

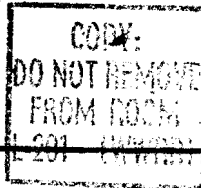
GENERAL
ASSEMBLY

THIRTY-SEVENTH SESSION

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THIRD COMMITTEE

12th meeting

held on

Friday, 15 October 1982

at 10.30 a.m.

NEW YORK

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SUMMARY RECORD OF THE 12th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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20 October 1982

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The meeting was called to order at 10.40 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)

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1. Mrs. SIVOLOB (Ukrainian SSR), speaking on agenda item 79, said that the realization of the right of peoples to self-determination was a prerequisite for the exercise of all human rights and fundamental freedoms. Her delegation had always supported the right of peoples to self-determination and freedom from colonialism and other forms of dependence. The Ukrainian SSR was convinced of the need for speedily and completely implementing the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, and its position on the question was based both on its historical experience and on the underlying principles of Soviet foreign policy.

2. The Ukrainian people had had to fight for several centuries against foreign domination. Many generations of Ukrainians had shed their blood for national liberation, for the preservation of their culture and for the creation of their own State. The turning point in the history of the Ukrainian people had been the year 1917, when the Great October Socialist Revolution opened the doors to a new life for all nations and nationalities living in what had been the Russian Empire. The Ukrainian people, like all the other peoples of Russia, had gained a guarantee of equality and the right to free development. For the first time, the workers and peasants of the Ukraine had established their own State, the Ukrainian Soviet Socialist Republic. The union of the Ukrainian SSR with other republics in a single State, the Union of Soviet Socialist Republics, now celebrating its sixtieth anniversary, had been achieved as a result of the free self-determination of its

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(Mrs. Sivolob, Ukrainian SSR)

people, on the basis of free will and equality of rights. Through that union, the Ukrainian SSR had attained unprecedented heights in all areas of social development. As part of the USSR, the Republic was guaranteed State sovereignty and firm protection against imperialist infringement of its independence and freedom.

3. Her delegation was gratified that the long and difficult struggle of many peoples against the system of colonial oppression had yielded fruit: all of the colonial empires had disintegrated and two thirds of the States in the modern world were countries which had thrown off the chains of colonialism. It was, however, a matter of serious concern that colonialism had not yet been completely eliminated. In South Africa, the inhuman system of apartheid represented a challenge to the United Nations and its decisions. The South African racists continued to maintain their domination over Namibia and were committing acts of armed aggression against independent African States. One of the main reasons for the continuance of colonialism and racism in southern Africa was the assistance and support the South African racists received from the United States and certain other members of NATO, as well as from Israel. The protection which Western Powers gave to the Pretoria régime was the main obstacle to the realization of the right of the peoples of southern Africa to self-determination. Her delegation fully endorsed the view expressed by many African countries that Africa could not consider itself to be fully free, or its independence and security to be fully guaranteed, while Namibia remained enslaved, while the shameful system of apartheid in southern Africa persisted, and while South African soldiers were present in Angola and were committing acts of aggression against other front-line States. As a member of the United Nations Special Committee Against Apartheid, the Ukrainian SSR had constantly supported and continued to support the strict implementation of the decisions of the United Nations and the Organization of African Unity relating to the apartheid régime in South Africa, the immediate and complete granting of independence to Namibia, with transfer of power to SWAPO, the sole legitimate representative of the Namibian people, and the observation of Security Council sanctions against South Africa.

4. The Israeli invasion of Lebanon, aimed at physically annihilating the Palestinian people, was a flagrant violation not only of the right of peoples to self-determination but even of their right to life itself. The Israeli aggression was the practical application of the racist principles of zionism and amounted to open genocide against the Palestinian and Lebanese peoples. The tragic events in Lebanon were a direct consequence of the Camp David policy of separate deals, of United States-Israeli "strategic co-operation" and of Washington's and Tel Aviv's attempts to strengthen their military-political domination in the Middle East. It was clearer than ever that a just and lasting peace in the Middle East could not be found through confrontation and separate deals. It was equally clear that any attempts to make the Palestinian problem a non-issue or to solve it militarily were doomed to failure. A comprehensive political settlement of the conflict in the Middle East must include the withdrawal of Israeli forces from all the Arab territories occupied in 1967, the realization of the legitimate rights of the Arab people of Palestine, including its right to the establishment of its own State, and the establishment of guarantees for the secure and independent development of all States in the Middle East. Such a settlement could be achieved only through collective efforts by all parties concerned, including the Palestine Liberation Organization, the only legitimate representative of the Palestinian people.

(Mrs. Sivolob, Ukrainian SSR)

5. Another matter of concern was the denial of self-determination to the peoples of many small colonial Territories scattered throughout the world. Contrary to United Nations demands that all colonial countries and peoples should immediately and unconditionally be granted independence, the governing Powers often not only did not take measures to transfer power to the peoples of those Territories but did all they could to perpetuate their colonial domination, impeding the economic and social development of such territories and keeping them as colonial appendages. Of particular concern were the recent efforts of certain Western Powers to turn those Territories into military-strategic springboards. A typical example of that policy was the situation in Micronesia. The United States had arbitrarily divided that Trust Territory, which consisted of 2,100 islands and atolls, into semi-colonial administrative units and had proclaimed them to be States "freely associated" with the United States. The United States was attempting to annex Micronesia by fragmenting it and absorbing its component island Territories, imposing upon them a different status of dependence on the governing Power. It could also be added that the United States was turning Micronesia into its own military and strategic springboard and a testing ground for its missiles. The Ukrainian SSR considered those actions to be illegal and incompatible with the purposes of the trusteeship system and with the right of peoples to self-determination.

