, the link between discrimination, racism and apartheid, on the one hand, and, on the other, and colonialism in all its forms and, secondly, the particularly dangerous nature of racism, which caused social tension and threats to peace. That normative global action had been crowned in 1978 by the adoption of the Declaration on Race and Racial Prejudice.

2. Despite international condemnation of the scourge of racism, that evil not only persisted but had taken on increasingly subtle new forms. Today, some even sought to justify racism on the basis of culture and science. In that connection, at the invitation of the Athens Human Rights Foundation, UNESCO had organized at Athens in 1981 a symposium which had brought together 20 eminent figures from the scientific world. The symposium had dealt with the main conclusions drawn from recent work done in disciplines directly linked to the question, such as

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(Mrs. Camargo Villareal, UNESCO)

anthropology, ethnology, biology and psychology. The participants had launched an appeal, to the peoples of the world and to each human being, which denounced the fallacious interpretations of certain scientific works and pointed out that to participate in science was to assume a large share of responsibility with respect to social development.

3. The recent reappearance of racist doctrines which openly proclaimed the thesis of the superiority of some races or groups bore witness to the seriousness of the problem. Those theories had already been refuted by UNESCO. However, their reappearance demonstrated the need to continue the effort of research and elucidation in order to refute the new versions. Accordingly, member States of UNESCO had recently adopted a declaration at the end of the World Conference on Cultural Policies, held at Mexico City in 1982. That declaration affirmed the indissoluble link between cultural identity and cultural diversity, highlighting the importance of cultural co-operation and the need to humanize development. Only the affirmation of a profound and genuine cultural identity would open unlimited horizons of true solidarity among the most diverse communities so that diversity, instead of leading to confrontations, would serve mutual rapprochement. For that reason, UNESCO was redoubling its efforts to contribute to the preparation of new strategies for action. In its draft medium-term plan for 1984-1989 it had prepared a broad programme on the elimination of prejudice, intolerance, racism and apartheid.

4. UNESCO continued to fight racism and racial discrimination in various fields, including education, culture and information. Accordingly, the General Conference had adopted in November 1978 the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War. UNESCO was also continuing its research activities in the social sciences and had published several works on the subject. Its activities brought to light the complexity of the phenomenon of racial discrimination, which had historical, economic, social, cultural and political dimensions.

5. Mrs. ARUNGU-OLENDE (Kenya) said that Kenya was a multiracial State, where all races had since 1963 been subject to the same treatment. The corner-stone of Kenya's policy was the equality of all people regardless of race, colour, ethnic group, tribe, sex or religion. Since gaining independence, Kenya had maintained a harmonious multiracial society as testimony to its deep commitment to the elimination of racial and all other forms of discrimination. Although Kenya was not yet a party to the Convention on the Elimination of All Forms of Racial Discrimination, its action in that field had always been in complete conformity with the provisions of the Convention. Kenya would become a party to the Convention in the very near future, as soon as the necessary constitutional requirements were complied with.

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(Mrs. Arungu-Olende, Kenya)

6. The evil policies of apartheid and colonialism were the worst forms of racial discrimination and her delegation strongly believed that until the South African racist minority régime moved out of Namibia, and until Israel realized that the Palestinian people had a right to exist peacefully in its own territory and that self-determination was a prerequisite to peaceful coexistence, the international community could not close its eyes to what went on in those areas. Kenya therefore appealed to all Member States not only to condemn the inhuman and degrading practices of racism but to take the strict measures that had been devised and agreed upon by the General Assembly and the Security Council to end institutionalized policies of apartheid, racism and colonialism and to isolate those who continued to carry out such policies. It was shameful that some Members of the United Nations were still directly or indirectly helping the racist régime of South Africa, thus ensuring its continued stranglehold over the black majority.

7. Kenya also actively opposed the recruitment, training and financing of mercenaries and mercenary activities of any kind. It welcomed the work of the Sixth Committee in the drafting of a convention on mercenaries. Kenya continued to support the struggle of liberation movements which could never be linked to mercenary or terrorist activities.

8. Her delegation had noted that there were still some points of disagreement with regard to the agenda of the Second World Conference to Combat Racism and Racial Discrimination. If the Conference was to be worth while, all Member States must participate and contribute to the discussion and the drawing up of a programme of action. In view of the refusal of some Member States to honour what had been agreed upon at the 1978 World Conference, her delegation hoped that everyone would co-operate and participate fully at the Second World Conference and that the existing differences would be reconciled.

9. Mr. ALMOSLECHNER (Austria) said his delegation had noted with great concern that in many fields the achievements of the Decade for Action to Combat Racism and Racial Discrimination had fallen short of expectations. Some progress had, however, been made in the struggle against racism as a result of the many efforts made during the Decade and the detailed, practical and patient work of various United Nations bodies. In that connection, his delegation noted with appreciation the recent increase in the number of States that had become parties to the International Convention on the Elimination of All Forms of Racial Discrimination.

10. In the period under review, the Committee on the Elimination of Racial Discrimination had accomplished its tasks under the Convention. However, Austria felt some concern at the fact that, as the report showed, some countries which were Parties to the Convention had not reported to CERD or had submitted reports not in line with that Committee's guidelines. There were also cases in which States had not responded to the requests of CERD. Regardless of the practical difficulties which might be involved, the obligation of States Parties to submit their reports on time and in accordance with established rules should be fully met, in the interest of those who were to benefit from the Convention. His delegation hoped that the appropriate information called for under article 15 of the Convention would be provided by the States concerned in order to enable CERD to carry out its tasks under that article.

