



SUMMARY RECORD OF THE 18th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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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)

The meeting was called to order at 3.10 p.m.

AGENDA ITEM 77: INTERNATIONAL YOUTH YEAR: PARTICIPATION, DEVELOPMENT, PEACE:
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THE SECRETARY-GENERAL (continued) (A/37/160, A/37/351, and Corr.1, Add.1 and 2)

1. Mr. YAMAZAKI (Japan), speaking on agenda items 77 and 81, said that the United Nations had done much to increase awareness of the problems of youth, by adopting in 1965 the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, and by deciding to designate 1985 as International Youth Year. In addition, the United Nations was working to improve communications with youth organizations and with young people themselves, so as to secure the full participation of youth in development at both national and international levels, and had already adopted guidelines to that end. Thanks to United Nations efforts and to the activities undertaken throughout the world, youth were becoming increasingly active in all fields.

2. His delegation believed that International Youth Year would serve to increase awareness of the problems of youth and of related policies and programmes and to promote among youth ideals of peace and understanding which were essential to the future of mankind. It felt, however, that the theme of peace should not monopolize attention; indeed it had noted with regret, at the second session of the Advisory Committee for the International Youth Year, a tendency to use the Year for political purposes.

3. Japan once again congratulated the Romanian delegation on the initiatives which it was continuing to take for the celebration of the Year. His delegation was not convinced, however, of the need for a declaration on the rights and responsibilities of youth, because it felt that youth should have the same rights and duties as people in general. It would be better to concentrate on drawing up a specific Programme of Measures and Activities acceptable to all. Continued review and revision of the Programme could be carried out in the coming years, in accordance with paragraph 1 of General Assembly resolution 36/28. The Japanese delegation supported the Programme, which stressed the need for action at the national level.

4. If the Year was to be truly meaningful, serious and ongoing activities were indispensable. At the non-governmental level, Japanese youth organizations had established the Council for Promoting the International Youth Year, which had

(Mr. Yamazaki, Japan)

commenced study and research projects. At the governmental level, Japan was making preparations, in co-operation with non-governmental organizations, for national observance of the Year, including the early establishment of a national committee. Japan was thus ready to co-operate actively with United Nations endeavours on behalf of youth.

5. His delegation disagreed completely with those who had depicted youth as an especially vulnerable group; on the contrary, it believed that youth was a very strong group, requiring less assistance than other groups, and that it should be considered as privileged, not only because it could help other more vulnerable groups but also because, as a driving force, it could play an important role in the construction of society.

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/C.3/37/L.15)

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/C.3/37/L.3, L.4, L.8 and L.10)

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/C.3/37/L.9 and L.11)

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

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued) (A/C.3/37/L.13 and L.14)
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/37/L.7)
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/37/L.12)

Draft resolutions A/C.3/37/L.11 and L.15

6. Mrs. KABA (Guinea), introducing draft resolution A/C.3/37/L.11 on behalf of the African Group, explained that the aim of that document was to give objective recognition to the discussion which had developed around a subject of particular interest to the African continent, since the effective exercise of the right to self-determination was still being denied to peoples and territories in several regions of the world, and particularly in Africa and the Middle East; the African Group had therefore been duty-bound to make a contribution in that regard, in

(Mrs. Kaba, Guinea)

accordance with the obligations deriving from the Charter of the Organization of African Unity and from the Charter of the United Nations. The draft resolution mentioned a number of cases of direct concern to Africa, representing either flagrant violations of the right to self-determination or subjects of divergence or contestation regarding the exercise of that right. In considering the illegal occupation of Namibia by South Africa, the martyrdom of the black majority victimized by the hateful system of apartheid, and the collaboration of certain Powers with the racist minority régime in Pretoria, the African Group had definitely not been swayed by passion but had endeavoured to retain a sense of balance without, however, masking any of the facts. Similarly, it had decided to refer to the problem of the Middle East and, in particular, of Lebanon and Palestine, not through any demagoguery, but in order to display an Arab-African solidarity born of history, geography and culture and sanctioned by international morality and law. The African Group, which had adopted the text unanimously, hoped that the great majority of the members of the Third Committee would rally to its just cause.