6. The United States was also continuing to ignore United Nations decisions concerning Puerto Rico, which it continued to maintain as a colonial appendage. Furthermore, complete disregard for the right of peoples to self-determination could be seen in the deal made by two colonial Powers to turn the island of Diego Garcia into a major United States military base in the Indian Ocean. The United Kingdom had illegally removed that island, part of the Chagos archipelago, from Mauritius in 1965 and had given it to the United States for military uses. Her delegation fully supported the just demand of Mauritius that the Chagos archipelago, including the island of Diego Garcia, should be returned to it. The same scenario could be seen in Cuba, part of whose territory, Guantanamo, was still in the hands of the United States and was being used as a military base.

7. The United Nations must make further efforts to achieve the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the realization of the right of all peoples without exception, to self-determination. It was very important that the international community as a whole, and its members individually, should show due responsibility in their approach to the complicated and vitally important question of the self-determination of peoples.

8. However, certain delegations were attempting to divert the attention of members of the Committee from the questions on the agenda to the so-called "Afghan" and "Kampuchean" questions, trying to convince the Committee that the peoples of Kampuchea and Afghanistan were being deprived of the right to self-determination and had to be given assistance in realizing that right. The Committee could be sure that there were those who felt that the most suitable forms of such "assistance" were the training, equipment and dispatch of armed bands to operate in Kampuchea and Afghanistan, the terrorization of peaceful inhabitants and the spreading of hostile anti-Kampuchean and anti-Afghan propaganda. It was clear to

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all impartial observers that Afghanistan and Kampuchea had legal and active Governments which reflected the will of the people and were conducting their policy in the interests of the broad masses of the population. What the peoples of those countries needed was peace and tranquillity, the conditions for peaceful and creative work. The comments made by certain delegations concerning the "violation" of the rights and freedoms of the peoples of those two countries was dictated by the interests of a murky political game being played by the forces of imperialism and hegemonism with respect to the situation surrounding those countries. They were attempting to manipulate the lofty term "self-determination" for the purpose of interference in the internal affairs of peoples that were developing independently and thus exercising their real right to self-determination. Those participating in such manipulation were essentially violating the right of the peoples of Afghanistan and Kampuchea to determine their own destiny and were striving to aggravate the situation in the regions concerned.

9. In conclusion, she stressed that her country firmly and consistently supported the strict implementation of all United Nations decisions and resolutions aimed at the final elimination of the vestiges of the system of colonial oppression. It gave comprehensive support and assistance to colonial peoples in their struggle for self-determination and independence and intended to continue to promote that noble cause in every possible way.

10. Mr. WALKATE (Netherlands) said his delegation had taken note of the fact that the Secretary-General of the Second World Conference to Combat Racism and Racial Discrimination intended to initiate contacts with Governments, specialized agencies and non-governmental organizations in order to solicit their contributions to a successful Conference. Any genuine effort to pave the way for a conference free from prejudice and political bias would meet with similar preparedness on the part of his delegation, which remained dedicated to the original goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination.

11. His Government deplored the decision of the 1978 World Conference to deal with elements which, in its view, were extraneous to the original purpose of the Decade, and it hoped that the Second World Conference would confine itself to genuine problems of racial discrimination. However, developments at the spring 1982 session of the Preparatory Sub-Committee did not augur well, and the draft provisional agenda of the Conference already included two items on the situation in the Middle East. His delegation believed that the Conference should confine itself to the actual problems of racism and racial discrimination and avoid questions which were already the subject of serious consideration in other United Nations bodies. It therefore hoped that at the current session, problems arising from the draft agenda, and consequently from draft resolution A/C.3/37/L.4 would be resolved.

12. With regard to agenda item 80, he said that the report of the Committee on the Elimination of Racial Discrimination showed that the members of the Committee and States Parties to the Convention on the Elimination of All Forms of Racial Discrimination were continuing their efforts to eradicate that evil. His delegation noted with satisfaction the increase in the number of States Parties to the Convention but regretted that an increasing number of States Parties were

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(Mr. Walkate, Netherlands)

unable to fulfil their formal treaty obligations and submit reports to the Committee under article 9 of the Convention. While his delegation sympathized fully with those States Parties which lacked the staff to deal with the burden of biennial reporting, it did believe that every State Party should be in a position to submit an initial report. By not complying with their formal obligations, State Parties might escape the Committee's scrutiny of their compliance with the substantive obligations set forth in articles 2-7 of the Convention. It was therefore highly appropriate that the Committee should have decided to draw the attention of the General Assembly to that situation in its General Recommendation VI.

13. The Secretary-General should be requested to study the reporting situation, analysing the reasons for States' failure in that regard, and to make suggestions to the General Assembly at its thirty-eighth session on how to remedy the situation. The biennial meeting of States Parties to the Convention was also in a position to deal with the reporting problem and to follow up any relevant decision that the Assembly might take at its thirty-eighth session. His delegation would contribute actively to the search for ways to reconcile the importance of sophisticated and regular monitoring with the need to ease the heavy burden that article 9 imposed on the smaller States Parties in particular.

14. With regard to individual communications under article 14 of the Convention, his delegation was particularly gratified to note that France had made the declaration provided for in article 14, bringing to nine the total number of declarations made - only one short of the number required for the entry into force of that article in respect of the States Parties having made such declarations. His delegation urged any State Party that was prepared to make the declaration to do so at the earliest possible moment, at which point the right of complaint for individuals under Netherlands jurisdiction would become effective.

15. His delegation appealed to those delegations which were preparing a draft resolution on the Convention and on the report of the Committee on the Elimination of Racial Discrimination to make a concerted effort to present a resolution which could be adopted by consensus. It also wished to draw attention to the suggestion made by members of the CERD that the latter's report should be considered separately from items which often had clear political overtones. The Third Committee might wish to consider, at the thirty-eighth session, the possibility of treating the item separately or in conjunction with other items on similar United Nations instruments. That would allow more time for consideration of the CERD report, whose publication was consistently late.