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(Mr. Almoslechner, Austria)

11. The situation resulting from the policy of apartheid in South Africa remained, on the whole, as serious as ever. Fundamental human rights and freedoms were still denied to the largest part of South Africa's population on purely racial grounds. Austria had consistently condemned the apartheid system as an institutionalized violation of the most basic principles of human rights, of all concepts of personal freedom and of the right of individuals to respect and dignity. Such a system could never be the basis of a viable society and must not be allowed to continue.

12. With regard to the question of Namibia, the consequences of the policy of apartheid could not be ignored. Efforts by the international community to arrive at a peaceful solution of the problem of Namibia had recently been intensified, and his delegation continued to hope that Namibia would soon gain its independence. It was also convinced that the link between the apartheid system and the Namibian question added complexity to the situation. International pressure must be maintained in order to convince the South African authorities that they had no other choice than to renounce the apartheid system and introduce the changes that were so long overdue.

13. With respect to the Second World Conference to Combat Racism and Racial Discrimination, he said that his delegation appreciated the intention of the Secretary-General of the Conference to contact Governments in order to ensure the best possible preparations for the Conference. The introduction into the discussion of matters which were extraneous to its main topic should be avoided, so as not to divert attention from the imperative central issues and not to diminish the results of the Conference and their impact on world opinion. To that end, Austria supported current efforts to continue the consultations concerning the agenda of the Conference, with a view to finding a solution acceptable to all.

14. The implementation of the principle of self-determination in the process of peaceful decolonization was one of the proudest achievements of the United Nations. Much remained to be done, however, particularly since the principle of self-determination and its free and unhindered exercise arose in both colonial and non-colonial situations. Regarding the recent tragic developments in the Middle East, his delegation wished to stress once again the urgent need for the mutual recognition of the rights of the peoples concerned, including the right to self-determination of the Palestinian people in all its aspects. Self-determination as one of the corner-stones of peaceful political and social development must never be neglected; it had to be the starting point of every political solution to conflicts.

15. Ms. YAMAZAKI (Japan) said that even though the Charter of the United Nations reaffirmed faith in fundamental human rights and in the dignity and worth of the human person and even though one of the main purposes of the United Nations was to develop friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, racial discrimination was still practised today. Japan's basic policy, firmly and steadfastly maintained, was oppose to any form of racism and racial discrimination. Furthermore, Japan believed that being institutionalized, the policy of apartheid of the Government of

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(Ms. Yamazaki, Japan)

South Africa was the most pernicious manifestation of racial discrimination in the world today and should be abolished immediately. Accordingly, Japan had taken every measure it deemed appropriate and practical in the political, economic, military, nuclear, sports, cultural and educational fields to make South Africa abandon apartheid. At the same time, Japan extended assistance to the victims of apartheid by making annual contributions to the various United Nations funds and programmes concerned with the problem.

16. In accordance with its basic position that the situation should be resolved peacefully, her Government believed that it was important to encourage and facilitate improvements in the situation in South Africa by patiently exerting on that country as much pressure as was possible and appropriate. It regarded as inappropriate any attempt to isolate South Africa by severing all relations, including economic ties. As part of the efforts of the United Nations to deal with situations of flagrant mass violations of human rights, specifically the apartheid system of South Africa, a report had been prepared by a Special Rapporteur (E/CN.4/Sub.2/1982/10). Her delegation was inclined to view that report as inconsistent in its approach and therefore questioned whether it would serve any constructive purpose in effecting change in South Africa. For that reason, Japan would be unable to support any resolution based on it.

17. Experience had reinforced her delegation's firm belief that the goals of the Decade for Action to Combat Racism and Racial Discrimination would be achieved only when all Member States were convinced of the appropriateness of the activities undertaken to promote the aims of the Decade and were willing to participate fully in them. It was deplorable that the continuing divergence of views regarding the important issue of racial discrimination had prevented such participation. That fact should be borne in mind in the discussions regarding the Second World Conference. Her delegation hoped that unlike the 1978 World Conference, at the final stage of which some delegations had walked out, at the Second World Conference there would be maximum participation in order to produce results of which all could be proud.

18. Unfortunately, there were today parts of the world in which the right of peoples to self-determination was yet to be realized. One such place was Indo-China. Foreign military intervention continued in Kampuchea, whose people continued to be denied its right to self-determination. Japan profoundly deplored that violation of the human rights of the Kampuchean people. Her delegation urged Viet Nam to put an end to its military intervention and to agree to enter into negotiations, thereby responding to international efforts to achieve a comprehensive political settlement that would enable Kampuchians to regain their fundamental human rights, including the right to decide their future through an appropriate expression of their will.

19. Afghanistan was another place in which the right to self-determination had been seriously violated. In Afghanistan, not only were the basic human rights and fundamental freedoms of the people ignored, but Soviet military activities also seriously damaged the relations of trust and confidence between East and West,

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(Ms. Yamazaki, Japan)

threatening international peace and security. The Government of Japan urged the Soviet Union to withdraw its troops from Afghanistan immediately and restore the right of self-determination to the Afghan people.

20. The basic position of the Government of Japan on the problem of the Middle East, and in particular on the Palestinian question had been stated on numerous occasions. Japan believed that peace in the Middle East would be achieved only through recognition of and respect for the legitimate rights of the Palestinian people, including the right to self-determination, in accordance with the Charter of the United Nations. In short, the Government of Japan supported the rights of the Palestinian people to self-determination, which included the right to establish an independent State, while at the same time supporting the right of the State of Israel to exist.

21. Her delegation also noted with regret that the Namibian people continued to be denied the right to self-determination. Japan reaffirmed its position that South Africa should withdraw from Namibia at an early date in order to allow the Namibian people to exercise its right to self-determination and independence.