7. Introducing draft resolution A/C.3/37/L.15, also on behalf of the African Group, she said that the text reaffirmed certain major principles contained in various international instruments and acts, which argued in favour of total isolation of the racist minority régime in South Africa. By virtue of those principles, which could brook no exception in view of their universal and peremptory nature, the African Group condemned all collaboration, in any domain whatsoever, with the racist minority régime in Pretoria. Moreover, it expressed its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and asked the Secretary-General to give him all necessary assistance for the detailed updating of the list of banks, corporations and other organizations collaborating with South Africa. Lastly, the African Group would like the item mentioned in the last operative paragraph to be considered as a matter of high priority by the General Assembly at its thirty-ninth session, in the light of any recommendations which the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council and the Special Committee against Apartheid might wish to submit to it.

8. Mrs. DOWNING (Secretary of the Committee) said that two minor changes should be made in the English text of document A/C.3/37/L.11. In the last preambular paragraph (p. 3 of the English text) and in operative paragraph 18 (p. 4 of the English text), the words "foreign influence" should be replaced by "alien subjugation".

Draft resolutions A/C.3/37/L.3 and L.4

9. The CHAIRMAN drew the attention of representatives to draft resolutions A/C.3/37/L.3 and L.4, recommended by the Economic and Social Council, and to the statements of their administrative and financial implications issued as documents A/C.3/37/L.8 and L.10 respectively.

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Draft resolution A/C.3/37/L.9

10. Mr. HUSAIN (Pakistan) introduced draft resolution A/C.3/37/L.9 on behalf of the sponsors, who had been joined by Costa Rica. He recalled that the previous year the Third Committee had adopted without a vote a draft resolution with the same title, which the General Assembly had then adopted, also without a vote, as resolution 36/10. Draft resolution A/C.3/37/L.9 made no change in resolution 36/10, apart from unavoidable technical updating, so that it should be possible for it to be adopted without a vote at the current session also.

11. He emphasized the special importance of the draft resolution, at a time when cases of intervention by foreign military Powers in independent countries were resulting in the suppression of the right of peoples to self-determination. While calling for an end to such acts of military intervention and occupation, the draft resolution also drew attention to the plight of millions of refugees and reaffirmed their right to return to their homes voluntarily. After informing members of the content of paragraphs 5 and 6, he said that the sponsors of the draft resolution hoped that it would again be adopted without a vote at the current session.

Draft Resolution A/C.3/37/L.13

12. Mr. ZUCCONI (Italy) introduced draft resolution A/C.3/37/L.13 on behalf of the sponsors, to which France should be added. The draft resolution was of a purely technical nature and needed no explanation. It was designed to respond to General Recommendation VI of the Committee on the Elimination of Racial Discrimination concerning delays in the periodic submission of reports by States parties to the Convention. Those reports were important, since they not only fulfilled an obligation existing for States parties and enabled them to pursue a useful dialogue with CERD, but also acted as an incentive to improve the situation at the national level.

13. The Secretary-General was therefore requested to analyse the causes of the delays, in consultation with the States parties, and to make suggestions to the General Assembly at its next session on ways of improving the situation. The conclusions would be submitted to the States parties to the Convention so that they could take whatever action was necessary.

14. A secondary point about the draft resolution was that in many countries the office or organ responsible for preparing the CERD report was also responsible for preparing the four reports required under the two Human Rights Covenants. It might happen that in the same year the office in question would have to prepare two or three reports under the different Conventions, which would represent a considerable amount of work. It was therefore proposed that the Secretary-General should consult the bodies responsible for considering the reports about the possibility of staggering the reports over a period of time. In general, there was a need for some co-ordination in countries' reporting obligations under various covenants. That need was deeply felt by countries with limited administrative resources and, it was hoped, would be understood by those countries which did have a large bureaucratic machinery.

(Mr. Zucconi, Italy)

15. He noted that draft resolutions A/C.3/37/L.13 and L.14 had the same title and proposed that the title of draft resolution A/C.3/37/L.13 should be amended to read: "Report of the Committee on the Elimination of Racial Discrimination: General Recommendation VI".

Draft resolution A/C.3/37/L.14

16. Mrs. RADIĆ (Yugoslavia), introducing draft resolution A/C.3/37/L.14 on behalf of the sponsors, said that the preamble emphasized the importance for the success of the struggle against all practices of racial discrimination that all Member States be guided by the basic provisions of the Convention and comply with them fully. She read out paragraph 2, and also paragraphs 3 and 5 expressing the feeling of the vast majority of delegations that the policy of apartheid was the most abhorrent form of racism. The provisions of paragraph 4 were designed to help CERD to discharge its responsibilities in respect of the elimination of racial discrimination in connexion with the implementation of the Convention in the territories to which General Assembly resolution 1514 (XV) applied. She also read out paragraphs 6 and 8.