16. Mr. GOTSEV (Bulgaria) said the discussion of the items under consideration had proved once again that the very existence of the racist régime of South Africa and its brazen denial of the right to self-determination and independence of the peoples of South Africa and Namibia represented a real threat to international peace and security. Particularly alarming were the persistent acts of aggression perpetrated by South Africa against the neighbouring sovereign States of Angola and Mozambique.

(Mr. Gotsev, Bulgaria)

17. Time and again the United Nations had clearly pointed out that it was mainly the political, military, economic and other aid and support rendered to the racist régime of Pretoria by certain Western States that had enabled it to continue pursuing its racist and aggressive policies. The report issued as document E/CN.4/SUB.2/1982/10 contained evidence of the nature and scope of the aid given by certain Western States to the Pretoria régime and also revealed the close relations existing between South Africa and Israel. Such collaboration was aimed at perpetuating the racist régime of South Africa, which allowed the Western monopolies to exploit the natural resources of the region and to reap enormous profits. It was precisely that assistance and support which was a major obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, particularly in southern Africa. The overwhelming majority of Member States resolutely condemned that situation, which was incompatible with the Charter of the United Nations and the Declaration on decolonization.

18. Foreign corporations were exploiting not only the natural but also the human resources of South Africa and Namibia. The fact that the average annual income of black workers in Namibia and South Africa was less than one-tenth that of white workers revealed the hypocrisy of those who claimed that the "codes of conduct" of the transnational corporations were designed to mitigate the policy of apartheid. For that reason the immediate and total discontinuation of the collaboration with the racist régime of Pretoria was a priority task.

19. It was Western interests that had enabled South Africa to intensify its military build-up. The military and nuclear co-operation between certain Western countries and the racist régime of Pretoria was of great concern to the international community. Because of the virtually unrestricted imports of military material from NATO countries and from Israel, South Africa was on the verge of achieving military self-sufficiency despite the Security Council's mandatory arms embargo. Moreover, through the same generous assistance, South Africa had acquired a nuclear capability. That fact aggravated the tense and explosive situation in southern Africa, which constituted a threat to international peace and security. Bulgaria reaffirmed its readiness to assist in the adoption of comprehensive economic sanctions against South Africa. It was convinced that it was high time to implement the political will of the overwhelming majority of Member States and do away with the disgraceful system of apartheid.

20. Bulgaria had always given full support to the United Nations decisions for providing political, material and moral assistance to national liberation movements of colonial countries and peoples. It recognized the right to self-determination and independence as one of the basic human rights and attached great importance to the recognition by the United Nations of the legitimacy of the struggle of colonial peoples to achieve self-determination and independence by every means at their disposal.

21. A glaring example of the brutality with which expansionist and aggressive forces pursued their strategic goals could be seen in the acts of genocide recently committed against the Palestinian people. The aggressor had resorted to the use of force because the vast majority of Member States had been insisting time and again

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(Mr. Gotsev, Bulgaria)

on the complete withdrawal of Israeli troops from all Arab territories occupied since 1967. It had become clear even to Israel's closest allies that peace and security could not be ensured either by acts of genocide or by separate deals. His delegation supported the heroic struggle of the Palestinian people under the leadership of the PLO for self-determination and the creation of a State of its own. A just and lasting peace in the Middle East could be achieved only through the realization of those legitimate rights of the Palestinian people as well as the safeguarding of the rights and security of all States in the region.

22. For many years the United Nations had concerned itself with the legitimate struggle of the people of Namibia for self-determination and independence. The racist régime of Pretoria continued to occupy the Territory illegally in defiance of the relevant resolutions and decisions of the United Nations. The assistance given to South Africa by some Western countries helped it to pursue its real aim of keeping Namibia under its control and preventing Namibian self-determination. The same neo-colonialist designs were behind the attempts to solve the problem of Namibia outside the framework of the United Nations and to link that question with preconditions which constituted a flagrant interference in the internal affairs of sovereign Angola. The explosive situation thus created in southern Africa made imperative the immediate realization of the inalienable right of the Namibian people to genuine self-determination and independence.

23. A question of grave concern for his delegation was the continuing colonial rule in the so-called "small Territories" in the Caribbean and the Pacific, Indian and Atlantic Oceans. It was a matter of principle that the peoples of those Territories should enjoy the same right to self-determination as the 157 Member States. That was a task of high priority for the United Nations, especially in view of the fact that certain colonial Powers maintained military bases and installations in a number of those Territories.

24. Lastly, his delegation strongly opposed any attempt to divert the attention of the Committee from its agenda and to deny the right to self-determination of peoples who had already exercised that right after a long and heroic struggle against foreign imperialist and hegemonistic interference.

25. The peoples of the Democratic Republic of Afghanistan and the People's Republic of Kampuchea, which had started along the path of independent development and establishment of new and truly democratic societies, did not need any lectures from anyone as to how to decide their own destiny, particularly from those who were trying to distort the real situation in their countries. What they really needed was the creation of peaceful conditions for the realization of their noble objectives without outside interference in their internal affairs.

26. Mr. SYED SHAH (Bangladesh) said it was unfortunate that racism, racial discrimination and apartheid, which had been termed crimes against humanity, were still practised as a political doctrine. Apartheid remained an abomination, the negation of common humanity and decency. The racist minority régime of Pretoria had consolidated its policy of enforced separatism through exploitation and wage discrimination, and through dispossession and forcible transfer of millions of Africans under increasingly restrictive laws curtailing freedom of movement.

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(Mr. Syed Shah, Bangladesh)

Thousands had been arrested, and intimidation and harassment were backed by even more repressive legislation to dampen and suppress resistance against apartheid. Bangladesh categorically rejected the legality of such attempts to perpetuate separation of the people of South Africa.

27. Humanitarian considerations alone were enough to call for the total eradication of apartheid, but beyond that, politically its continued existence constituted a great threat to international peace and security. South Africa continued to bolster its armed might through massive increases of its military budget. Perhaps the most striking manifestation of that process, apart from the stepped up production of South Africa's conventional armament industry, was the increasing development of its nuclear weapon potential and capability, which had dire implication not only for Africa but for the world. South Africa's aggressive acts were not confined to its own territory; it had repeatedly threatened neighbouring African countries and violated their sovereignty. Bangladesh was totally committed to the eradication of apartheid and its commitment to the liberation of southern Africa was also unequivocal and total.