22. She reaffirmed her delegation's support for the universal realization of the right of peoples to self-determination and to the speedy granting of independence to colonial countries and peoples. However, Japan believed that measures to achieve those ends must be practical and peaceful. It hoped that as a result of the efforts of the United Nations, the right to self-determination would be universally realized and people the world over would be able to enjoy their fundamental human rights.

23. Mr. KBAIER (Tunisia) observed that since the Third Committee had first begun to consider the question of racism and racial discrimination, numerous recommendations and appeals had been made in the hope of eradicating racial discrimination once and for all. Nevertheless, racial discrimination continued to be a very real and alarming phenomenon which, when institutionalized, threatened international peace and stability.

24. Racism could take many forms, apartheid being its most flagrant and systematic manifestation: in the guise of an official policy of racial segregation based on theories of racial superiority, racial discrimination in South Africa was used to maintain a power structure based on the domination of a black majority by a white minority. Another acute and virulent form of racial discrimination was Israeli policy towards the Palestinian people, as most recently and appallingly manifested by the massacre of Palestinians in West Beirut, the Israeli Army's pillaging of the books, documents and archives of the PLO Research Centre, and the repression of the people and expropriation of land and water resources perpetrated by Israeli authorities in the occupied Arab territories. Like apartheid, Israel's desire to destroy the Palestinian people and its cultural heritage and identity posed a serious threat to peace.

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(Mr. Kbaier, Tunisia)

25. There had recently been talk of an improvement in the situation of black people in South Africa. However, testimony gathered recently by the Ad Hoc Working Group on Human Rights in southern Africa painted a very different picture. The South African Government was also planning to enact new legislation which would further limit the movement of blacks within that country.

26. With regard to agenda item 75, his delegation noted with regret that little progress had been made in efforts to put a stop to the political, economic, military and other assistance given to the South African Government by certain Western Powers. In particular, the mandatory arms embargo against South Africa had yet to be implemented. Such assistance only encouraged the Pretoria régime to pursue its apartheid policies and to become more intransigent than ever in opposing legitimate aspirations of the South African and Namibian peoples.

27. The struggle against racism required, in the medium and long-terms, the acceleration and completion of the decolonization process, the establishment of a new international economic order and the decolonization of information. More immediately, States must fulfil their moral obligation to abide by the provisions of the Declaration on the Elimination of All Forms of Racial Discrimination.

28. Mrs. CAMPBELL (Canada) observed that the international standards established by the United Nations with regard to racism and racial discrimination and to self-determination were being violated on many fronts, no violation being more glaring than the apartheid system in South Africa. All manifestations of racism were offensive, but a social, political and economic system based on racism was immeasurably more so. All practical efforts must be continued in the struggle against the State racism of apartheid.

29. As a multiracial society, Canada was particularly aware of the need to cultivate, protect and promote social harmony. It had therefore welcomed the proclamation of the United Nations Decade for Action to Combat Racism and Racial Discrimination. Now that that Decade was drawing to a close, it could be said that, on the positive side, it had served to put those countries in which racism persisted on notice that discrimination on any grounds would not be tolerated by the vast majority of nations, and to educate the world community about the evils of separate and unequal treatment of persons on the basis of race.

30. On the negative side, there had been failures and lack of progress in crucial areas. Certain particularly odious manifestations of racism still persisted. Moreover, many of the activities of the second half of the Decade had taken place without the active participation of a number of Member States, including Canada. Canada had been unable to participate in those activities or support the Programme of Action adopted by the 1978 World Conference to Combat Racism and Racial Discrimination because of the inclusion within that Programme of a number of contentious and politically motivated issues which it felt clouded the stated objectives of the Decade. The inclusion of those items had been unfortunate; if racism was to be completely eradicated, all Member States must participate actively and fully in the activities of the Decade and focus all their energies on that single objective, rather than dispersing their efforts.

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(Mrs. Campbell, Canada)

31. Two specific items, namely items 10 (d) and (e), of the draft provisional agenda for the Second World Conference to Combat Racism and Racial Discrimination continued to pose problems, although Canada maintained an open mind on the question of participation in the Conference. Delegations must be sensitive enough not to impose from the outset controversial interpretations and definitions of the subject matter of the Conference, and the agenda should be drafted in broad enough terms of allow all Member States to participate meaningfully. Her delegation was confident that the common ground alluded to by the Secretary-General of the Second World Conference did exist, and it hoped that the Decade would end, as it had begun, in a spirit of unanimity and consensus.

32. With regard to item 80, she said that her delegation supported strongly the work of the Committee on the Elimination of Racial Discrimination. It was acutely aware that the elaboration of domestic and international standards and instruments was an essential part of the struggle against racism and racial discrimination. There was reason to hope that as such instruments became woven into the fabric of societies, equality of treatment would become the norm and racial discrimination would fade away. To that end, Canada had recently adopted the Canadian Charter of Rights and Freedoms, which set forth the essential rights to which all Canadians were now entitled, including the right to protection against racial discrimination. Standards alone were not sufficient, however. Strong implementation procedures were equally important, and the Canadian Charter expressly provided that persons whose rights had been infringed might seek redress in the courts. In addition, any Canadian law that was inconsistent with the protection of the rights in question was henceforth null and void.

33. With regard to the international implementation procedures of the Committee on the Elimination of Racial Discrimination, an increasing number of States parties, Canada among them, were failing to meet the reporting deadlines established in article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination. While in some States that might be due to sheer negligence, in other States the blame lay with the increasing burden imposed by the demand for comprehensive and timely reporting under the various human-rights instruments to which many States were parties. Because such reporting was a fundamental element in the effective implementation of all human-rights instruments, some modification in existing procedures might be required to enable States parties, particularly smaller countries or federal States like Canada, to comply with the reporting requirements. The Italian Government had made useful proposals in that connection.