17. When considering the report from Israel, one of the 40 reports submitted by States parties under article 9 of the Convention, CERD had felt that, before asking the Government of Israel what measures it had taken to implement the provisions of the Convention, it would be advisable to find out whether Israel really adhered to the basic principles of the Convention; that Committee had in fact found that the policy of Israel was indeed contrary to the principles and objectives of the Convention. In paragraph 7, the sponsors of draft resolution A/C.3/37/L.14 had wished to reflect the facts described in the report of CERD on its twenty-sixth session and to express their grave concern about Israel's policy. In that, they had been guided by the fourth preambular paragraph of the draft resolution, relating to the obligation of all States parties to comply fully with the provisions of the Convention.

18. By respecting the provisions set forth in paragraph 12, which she read out, States parties to the Convention would help CERD to carry out its mandate under the Convention. She then read out paragraphs 13, 14 and 15.

19. She thanked the other sponsors of the draft resolution for their collaboration and the other delegations, whose comments during the consultations had helped the sponsors to take into account the various matters of concern and to produce a text that was as generally acceptable as possible.

Draft resolution A/C.3/37/L.7

20. Mr. STEVENS (Belgium) introduced draft resolution A/C.3/37/L.7 on behalf of the 25 sponsoring delegations. He reminded members that, of all the international conventions on human rights, the International Convention on the Elimination of All Forms of Racial Discrimination had the largest number of States parties. More than two thirds of the Members of the United Nations had acceded to the Convention,

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(Mr. Stevens, Belgium)

which clearly showed that the international community was determined to eliminate all forms of racism and racial discrimination wherever they might appear. He read out paragraphs 1, 2 and 3 of the draft resolution and explained that the appeal made in paragraph 4 was motivated by the wish to make the Convention truly universal.

21. He commended the Committee on the Elimination of Racial Discrimination which, by its efficient and impartial action and by initiating an honest and constructive dialogue with States parties, had helped to keep the Convention from becoming a dead letter. The sponsors of the draft resolution trusted that the Third Committee would have no difficulty in adopting it without a vote.

Draft resolution A/C.3/37/L.12

22. Mr. SCHLEGEL (German Democratic Republic) introduced draft resolution A/C.3/37/L.12 on behalf of the sponsors, to which the following countries should be added: Afghanistan, Algeria, Bulgaria, Guyana, Hungary, Iraq, Madagascar, Mozambique and Zimbabwe.

23. The International Convention on the Suppression and Punishment of the Crime of Apartheid was the first international legal instrument which did not merely condemn the policy of apartheid but declared that the crime of apartheid was punishable by law. That was why the Convention was an effective legal means of combating apartheid. The main purpose of draft resolution A/C.3/37/L.12 was to enhance the effectiveness of the Convention; that reflected the goal of implementing effective measures against the apartheid régime set for the Decade for Action to Combat Racism and Racial Discrimination. The draft resolution also reflected the wish expressed by the overwhelming majority of speakers in the Third Committee for the imposition of universal sanctions to ensure the suppression of that abominable crime.

24. The draft resolution pointed out that the racist régime constituted a threat to international peace and security, denounced its inhuman policy and referred to recent activities by the international community to outlaw racism, racial discrimination and apartheid. On the basis of the idea that the apartheid régime survived only through support from certain States and transnational corporations, the draft resolution rejected any form of collaboration with the Pretoria racists. Paragraphs 8 and 10 took account of the growing importance of the progressive list of those responsible for the crimes enumerated in article II of the Convention. The activities aimed at unmasking those engaged in collaboration with the apartheid régime were fully in keeping with the goals of the International Year of Mobilization for Sanctions Against South Africa.

25. It was hoped that the Second World Conference to Combat Racism and Racial Discrimination would give a new impulse to the struggle against apartheid and would adopt more far-reaching measures to that end; the draft resolution therefore called on all States to help to make the Conference a success. He read out paragraphs 2 and 4 and drew attention to paragraph 12 which took account of the fact that the

(Mr. Schlegel, German
Democratic Republic)

dissemination of information on apartheid could play an appreciable part in further mobilizing public opinion.

26. In view of the urgent need to eliminate the apartheid régime and punish those guilty of the crime of apartheid, practical measures were needed. The sponsors of the draft resolution therefore appealed once more to the States which had not yet done so to accede to the Convention. They trusted that the draft resolution would secure a broad consensus.

The meeting rose at 4.10 p.m.