28. The history of Namibia was replete with examples of all the ills that characterized colonialism and the brutality of a repressive régime. South Africa continued to defy the calls of the international community for the removal of its illegal administrative and military presence from Namibia. Thousands of Namibians engaged in their legitimate struggle for self-determination and independence under the leadership of SWAPO, the sole and authentic representative of the Namibian people, had been incarcerated in South Africa and Namibia. Namibia was still being denied its economic wealth through the indiscriminate exploitation of its natural resources. His delegation believed that Security Council resolution 435 (1978) provided the only basis for the peaceful transition of Namibia from colonial subjugation and racial discrimination to independence.

29. The Middle East remained the most critical test of the validity of the principles and norms enshrined in the Charter of the United Nations. It was a blot on the conscience of the civilized world that Israel continued to violate the inalienable rights of the Palestinian people. Palestinians had been robbed of their homeland and subjected to the worst form of discrimination. Nothing less than genocide was being committed against the Palestinian people. However, their inalienable rights could not and would not be denied, and their sole and legitimate representative, the PLO, could not be silenced.

30. Bangladesh supported all efforts aimed at ensuring the success of the Second World Conference to Combat Racism and Racial Discrimination, which would be convened in 1983 to review and approve the activities undertaken during the Decade and to adopt new measures necessary to ensure full and universal implementation of United Nations decisions and resolutions on racism and apartheid. His delegation earnestly hoped that common ground on which all Member States could agree would be found and that it would be possible for all regional groups to participate in the work of the Preparatory Sub-Committee when it next met.

31. Mr. AL-QAISI (Iraq) said that the elimination of racism was essential to any guarantee of human rights, including the right to self-determination, and to peaceful international relations. Human rights could not be guaranteed where imperialism and foreign occupation existed; the régimes that were the greatest violators of the rights of peoples in that connection were the Zionist entity in Palestine and the racist régime in South Africa. The Zionist entity continued to violate the Palestinian people's right to self-determination showing contempt for United Nations resolutions and international conventions. It continued to inflict imprisonment, torture and expulsion on Palestinians, despite the relevant resolutions of the General Assembly and the Security Council. Racism in South Africa and Palestine must be ended in order to obtain a workable international system. Iraq strongly condemned all who ignored United Nations resolutions.

32. The Zionist entity was, as everyone knew, a racist and terrorist entity which had ignored all United Nations resolutions while continuing to plunder and seize territory in what it called the land of Israel. It was also continuing to change the demographic make-up of the seized lands, from which citizens without Jewish mothers were expelled. The expansionist and aggressive nature of that entity was a fact. Moshe Dayan himself had stated in 1967 that his fathers had reached the borders of Palestine as partitioned in 1948 but he had reached Suez and the Golan Heights. That was not the end, for after the cease fire the Zionists had expected to extend their borders into Jordan, Lebanon and even the heart of Syria. Such a dangerous violation of human rights by expulsion and denial of the right to return was in violation even of the Balfour Declaration, the 1949 Geneva Conventions and the International Covenants on Human Rights. The Zionist entity had also enacted laws giving it the right to seize lands and property of the expelled Palestinians.

33. The collusion between the racist régime of South Africa and the Zionist entity in Palestine was intended to further racism and terrorism. The South African system had supported Zionist ambitions in the League of Nations and in the United Nations. A former Prime Minister of South Africa, Dr. Malan, had visited the Zionist entity and had urged Jewish South African officers to serve in Israel, where they had taken up high posts. The United Nations and international public opinion had expressed anxiety and concern about the economic and military relations between the Zionist entity and South Africa. Those relations had been increased and strengthened over the years and now included the exchange of scientific and technological know-how in many fields, including that of weapons. Even more alarming was the collaboration between the Zionist entity and South Africa in the nuclear field. Both were supported by Western countries trying to further their economic interests and to keep Africa and the Middle East in the imperialist sphere.

34. The recent massacre in Beirut was yet another link in the chain of murder and denial of human rights carried out by the Zionist entity. It also continued its desecration of holy sanctuaries and the blowing up of Palestinian property.

35. Iraq had been among the first to sign and ratify international agreements prohibiting racial discrimination and had sent five reports to the Committee on the Elimination of Racial Discrimination. The Constitution of Iraq, in more than 20 articles, provided for the political, economic and social rights of all citizens regardless of race, religion or sex. Iraq had also signed and ratified the various agreements prohibiting genocide and apartheid and continued to protect the rights of all ethnic minorities.

(Mr. Al-Qaisi, Iraq)

36. The United Nations still had far to go in the work of opposing racial discrimination. As the representative of Iraq had stated at a plenary meeting of the General Assembly, racial crimes, including the policies of Zionism and apartheid and other political doctrines based on racial discrimination, were still being committed in several parts of the world, despite the fact that such crimes violated the United Nations Charter, the principles of non-alignment and the Universal Declaration of Human Rights. The Decade to Combat Racism and Racial Discrimination was now drawing to a close, and although it had produced some positive results, certain régimes - especially the Zionist régime and the racist minority régime in South Africa - still refused to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid. A firmer position against such régimes should be adopted, with strong condemnation, so that the peoples of South Africa and Namibia, along with all the liberation movements in Africa and Latin America, might realize their aspirations to freedom, independence and self-determination. Iraq would continue to condemn violations of human rights everywhere and maintain its solidarity with peoples struggling to obtain their freedom and independence. Accordingly, it would work for the success of the Second World Conference to Combat Racism and Racial Discrimination.