34. The additional guidelines for the implementation of article 7 of the Convention, prepared by the Committee on the Elimination of Racial Discrimination, were clear and straightforward and would assist States parties in the preparation of their reports.

35. Turning to item 79, she said that there was cause for both cautious optimism and deep concern with regard to the realization of the right to self-determination. The prospects for a just and lasting settlement of the question of self-determination in Namibia were better than ever before, and her

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(Mrs. Campbell, Canada)

delegation reaffirmed its commitment to the early implementation of Security Council resolution 435 (1978). However, with regard to cases in which the right to self-determination had been denied as a result of foreign military intervention and occupation, there was cause for grave concern at the situation in several countries, particularly Afghanistan and Kampuchea. Self-determination for the Afghan and Kampuchean peoples had been brutally thwarted by foreign military occupation, and it was now clear that the Governments of both those countries were controlled if not actually run, by occupying Soviet and Vietnamese nationals. In the past year, Soviet troop strength in Afghanistan had reportedly increased to some 100,000, and the Soviet Union had persisted in ignoring resolutions calling for the withdrawal of foreign forces and the establishment of a neutral, non-aligned Afghanistan. In Kampuchea, the Vietnamese Government had defied the international community by refusing to withdraw from Kampuchean territory, thereby denying the Khmer people the right to decide its own destiny in free elections. She hoped that the situation in those two countries would soon be resolved in the manner desired by the States Member of the United Nations.

36. Mr. AL MERREE (United Arab Emirates) said that the growing threat of racial discrimination and neo-fascism called not only for a redoubling of efforts to combat those evils but also for an investigation of the causes of their persistence. In his delegation's view, the continuance of slavery and colonialism, which had taken the form of economic and political domination, particularly through multinational corporations, led to the continuance of intervention in the affairs of peoples in order to bar them from development and freedom. The dominant Powers imposed on the developing countries - sometimes by the use of force - distorted economic, political and social forms, which weakened their societies, so that they fell victim to the ills of civilization, the most conspicuous of which was apartheid.

37. It was not surprising that the tremendous efforts made within and outside the United Nations against apartheid, against the withholding of the right of peoples to self-determination and against the violation of human rights had not yet produced the desired results. The goal of the universal implementation of human rights in all their aspects could not be achieved until peoples were freed from the prevailing system of international economic and political relations and until a new international economic order was established on the basis of respect for the freedom of every people to develop in the way which it deemed appropriate in the light of its economic and social circumstances and free from intervention in its affairs.

38. There was a strong similarity between the policies of the racist Pretoria régime and the continuing Israeli practices in occupied Palestine and the other occupied Arab territories, especially in occupied Lebanon. Israel's occupation of the Palestinian territories, the steps which it had taken towards the annexation of the West Bank and the Gaza Strip, after annexing Jerusalem and the Syrian Golan Heights, its oppressive and terroristic practices against Palestinian citizens in the occupied territories, and its invasion and occupation of Lebanon, with a savagery exemplified by the barbarous massacres in the Sabra and Shatila camps,

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(Mr. Al Merree, United Arab Emirates)

revealed not only the expansionist and barbarous policies of Israel but, first and foremost, the racist and Fascist character of the Zionist régime, which included among its features lack of respect for human values, defiance and rejection of international custom and law, and disdain for the opinions, positions and lives of others.

39. The resemblance between Pretoria and Tel Aviv was clear not only from the nature of their policies and practices and the association and co-operation between them in various fields, including the development and production of internationally prohibited atomic weapons, but also from statements made by many of their leading figures.

40. His country's position concerning racial discrimination and the right of peoples to self-determination and concerning the policies of the Pretoria and Tel Aviv régimes had been expressed by the Minister for Foreign Affairs of the United Arab Emirates in the General Assembly on 6 October 1982. The United Arab Emirates firmly believed in the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial and foreign domination and foreign occupation by every means available to them, including armed struggle. It stressed the legitimacy of the struggle of the Palestinian people, including armed struggle, under the leadership of the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, and also the legitimacy of the struggle of the people of Namibia under the leadership of SWAPO.

41. Mr. O'DONOVAN (Ireland) recalled that the principle of self-determination had first been accepted at the Versailles Peace Conference, on the basis of guidelines for world peace drawn up by Woodrow Wilson in the aftermath of the First World War. Although at that stage the principle had been applied only to the nations of the defeated States, not to those of the victors, and several peoples petitioning for their rights, including the Irish people, had failed to obtain a hearing at Versailles, President Wilson's ideals had later become the dominant influence in the restructuring of international relations following the Second World War.

42. In the intermediate post-war period, the importance of the right to self-determination and independence had not been fully clear. The principle of self-determination had not been included in the original draft of the Charter, and it was only in 1950 that the General Assembly had recognized the self-determination of peoples as a right. The adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples in 1960 had confirmed the political right to self-determination and linked it firmly with the notion of independence, thereby hastening the movement to independence of not only the Trust and Non-Self-Governing Territories but other colonial territories as well. It was only in 1966 that the right of self-determination had been incorporated into major legal instruments, namely, the International Covenants on Human Rights.

43. More than a third of the present Members of the United Nations had joined the Organization since 1960. The United Nations had played a remarkable role in the achievement of full self-determination and independence by so many countries, by

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(Mr. O'Donovan, Ireland)

altering the international political atmosphere and providing for the resolution of disputes between nations and for the legitimization of new States in the eyes of the world. That so many countries had achieved independence in that period peacefully and through the democratic process was equally remarkable.