37. Lastly, his delegation wished to pay tribute to the Mr. Khalifa, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, for his excellent report contained in document E/C.4/Sub.2/1982/10. Iraq supported the proposal that the report should receive wider dissemination, and be sent, inter alia, to universities and scientific and technological bodies.

38. Mrs. SHERMAN-PETER (Bahamas) said that the Decade for Action to Combat Racism and Racial Discrimination had achieved only limited success, owing to many factors, notably selectivity, lack of consensus and, at times, general confusion, which had prevented many from grasping the opportunity to intensify the struggle against racism, racial discrimination and apartheid; those problems still remained acute. Rather than coming closer to abandoning its apartheid policy, South Africa continued to designate so-called homelands for its black majority and persisted in refusing to heed General Assembly resolutions or the collective will of the majority of the international community. Some claimed that gradual change was taking place inside South Africa, but she wondered whether the international community could believe that in the fulness of time, enlightened self-interest would force change upon the Government of that country. That had not happened after over three decades of collective action. Furthermore, oppressed people could hardly afford the luxury of gradual change. The international community must not, and could not, entrust South Africa with the task of setting its own time-table to change its racist policy. The struggle against apartheid had to continue to be waged from without. It was, however, known that outside South Africa there were those who decried the racist policy but were at the same time giving that country recognition and support.

39. The Second World Conference for Action to Combat Racism and Racial Discrimination would be a valuable opportunity to review past policy and practices, readjust strategies and programmes and renew the international community's commitment to the cause of oppressed people everywhere. Undoubtedly there would be issues on which many States could not agree, but that could hardly be considered

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(Mrs. Sherman-Peter, Bahamas)

just cause for not tackling the primary issues and realities. Member States should endeavour to stand with the majority on those issues that were compatible with their policies and strive for compromise on others.

40. The Government and people of the Bahamas believed in the dignity of the human person. Her country's Constitution contained a list of fundamental rights and freedoms and of procedures for their enforcement. Those rights were guaranteed regardless of the individual's race, place of origin, political opinions, colour, creed or sex. Racism and racial discrimination did not exist in the Bahamas, as they should not exist elsewhere in the world. Her country could not, therefore, entertain the thought of establishing diplomatic, economic or other relations with a régime whose governing practices were opposed to its own constitutional principles.

41. Noting the success of United Nations efforts for decolonization, she said that, while the international community anticipated a speedy end to colonialism, South Africa's intransigence and its disrespect for the decisions of the Organization continued to delay Namibian independence. The Bahamas had deplored, in the United Nations and other forums, South Africa's constant acts of aggression against the front-line States. As the Minister of External Affairs of the Bahamas had said in his statement to the 27th plenary meeting of the General Assembly, South Africa should not continue to use extraneous issues to delay or to refuse to co-operate in the emancipation of Namibia. Her delegation hoped that the negotiations of the Western Contact Group would soon meet with success, so that Namibia might advance to independence.

42. Her country's accession to the International Convention on the Elimination of All Forms of Racial Discrimination was intended to reflect its commitment to the eradication of that evil in all its forms. On 25 August 1982 the Bahamas had submitted all outstanding reports due under article 9, paragraph 1, of the Convention. Although those reports were received too late to be reflected in the latest report of the Committee on the Elimination of Racial Discrimination, her country anticipated a full and valuable discussion at a future session of that Committee. The Bahamas had had no difficulty in becoming a State Party to the International Convention on the Suppression and Punishment of the Crime of apartheid. In accordance with its obligations, additional measures were currently being considered to give effect to that Convention.

43. In conclusion, she said that her country would continue to be actively involved in the struggle against racism, racial discrimination and apartheid and would co-operate with the United Nations, which was recognized as the viable alternative for many oppressed peoples struggling for basic human rights and fundamental freedoms and self-determination.

44. Mr. ZAKI (Egypt) said that his country had always given high priority to the protection of human rights, and especially to the elimination of racism, racial discrimination and apartheid. Stressing the need for firm collective action against apartheid at the international level, he said that the United Nations had to continue its campaign against that evil and should ask those countries which maintained relations with South Africa to implement the relevant General Assembly resolutions. It was also very important for the Special Rapporteur of the

(Mr. Zaki, Egypt)

Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue his useful work, and the Secretary-General should be requested to give him all necessary support.

45. As one of the first signatories of the International Convention on the Elimination of All Forms of Racial Discrimination, his country urged all those that had not yet done so to ratify that Convention, so that the international commitment to the elimination of racial discrimination might be complete. He said that the Committee on the Elimination of Racial Discrimination fulfilled a useful role and maintained a valuable dialogue with States Parties to the Convention. He supported the Committee's call to all States to change their legislation so as to bring it into line with the provisions of the Convention.

46. The Second World Conference to Combat Racism and Racial Discrimination would be a very important event which would allow the international community to assess the activities of the Decade and to plan its future work.

47. His country wholeheartedly supported the right of peoples to self-determination and totally condemned all violations of human rights. In Namibia, despite Security Council resolution 435 (1978) and the efforts of the Western Contact Group, South Africa continued to procrastinate and demand new conditions. The Contact Group must pressure Pretoria to abide by the relevant United Nations resolutions, since it was high time for Namibia to join the ranks of those peoples which had achieved self-determination.

48. Self-determination was an inalienable right and could not be denied to the Palestinians. A just and lasting peace in the Middle East could be achieved only by granting self-determination to the Palestinians and enabling them to establish their own independent State. Noting that Israel's invasion of Lebanon, its destruction of Beirut, its policy of genocide and the massacre of innocent civilians after the withdrawal of the Palestine Liberation Organization had aroused horror and condemnation throughout the world, he said that those events should not be forgotten with the passage of time. The international community had to give all support possible to oppressed peoples which were not allowed to exercise their right to self-determination, and it must live up to its responsibility to achieve a world in which peace, justice and security prevailed.

49. Mr. COHEN (Israel), speaking on agenda item 75, recalled that the Committee had unanimously decided to invite Mr. Khalifa, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to come to New York to present his report on individuals, institutions, organizations and States whose activities constituted assistance to South Africa. Having heard Mr. Khalifa's comments at the Committee's 8th meeting, he felt that his delegation was not alone in wondering whether that decision, which involved the expenditure of \$3,500, had been too hasty. Other delegations had already expressed reservations regarding both the report and oral comments of Mr. Khalifa; Israel had done likewise in previous years, but apparently to no avail. Year after year, Mr. Khalifa singled out Israel. His delegation regretted the need to state its indignation at Mr. Khalifa's tendency towards repeatedly taking the liberty of injecting into his discourse his personal political bias regarding the situation in

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(Mr. Cohen, Israel)

the Middle East. The uncalled-for comments and judgements on a Member State that he included in his lecture on world affairs, which was not within his realm of competence, were the antithesis of the task he had been chosen to perform. The Committee was entitled to expect an entirely different approach, one in keeping with the moral and intellectual integrity which the post, entrusted to a supposedly independent expert, required. One had to wonder whether Mr. Khalifa was not bound by the criteria of Articles 100 and 101 of the Charter.

50. Mr. BLANCO (Uruguay), referring to items 76 and 80, said that the United Nations had made a valuable contribution to the definition and consolidation of principles and norms aimed at establishing full equality among all human beings. Its achievements included the Universal Declaration of Human Rights, the International Covenants on Human Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination. Uruguay had co-operated faithfully in the drafting of all those instruments because of its traditional belief that Governments must preserve the equality, freedom and security of their citizens and peoples.

51. It was that tradition that caused Uruguay to view with concern the growing tendency to use those international instruments for political ends. Their selective and discriminatory application undermined their credibility and effectiveness. His delegation therefore shared the concerns expressed by the delegation of France regarding the introduction into the Second World Conference to Combat Racism and Racial Discrimination of various elements of an essentially political nature.

52. Fortunately, racism and racial discrimination did not exist at any level or in any sphere in Uruguay, where people of diverse origins lived together in harmony. The country's laws reflected that reality, and its Constitution recognized the equality of all persons before the law. Any law or administrative act that implied discrimination could be appealed to independent courts which had the power to declare it null and void. Societies which advocated racism or racial discrimination were prohibited, as was any incitement to class struggle or hatred, and a bill currently under consideration would make certain racist acts criminal offences. Uruguay's privileged situation with regard to racism and racial discrimination was the result of a solid historical and social process and of deeply rooted convictions and practices.

53. At the international level, those convictions had been translated into the vigorous condemnation of apartheid and its social and political consequences and into support for the relevant international instruments. Uruguay had been one of the first countries to ratify the International Convention on the Elimination of All Forms of Racial Discrimination and the first to make the declaration provided for in its article 14. It had recently submitted its seventh report to the Committee on the Elimination of Racial Discrimination. In that connection he wished to comment on Uruguay's exchange of views with CERD and on the CERD report thereon. His Government believed that the essential purpose of the Convention was to eliminate racial discrimination. In a world full of the aberrant manifestations of racism, the fact that there was no racial discrimination in Uruguay was something to be commended, and he would have liked to have seen the report of CERD

(Mr. Blanco, Uruguay)

acknowledge that fact and the underlying social process, of which Uruguay was legitimately proud. While he did not dispute that preventive measures were also called for under the Convention, such measures would appear out of place and even discriminatory in a country where discrimination did not exist. The CERD report also included a reference to trade-union activity which he deemed to be out of place in a report on racial discrimination.

54. With regard to the forthcoming Second World Conference to Combat Racism and Racial Discrimination, his delegation believed that, given the magnitude of the problem and the number of matters still pending, the Programme for the Decade should be updated and amplified.

55. With regard to item 79, he said that the right to self-determination could be exercised fully only if the principle of non-intervention was also respected. Countries must not be subjected to outside influence or pressure, and greater legal protection against the most frequent forms of indirect or covert intervention must be provided. The process of decolonization, which was a consequence of the principle of self-determination, must be completed, in particular with regard to the people of Namibia, whose right to self-determination Uruguay firmly upheld. The international community must concentrate its efforts on creating appropriate conditions for the exercise of self-determination rather than on stipulating what the end result of that exercise should be. How each people decided to exercise its right to self-determination was a matter solely for that people to decide. A people's freedom to choose its political system was essential, and if that criterion were applied systematically to the various cases that currently gave rise to disputes, it would help to resolve them peacefully in accordance with international law. Uruguay was prepared to co-operate in the development and application of the principle of self-determination, in particular on the basis of the criteria he had outlined.

56. Mr. JANI (Zimbabwe), referring to agenda items 75, 76 and 80, said that South Africa's brazen contempt for international law and its constant defiance of world public opinion represented a severe test of the credibility of the United Nations. The United Nations must find tangible measures to end South Africa's system of racism, which flew in the face of the basic principles of the Organization.

57. The attempts the United Nations had made thus far had been thwarted, in particular, by the double standards of certain Member States which supported the apartheid régime not for moral but for purely economic reasons. Allegedly, their co-operation with South Africa was intended to bring about constructive change, and supposed changes were cited incessantly. However, even a cursory glance revealed that those changes were without substance. For example, the newly created Presidential Council did not have a single black member and clearly fell short of the radical changes needed to ensure the political stability of South Africa. Indeed, there was reason to wonder whether Pretoria could be trusted to effect any change at all.

58. Mention had also been made of the fact that more South African trade unions had been legalized; however, because the unions were obliged to comply with highly cumbersome procedures, only a very few had received the necessary approval.

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(Mr. Jani, Zimbabwe)

Furthermore, the recent dismissal of trade-union members for striking was surely fresh in everyone's memory. He asked whether a trade union that could not even express grievances could truly represent the interests of the workers concerned.

59. With regard to education, in which other changes had allegedly been made, he pointed out that more than 70 per cent of the schools had been closed in protest against the imposition of Afrikaans as the official language to be used in schools.