44. Despite the progress achieved by the United Nations, however, there remained peoples which clearly possessed a strong national feeling and political will but were still struggling to determine their political status. With regard to Namibia, Ireland had fully supported all efforts to secure the implementation of the United Nations plan for the independence of the Territory. It was clear, however, that a negotiated settlement was possible only if there was a sincere desire on the part of South Africa in particular to achieve it. There was no alternative to the adoption of the United Nations plan if a peaceful and internationally recognized solution was to be achieved.

45. In the Middle East, the right of the Palestinian people to self-determination, and statehood if it so wished, must be reconciled with the right of all States in the region, including Israel, to exist within secure and recognized boundaries. As Ireland's Minister for Foreign Affairs had told the General Assembly, such reconciliation could not be achieved through efforts to suppress or abridge the rights of other parties. Those basic rights must be reconciled within the framework of a comprehensive and negotiated settlement, with the direct participation of all concerned, including the Palestine Liberation Organization, whose role in representing the Palestinian people Ireland recognized.

46. By virtue of the right to self-determination, peoples must also be able to pursue freely their economic, social and cultural development. However, there were today many peoples which had determined their political status and whose independence was recognized but whose right to pursue their own development in their own way had been violated. In the case of Lebanon, Israel continued its occupation of that country despite the repeated calls of the Security Council and the stated wishes of the Lebanese Government and, not least, despite its own claim that it did not covet an inch of Lebanese territory. The people of Lebanon must be able to re-establish the authority of their central Government, the full sovereignty, independence and territorial integrity of Lebanon must be restored, and all foreign forces whose presence had not been authorized by the Government of Lebanon must leave that country.

47. It was a sad irony that Lebanon had been one of the 43 sponsors of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Afghanistan and Kampuchea had also been sponsors of that Declaration. The current situation in Afghanistan had given rise to untold suffering for millions of Afghans and created immense problems for the countries to which large numbers of Afghan refugees had fled. A solution would require the creation of conditions in which the Afghan people could determine their own form of government free from outside interference. Ireland was ready to support genuine efforts to bring foreign intervention in Afghanistan to an end and to allow that country to return to its traditional independent and non-aligned status. It appreciated the recent efforts

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(Mr. O'Donovan, Ireland)

of the Secretary-General and his personal representative to reach a negotiated settlement and also believed that the 30 June 1981 proposal of the European Council offered a reasonable means of advancing towards a comprehensive political solution.

48. Any settlement of the question of Kampuchea must provide an opportunity for the Kampuchean people to determine its own form of government free from outside interference. Viet Nam and other countries whose co-operation was essential for arriving at a peaceful settlement should now join in the process of peaceful negotiations leading to a comprehensive political solution.

49. The cases he had mentioned all involved aspects of the principle of self-determination. That principle was not sufficient in itself, however. Without international co-operation and an effort to promote collective security and restraint, it was a difficult right to achieve. Its exercise by one people might seem threatening to another, and the United Nations therefore remained essential to the implementation of the principle of self-determination.

50. By comparison with the complex question of self-determination, the question of racism and racial discrimination ought to be a simple matter. Race was defined by observable characteristics and also by linguistic and other cultural characteristics. The important point about those observable characteristics was that they were not in the power of the individual to change. Accordingly, discrimination on the grounds of colour, for example, was intolerable and could never be excused. While Ireland believed in international co-operation and peaceful change, racism removed an essential element for the recognition and respect of all human rights, namely, the equal value of all human beings. Ireland could not and would not, therefore, condone the practices of the South African apartheid régime. Responsibility for human rights in South Africa lay most heavily on the shoulders of the Western countries because it was their culture and values, and even their religious heritage, that were used to justify the theory of apartheid.

51. Lastly, his delegation wished to urge the South African Government to spare the lives of several members of the African National Congress who were currently under sentence of death.

52. Mrs. PRATIBHA SINGH (India) said that little progress had been made either in the elimination of apartheid or in the liberation of Namibia. Repression in South Africa had intensified, and the systematic torture of detainees and brutality towards prisoners, arbitrary detentions and trials, and violence by the police and military against unarmed citizens persisted. The policy of territorial apartheid and bannings continued, as did that of forcible evacuation and settlement, which threatened to become wholesale genocide. It was regrettable that, despite its unity against apartheid, the international community had actually done very little to restore to the black, coloured and Indian majority of South Africa and the people of Namibia their inalienable rights as human beings. If the international community could not take concerted action on an issue on which it was united, it was difficult to see how it could act on issues on which it was divided.

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(Mrs. Pratibha Singh, India)

53. It was also ironic that some affluent and industrialized countries which proclaimed their support for the cause of human rights, equality and justice continued to collaborate actively with the racist régime. That irony was made sharper by the fact that they were democratic countries, committed to multiracialism and to the promotion of racial harmony within their respective territories. She wondered whether those countries, which cherished human values and jealously safeguarded the rights of their own citizens, felt that the human rights of the non-white peoples of southern Africa were less sacrosanct. Was it not immoral to subordinate the human rights of those peoples to so-called strategic considerations or to the expectation of commercial and economic gain? What was really needed if apartheid was to be eradicated and majority rule established in South Africa and independence in Namibia was a sincere change of heart on the part of those countries which continued to collaborate with South Africa in various fields. She reminded those countries of the words of Mahatma Gandhi, who had said that what was happening in South Africa involved a loss of dignity of not only those who were victims of apartheid but also those who were perpetuating it and directly or indirectly encouraging it.