60. The world must not accept the irreversibility of such factitious changes, for they were actually designed to strengthen the status quo and to hoodwink the international community. Pretoria's commitment to maintaining the system of apartheid could be seen in its homelands policy, even though that policy had been a resounding failure. It was therefore naive to argue that effective coercive measures directed against South Africa would do the most harm to the Africans themselves, for they were already living like vagrants in the land of their birth.

61. The situation in Namibia clearly betrayed the principle that the well-being and development of peoples in Non-Self-Governing Territories were the sacred trust of civilization. South Africa's continued occupation of Namibia and control of its natural resources gave it a certain amount of political and economic leverage, not only in connection with strategic resources but also in the formulation of foreign policy vis-à-vis its position in Namibia. To understand that situation, one need only refer to the current exercise on Namibia, in which extraneous elements had been introduced solely because of South Africa's unrealistic view of the danger.

62. Co-operation with South Africa in the nuclear field was particularly unacceptable, because it generated instability in the region and encouraged the arrogance of the apartheid régime. The support that the Western countries extended to South Africa was well documented, and although the Pretoria régime was still far from achieving its nuclear-weapon objectives, the world community, especially the Western countries, must take steps to halt the development of the apartheid bomb.

63. The United Nations must not be "derailed" in its fight against apartheid; all issues must be discussed in their proper context. International consensus had been reached on the need to eliminate apartheid, not to modify it. Therefore it was pointless to make cosmetic changes, without any real commitment to eliminating apartheid; codes of conduct were likewise irrelevant in the case of South Africa.

64. The experience of the United Nations in that connection was disheartening. For example, vetoes had been cast against the justification of armed struggle in South Africa, allegedly because other measures were available. However, only members which aided South Africa had cast vetoes. The liberation movements were not averse to the use of political measures in order to effect change in South Africa, but in response to such flagrant violations of the United Nations Charter, oppressed peoples had the right to seek to emancipate themselves through armed struggle.

65. With regard to the Programme for the Decade, he said that his delegation would be willing to explore any ideas directed towards attaining the Decade's objectives, including redrafting the agenda of the Second World Conference. It was important

(Mr. Jani, Zimbabwe)

to reaffirm the international consensus against racism and racial discrimination and to emphasize the commitment and unity of the international community whenever possible.

66. Mr. RAZZOQI (Kuwait), referring to agenda items 79 and 80, which concerned the extremely important principles of the right of peoples to self-determination and the elimination of all forms of racial discrimination, observed that, since they were interrelated, any violation of one principle directly affected the other. In that connection, his delegation supported and commended the work of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

67. Unfortunately, the resolutions adopted on the subject of self-determination had not yet been implemented. In his delegation's opinion, that situation had resulted not from the weakness of United Nations bodies or from any deficiency in the resolutions themselves but from the lack of genuine support for the principle of the self-determination of the peoples of Palestine and southern Africa on the part of the United States of America and some of its Western allies, which had considerable influence with their clients, Israel and South Africa.

68. The cardinal principle of self-determination was set forth in Article 1, paragraph 2, of the Charter, and no State could arrogate unto itself the right of denying it to others. Since the principle of self-determination had interdependent political, economic and social aspects, any major violation of it represented a serious violation of human rights and posed a threat to world peace and progress. Moreover, all peoples of the world, particularly those under colonial and alien domination, were entitled to enjoy the right to self-determination.

69. In his delegation's opinion, by enabling peoples to exercise their right to self-determination, it would be possible to put an immediate end to colonialism, apartheid and foreign occupation based on racism and racial discrimination, including zionism. His delegation wished to reaffirm the inherent right of peoples to use every possible means, including armed struggle, for attaining their freedom and fulfilling their national aspirations. The most explosive places in today's world were those where peoples were denied their right to self-determination.

70. South Africa and Israel continued to pursue a colonial policy and to perpetuate their illegal foreign occupation based on racism and racial discrimination. The abominable policy of apartheid practised by South Africa was aimed at providing cheap labour for the comfort of the white minority. Apparently there would be no change in that policy so long as the Western countries maintained their economic co-operation with the racist régime. Therefore his delegation appealed to them to help to eradicate all forms of racial discrimination in South Africa through a mandatory economic boycott.

71. In addition, the despotic régime of South Africa persisted in its policy of fragmenting the black community through the establishment of bantustans, clearly for the purpose of creating satellite entities whose survival depended entirely on the racist régime. The international community had condemned that policy in various resolutions. The developing countries must continue to struggle by every

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(Mr. Razzoqi, Kuwait)

possible means against the racist white minority in South Africa until the black majority was able to exercise its right to self-determination, freedom and independence.

72. South Africa was also continuing its illegal occupation of Namibia, in defiance of United Nations resolutions and decisions calling upon it to withdraw from that country and to allow the Namibian people to determine its own destiny. His delegation unequivocally supported the South West Africa People's Organization (SWAPO) in its just struggle to liberate the Namibian people from the tyranny of South African racist policies. Similarly, it fully supported the front-line States in their efforts to resist the forces of colonialism and to combat the atrocities committed by the Pretoria racists.

73. His delegation had previously welcomed the initiative taken by the five Western countries to solve the problem of Namibia. Although racist South Africa had erected artificial obstacles in the path of that initiative, the five Western countries, and especially the United States, should continue their efforts to bring about the withdrawal of all South African forces from Namibia and to enable the Namibian people to exercise its inalienable right to self-determination, free from all external interference by the racist Pretoria régime.

74. Israel's ideology and practices were exactly the same as those of the racist apartheid régime, and its behaviour was consistent with its Zionist racist ideology and beliefs. Over the years, there had been an unholy alliance between South Africa and Israel, both of which had had the same goals, namely to promote colonialism and racism throughout the world, without any consideration for human decency or fundamental human rights. Israel's racist policy was aimed at preventing the Palestinians from exercising their right to self-determination. Like a cancer, Israel had a tendency to grow. The Zionist ideology comprised two related processes: first, Jews must be transplanted into Palestine, and second, non-Jews, whether Christian or Moslem, must be removed from Palestine to make room for the transplanted Jews. Therefore, zionism was aimed at totally uprooting the Palestinians and condemning them to a hopeless existence in refugee camps. Ironically, the same situation as that existing in 1948 - when the United Nations mediator had indicated that the innocent victims of the Palestine conflict must not be denied the right to return to their homes while Jewish immigrants flowed into Palestine - currently existed in the West Bank, the Gaza Strip, the Golan Heights and southern Lebanon. History also seemed to be repeating itself in the Israeli practices followed during the occupation of Lebanon and in the Sabra and Shatila camps: those practices paralleled the instances of plundering and destruction, without apparent military necessity, to which the United Nations mediator had also referred.

75. The Zionist ideology which asserted the displaced Palestinians must not be permitted to return to their homes was contrary to the Universal Declaration of Human Rights, in particular to article 13, paragraph 2. The international community must find a just and lasting solution to the tragic situation of the millions of displaced Palestinians. No people yearned more for peace than the Palestinians, but they wanted peace with honour, peace which enabled them to exercise their inalienable right to self-determination and statehood.

76. Miss SHALHOUB (Jordan), speaking in exercise of the right of reply, observed that the previous day the representative of Israel had made some familiar, and groundless allegations about her country, namely, that 20,000 Palestinian Arabs had been killed or wounded in September 1970 and that Jordanian civil law stipulated that Jews could not become Jordanian citizens.

77. The representative of Israel should have been the last person to lecture on the sanctity of human life, especially in view of the recent holocaust at the Sabra and Shatila refugee camps brought about by the Israeli armed forces and their henchmen. During their siege of Beirut, the Israelis had also prevented medicine, food and water from reaching the helpless civilian population - another example of their lack of concern for human life.

78. The events in Jordan in 1970 to which the Israeli representative had referred had been directed towards restoring law and order and had resulted in only 2,000 casualties, many of them in the Jordanian Army. She reminded the representative of Israel that his country regularly practised discrimination, and she drew attention to the dubious Law of Return, which denied all Palestinian Arabs the right to return to their own homeland.

79. Jordan's Constitution and traditions and the teachings of its religion provided for the equality of all, but its national legislation set certain conditions for Jordanian citizenship, such as length of stay in the country. However, nowhere was there any mention of the conditions referred to in the Israeli allegation. In fact, members of a Jewish sect, who had Jordanian citizenship and enjoyed full rights in that regard, had been living in Nablus for centuries. It was both ironic and typical that those who practised genocide and discrimination were those brazen enough to speak of the value of human life and of the need to eliminate discrimination.

80. Mrs. WARZAZI (Morocco), referring to the statement made by the representative of Israel earlier in the current meeting, observed that before invoking the articles of the Charter, one must first study them. Had the Israeli representative done so, he surely would not have referred to articles 100 and 101, which applied to the staff of the United Nations, in connection with the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, who had been elected by the Commission on Human Rights (as an expert and who therefore was not called upon to report to any Government or to please any delegation. Moreover, both the Sub-Commission and the General Assembly supported his work.

81. Mr. TERZI (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said that the representative of Israel had wisely referred to the \$3,500 spent on the report of the Special Rapporteur in order to avoid and ignore the substance of that report, which concerned violations committed by Israel. He drew attention to the millions of dollars spent in connection with the UNIFIL troops, whose presence in Lebanon had been necessitated by Israel's aggression in the area, and to the thousands of dollars spent on the Security Council meetings held since the Israeli invasion of Lebanon.

(Mr. Terzi, Observer, Palestine Liberation Organization)

82. Referring to the statement made by the representative of Israel the previous day (A/C.3/37/SR.11), he observed that although his heart bled for the millions of Jews and other human beings who had lost their lives in the Nazi reign of terror, he felt even more ashamed and embarrassed when he thought about how Jews, Arabs and the world as a whole were still allowing those who belonged to the Herut Party to sit in their midst. Several honourable Jews in the United States had described the Herut Party as politically akin, in organization, methods, political philosophy and social appeal, to the Nazi and Fascist Parties and had said that it had been formed from the membership of a terrorist, right-wing, chauvinist organization in Palestine. Members of the Herut Party had issued a proclamation on how to deal with European Jewry. One of their main documents had indicated that the establishment of a historical Jewish State on a national and totalitarian basis and bound by treaty to the German Reich would be in the interest of a stronger German position of power in the Middle East. They had been those who had collaborated with nazism to defeat the entire alliance formed against fascism, and those collaborators were sitting right there in the Committee.

83. The representative of Israel had also asserted at the 11th meeting that undoubtedly the most abhorrent example of racism was racial discrimination as institutionalized in South Africa. However, the Law of Return represented an institutionalized form of zionism and racism under which 2 million Palestinians were prevented from returning home simply because they were not Jews. In the same statement, the representative of Israel had indicated that the Second World Conference to Combat Racism and Racial Discrimination had no chance of success so long as its agenda included controversial subjects, such as the political situation in the Middle East. It must be recognized, however, that a world conference was intended not to discuss abstract matters but to determine how ideology and policies could be put into practice.

84. The representative of Israel had further stated that zionism was the revolt of the Jewish people against racial discrimination and anti-semitism. He personally fully supported any movement that was opposed to racism, but such movements must be humanitarian and must not endanger racism in their turn; zionism had in fact engendered racism against the non-Jews in Palestine. Indeed, the infamous Balfour Declaration had sown the first seeds of racism in Palestine by referring to the non-Jewish community, which represented 92 per cent of the population, as the non-minority. Therefore, the last person to speak of racism and racial discrimination in the Committee should be the representative of the criminal Herut Party, whose very presence should not even be tolerated.

The meeting rose at 1.20 p.m.