54. Although it had been said that the United Nations did not take into account the significant possibilities for non-violent change in South Africa, the past policies and practices of the racist régime inspired no confidence that it was amenable to or even deserving of anything so civilized as friendly persuasion. The international community had waited many years for change in South Africa. India, for its part, had consistently maintained that there could be no dealings with the racist régime and had imposed comprehensive sanctions, unilaterally, as long ago as 1946. Her delegation felt that for success in eradicating apartheid in South Africa, the political, economic, commercial and military support South Africa received from some countries must be ended forthwith and comprehensive and mandatory sanctions must be imposed. As the Prime Minister of India had said, the only peaceful way to bring about a change in South Africa was through the application of mandatory sanctions against that country; the alternative was prolonged armed struggle and greater suffering for the people of southern Africa.

55. It was a tragic fact that racism and racial discrimination still existed. Periods of economic distress always led to a recrudescence of discriminatory measures, and in today's multiracial societies immigrants, non-natives, and migrant workers became the unfortunate victims. It could only be hoped that enlightened opinion, which was struggling everywhere against the different manifestations of racial discrimination, would prevail.

56. One important guarantee for ensuring success in the struggle against racism and racial discrimination was the universalization of the International Conventions on the Elimination of All Forms of Racial Discrimination and on the Suppression and Punishment of the Crime of Apartheid. Her country had had a long association with the Committee on the Elimination of Racial Discrimination, whose work it greatly respected, and also appreciated the work being done by the Committee of Three set up under the International Convention on the Suppression and Punishment of the Crime of Apartheid. India had completed the legislative measures required to give

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(Mrs. Pratibha Singh, India)

effect to the latter Convention by adopting its Anti-Apartheid (United Nations Convention) Act of 1981, which gave effect to the provisions of the Convention, in particular to articles II and III, and also provided that the commission of the said crime, within India or abroad, was punishable by death or imprisonment for life, or by imprisonment for up to 10 years and a fine.

57. Over a decade and a half after the termination of South Africa's mandate over Namibia, the racist régime continued to occupy that country illegally, flouting the will of the international community and preventing the people of Namibia from attaining its long-overdue independence and freedom. The world was witnessing a cynical charade aimed at placating the forces of illegal occupation. The international community now awaited the outcome of the contacts being conducted by the Western Five for the implementation of the United Nations Plan for the Independence of Namibia, but she recalled that, in the past, hopes had too often been raised only to be shattered soon after by the intransigence of the racist régime. As India's Minister for Foreign Affairs had stated in a plenary meeting of the General Assembly on 1 October 1982, the South-West Africa People's Organization, the sole and authentic representative of the Namibian people, which had negotiated in good faith for a cease-fire and free elections, had reason to fear that South Africa and its supporters had been creating an illusion of progress at those talks merely in order to link the situation in Namibia to extraneous issues. The international community would, as it must, intensify its demand for punitive action against South Africa under the Charter if the current efforts aimed at a negotiated settlement failed to achieve results. India would continue to support the cause of the oppressed Namibian people. As its Prime Minister had recently said, the Government and the people of India had consistently and firmly condemned the atrocities against black and coloured South Africans. It had supported the cause of the African National Congress, SWAPO and other liberation movements in southern Africa. That sphere too called for common efforts, in co-operation with the front-line States, to put an end to the abhorrent policies of racialism and colonialism.

58. Elsewhere in the world, the inalienable rights of the Palestinians to life, liberty and their own state in Palestine were being denied. Israel was determined to wipe out the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people. The expulsion of the Palestinians from their homeland was the root cause of the conflict that had been raging in West Asia for years. The recent Israeli invasion of Lebanon had shown that Israel did not care about the human cost. The massacres in the Palestinian camps of Sabra and Shatila had evoked horror and revulsion all over the world. Her delegation hoped that those who were in a position to do so would make Israel see reason and help achieve a just and comprehensive settlement to ensure the attainment of the inalienable right of the Palestinian people to its homeland.

59. Turning to agenda item 76, she said that her delegation was well aware of the difficulties involved in preparing for the Second World Conference to Combat Racism and Racial Discrimination. She regretted that not all of the regional groups were participating in the preparatory work but hoped that the issue would be resolved by

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(Mrs. Pratibha Singh, India)

the time the Preparatory Sub-Committee met in March 1983. The generally positive tone of the debate on the item was heartening, and the several instructive suggestions made in the Committee and previously in the Economic and Social Council deserved serious consideration. She hoped that the cause of reason and moderation would prevail and that everyone would be able to work together in the broader cause of addressing the problems of racial discrimination and finding ways to eliminate it.

60. She was gratified that the Seminar on Recourse Procedures and Other Forms of Protection Available to Victims of Racial Discrimination and Activities to be Undertaken at the National and Regional Levels had been held at the ESCAP regional level in August 1982, ESCAP being the only region where such a seminar, envisaged in the Programme for the Decade had not been held until then. Her delegation was pleased to have been associated with the initiative taken by the ESCAP countries in the Economic and Social Council to ensure that the seminar would be held in time for its recommendations to be presented to the Second World Conference. Complimenting the Secretary-General on the speed with which the seminar had been organized after the decision by the Economic and Social Council, she said that her delegation would study its recommendations most carefully with a view to implementing them as appropriate.

61. Mr. COMISSARIO (Mozambique) said that colonialism, racism, racial discrimination and apartheid not only were an insult to the conscience of mankind but also a threat to peace and security throughout the world. That was very clear from the situation in southern Africa, the scene of a direct and open confrontation between the forces of peace and progress and the backward and war-mongering forces of Pretoria, which wanted at all costs to continue dominating and exploiting the peoples of the area. The illegal minority racist régime was the basic cause of the situation of tension and war which existed in southern Africa. Within South Africa, the racist régime was subjecting the South African people to savage repression, humiliation and brutal discrimination, engaging in arbitrary arrests, torture and killings of South African patriots, and trampling the most basic human rights. Furthermore, it was exporting its terror to neighbouring independent countries, occupying part of Angola; it was illegally occupying Namibia and blocking all efforts of the international community to achieve self-determination and independence for the people of that country; and it was engaging in systematic and continuous acts of aggression against the front-line countries and the members of the Southern African Development Co-ordination Conference (SADCC). The racist régime was attacking Mozambique not only with its regular armed forces but also with armed bandits who mutilated and savagely killed children, women and old people, kidnapped foreign citizens co-operating in the development of his country and robbed peasants of their property. Those bandits were organized, financed, equipped and commanded by the South African racists and were an extension of the South African army. They were being used by Pretoria to give the international community the false impression that opposition and a climate of instability existed in Mozambique in an attempt to discredit the political system freely chosen by the people of that country.

(Mr. Comissario, Mozambique)

62. Although it had been generally condemned by the overwhelming majority of the international community the racist minority régime had become increasingly intransigent and arrogant because of the support it received from certain Western Governments and companies which gave it assistance enabling it to ignore the most elementary principles of international relations. That assistance had to stop.

63. His country had achieved independence after 10 years of armed struggle against colonialism. Through the war of liberation, the people of Mozambique also wished to build a society in which there was no exploitation of man by man, a society in which one of the basic principles would be the creation of conditions for the exercise of human rights. Today the people and Government of Mozambique fought vigorously and resolutely against racism, racial discrimination and apartheid. Racism and racial discrimination, whatever form they took, were forbidden by the Mozambican Constitution and were punishable by law. At the same time, the principle of supporting the struggle of peoples for self-determination and independence was embodied in the Constitution of his country.

64. Although the Decade for Action to Combat Racism and Racial Discrimination had brought some very important successes, it was still necessary to take effective measures to eradicate the disgrace of racism and apartheid. The effective implementation of mandatory sanctions against the racist Pretoria régime would give great support to the struggle of the peoples of South Africa and Namibia, under the respective leadership of the African National Congress and SWAPO.

65. His delegation supported draft resolution A/C.3/37/L.3 and the convening of the Second World Conference to Combat Racism and Racial Discrimination. Mozambique was making the necessary arrangements to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid. Apartheid had been called a crime against all mankind. It could never be remedied by reforms, changes or improvements but had to be destroyed and eradicated from the world. The fight against apartheid was part of the battle for international peace and security.

66. Condemning the Zionist régime for its invasion of Lebanon and its massacre of innocent civilians, he expressed confidence that the Palestinian people would be able to establish its own State under the leadership of the Palestine Liberation Organization.

67. The right of peoples to self-determination was also being denied in East Timor. He demanded the withdrawal of the Jakarta clique, so that the people of East Timor could decide its own future.

68. Mrs. EL-ALI (Syrian Arab Republic) said that at the commencement of each new session the members of the General Assembly had great hopes that the Organization would be able to take a positive stand on effective and appropriate measures to put an end to all racist practices wherever they were found. However, the road ahead was long and arduous. The international community must continue its efforts to achieve those noble and just goals, and colonized and depressed peoples and national liberation movements must make more sacrifices.

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(Mrs. El-Ali, Syrian Arab Republic)

69. The racist practices of the Pretoria and Tel Aviv régimes amounted to sheer barbarism. Their crimes had appeared at their ugliest in the measures they had taken against the peoples of South Africa and Namibia and against the Arab people in Palestine and in the other occupied Arab territories.

70. The white minority régime in South Africa still espoused the policy of apartheid as its official doctrine, applied the bantustan policy, resorted to oppression, imprisonment and execution against nationalist militants and used the peoples of the region to serve its own interests. Those practices had been condemned by the General Assembly, which had deemed them a crime against humanity. The South African régime was continuing to defy the international will, as represented in the principles of international law, in the Charter of the United Nations and in United Nations declarations and resolutions. It was continuing to exploit the peoples of South Africa and Namibia, depleting their natural resources and depriving them of their right to freedom and self-determination. In addition, the Pretoria régime had extended its aggression to neighbouring States, creating a hotbed of tension and conflict which threatened the security of the whole region.

71. She reaffirmed her country's full support for national liberation movements in South Africa and Namibia in the peoples' just struggle for the restoration of their rights and the attainment of independence and sovereignty. Her country supported the African front-line States, particularly Angola, in their resistance to acts of aggression and manoeuvres aimed at destroying the national liberation cause.

72. The Syrian Arab Republic had become a party to all United Nations conventions, resolutions and declarations on the combating of racism, racial discrimination and apartheid and was a member of the United Nations committees and bodies concerned with combating the various forms of racism and racial discrimination. Her delegation fulfilled its obligations in that regard, on the basis of its lofty spiritual principles and cultural values and on the basis of the Syrian Constitution and Syrian legislation, which was based on full equality among citizens and fraternity with peoples.

73. She noted with regret that a number of States which regarded themselves as among the most civilized were not parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid, in particular the State which considered itself a pioneer in the human-rights field and a chivalrous knight who did not keep silent about any case of violation of human rights anywhere in the world. Her delegation regretted also that that State had abstained from voting in favour of the humanitarian resolution adopted unanimously by the General Assembly in order to save the lives of a number of fighters against apartheid. One could well wish that practice kept pace with words; unfortunately, it did not. Perhaps the reason for the failure of the United Nations thus far to put an end to the practices of the racist régimes in South Africa and Israel was that certain Western States, whose names were known to all, continued to obstruct efforts for the effective implementation of United Nations resolutions aimed at deterring and punishing those racist régimes. A number of Western States, the United States foremost among them, were continuing to embrace those régimes and supply them with means of support and weapons of destruction.

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(Mrs. El-Ali, Syrian Arab Republic)

74. She stressed the importance of the reports and lists prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Her delegation favoured giving him all necessary facilities and appreciated his exposé, which had emphasized the well-known similarity between the ideologies and practices of the racist régimes in South Africa and Israel. They were co-operating in all areas and a dangerous limit had been reached in the field of nuclear co-operation.

75. Since the establishment of Israel on Palestinian land as a result of colonialist collusion with the leaders of the Zionists, the Arab people of Palestine had suffered the most abominable oppression and injustice. The Zionists had set about expelling Palestinians from their land by force, terrorism and genocide, in order to make way for settlers from different parts of the world, on the pretext of establishing an unadulterated racist State. The Palestinian became a stranger in the land of his fathers, whose history went back thousands of years. Those who had been able to remain in their homes suffered the harshest forms of humiliation, coercion, imprisonment and suppression of freedoms.

76. The ambitions of the Zionist leaders were unbounded. There was still no definitive map of Israel, and the borders set by its leaders extended from the Euphrates to the Nile. Israel's aggression in pursuance of its colonialist cause had begun with its assault on Arab lands in 1948 and had continued with its war of aggression in 1967 and the occupation of more Arab territory. Then had come its occupation of southern Lebanon, and its repeated attacks on Lebanese towns, the slaughter of Lebanese and Palestinian citizens, including women, children and old men, the destruction of economic installations earmarked for peaceful purposes, its adoption of decisions to annex Jerusalem and the Golan and to establish settlements throughout all occupied Arab territories, and its contemptuous treatment of the inviolable and the sacrosanct.

77. Israel had resorted to the most repugnant means in suppressing the popular uprising of the inhabitants of the occupied Golan, who were nationals of the Syrian Arab Republic, because of their rejection and condemnation of the annexation decision, their refusal of the Israeli identity card, and their adherence to Syrian nationality. The Security Council, by resolution 497 (1981), and the General Assembly, by resolution 9/1 of 5 February 1982, had rejected that annexation.

78. The world had been stunned by the iniquitous aggression launched by Israel against Lebanon on 4 June 1982. Using every possible means of destruction, including internationally prohibited bombs, it had destroyed whole cities. The number of dead and wounded was in the tens of thousands, and hundreds of thousands had been made homeless.

79. The massacre of Sabra and Shatila, in which there had been planning and action by the Zionist leaders and which had shocked the conscience of the entire world, was but one link in the war of annihilation being waged by Zionist leaders such as Begin and Sharon against the Palestinian Arab people in order to stifle its aspirations for freedom and independence under the leadership of the Palestine Liberation Organization.

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(Mrs. El-Ali Syrian, Arab Republic)

80. The South African and Israeli régimes would not be able to continue their pursuit of shameful policies and their defiance of the international community without the support which they received from the United States. The danger in the Middle East was no longer confined to the peoples of the region but threatened international peace and security as a whole. Western States which had ties with the two racist régimes, and in particular the United States, must now, more urgently than at any time in the past, conduct a radical review of those ties.

81. It was ironic that Israel was one of the States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination. Any doubts about Israel's attitude towards racial discrimination could be dispelled by a glance at the relevant portion of the report of the Committee on the Elimination of Racial Discrimination (A/37/18) to the Third Committee; she read out paragraphs 330 and 331 of that document.

82. The Second World Conference to Combat Racism and Racial Discrimination would shortly be held at Manila. Her delegation had participated in the work of the Preparatory Sub-Committee and looked forward to that important event, confident of success in ensuring the effective implementation of United Nations resolutions on racist, racial discrimination and apartheid.

83. Mr. SOERIAATMADJA (Indonesia), speaking in exercise of the right of reply in connection with comments made by the representative of Mozambique, said that the decolonization process had been completed in East Timor in accordance with the Charter of the United Nations and the relevant General Assembly resolutions. The right to self-determination had been exercised freely and democratically, and East Timor had, in accordance with the wishes of its people, become an integral part of Indonesia in 1976. Any discussion of the matter therefore constituted interference in the internal affairs of a Member State.

ORGANIZATION OF WORK

84. The CHAIRMAN suggested that the deadline for submitting draft resolutions on the items under discussion should be set for the end of the afternoon meeting on Friday, 15 October 1982, with the understanding that if delegations needed additional time, they should inform the Committee in order that an exception might be made. A possibility should also be left open for the submission of a further draft resolution on the coming World Conference to Combat Racism and Racial Discrimination.

85. It was so decided.

86. The CHAIRMAN said that although the speakers' list for the items under discussion had already been closed, he had received a request from the delegations, of Cyprus, Bhutan and the Congo, which, through no fault of their own, had failed to meet the deadline and now wished to add their names to the list of speakers. If

(The Chairman)

there was no objection, he would take it that the Committee wished to make an exception in those cases and allow the three delegations to join the list of speakers.

87. It was so decided.

88. Mrs. WARZAZI (Morocco) said that many delegations participating in the Working Group on the rights of non-citizens had strongly objected to having to hold night meetings. In view of the difficulties and the additional work-load involved, those objections were clearly justified. She had also been very surprised to learn that at a time when the Working Group was forced to meet at night, the conference rooms which its members should have been entitled to use were being used in the morning for staff examinations. Because of the unwillingness of members of the Working Group to hold a night meeting on 13 October in addition to the meeting scheduled for the afternoon, she would consult with the Secretary of the Committee to arrange an alternative time.

OTHER MATTERS

89. Mrs. KABA (Guinea) expressed concern at the delay in issuing summary records of the Committee's proceedings and requested the Secretariat to do all in its power to publish those records promptly in all languages.

The meeting rose at 1.05 p.m.