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SUMMARY RECORD OF THE 15th MEETING

Chairman: Mrs. TIRONA (Philippines)

later: Mr. MADAR (Somalia)

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The meeting was called to order at 6.05 p.m.

AGENDA ITEM 84: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (continued) (A/39/534; A/C.3/39/2; E/CN.4/Sub.2/1984/8 and Add.1-2)

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- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (continued) (A/39/460)

1. Mr. CERMAK (Austria), referring to the reporting obligations of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination, said that his delegation welcomed the growing awareness of the need to improve the existing reporting system, in the light of the increasing number of ratifications of and accessions to the various human-rights instruments. Suggestions for improvement should focus mainly on two issues: firstly, the need to maintain or, where possible, improve the performance of the Committee on the Elimination of Racial Discrimination (CERD) and, secondly, the importance of assisting Member States to submit reports of the desired quality in a timely manner.

2. In view of the complexity of the problems affecting the reporting system, his Government, which highly valued the achievements of CERD, believed that further discussion was needed, bearing in mind the suggestion that comprehensive reports could be submitted every four years and that in the meantime States parties should be required to provide only updated information or to make cross-references to documentation already submitted. Such a solution could be agreed upon without formally amending the Convention.

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(Mr. Cermak, Austria)

3. A solution along those lines would also alleviate to some degree the problems faced by a growing number of States in fulfilling their reporting obligations, in particular developing countries, whose administrative and financial resources were often limited. It was inappropriate to blame those countries for a lack of political will and to keep reminding them of their obligations without offering them assistance. The suggestions in paragraph 39 of the report of CERD (A/39/18) and in the report of the Secretary-General (A/39/484) deserved particular attention. His delegation welcomed the meeting held in Geneva in August 1984 of the chairmen of expert bodies established under various human-rights instruments and favoured the annual continuation of that dialogue, in which the chairperson of the Committee on the Elimination of Discrimination against Women should also participate.

4. His delegation looked forward to a gradual improvement in the implementation of the Convention, and emphasized that in the field of human rights it was perhaps even more necessary than in other areas to ensure that theory was followed by practice.

5. Mr. HECHT (Guatemala) said that Guatemala rejected the institutionalized practice of racism, and believed that the international community should stand behind all those who suffered from racial discrimination. It was to be hoped that the Second Decade to Combat Racism and Racial Discrimination would attain the goal which had eluded it during the first Decade.

6. Guatemala had always attached the highest importance to the equality of all its citizens. As a multi-racial society, his country had welcomed the conclusions of the Second World Conference to Combat Racism and Racial Discrimination and the Declaration and Programme of Action which had emanated therefrom, for they attached due weight to the status of ethnic populations. Guatemala favoured the use of education and training to eradicate racism, the dissemination of information through the mass media to promote and protect the human rights of minority groups, and measures to ensure the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, to which his country was a party. His delegation recognized the key role played by CERD and endorsed that Committee's duties as laid down in the Convention.

7. Every Government should give support to the international community's expanding role in promoting respect for the dignity of the human person and in efforts to combat any aberrant theory that promoted racial discrimination or apartheid. His country condemned all ideologies which encouraged racial hatred.

8. His delegation viewed with concern the fact that in some parts of the world peoples were denied their right to self-determination either by the existence of anachronistic colonial systems or as a result of occupation by foreign troops, in violation of the Charter. Such use of force must be abandoned in order to restore harmony and peaceful coexistence among peoples. His delegation hoped that Security Council resolution 435 (1978) would be duly implemented, and that Namibia would soon attain its independence and join the United Nations.

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9. Mr. OCHIENGHS-WELLBORN (Uganda) said that the Government and people of Uganda remained deeply concerned at all forms of racial discrimination; thus, they were mindful of the plight of indigenous populations, minorities and migrant workers, deplored the resurgence of Nazi and neo-Fascist movements and were concerned at the suffering of victims of colonial subjugation and foreign domination.
10. With regard to the situation in southern Africa, as current reports indicated, racist South Africa continued to treat all opponents of apartheid brutally and was endeavouring to devise subtle and ominous measures to perpetuate that system. As the history of the so-called "constitutional reforms" during the past year had demonstrated, South Africa was feigning a move towards democracy. His delegation regretted most deeply that that transparent ploy had elicited applause from certain Western quarters, and maintained that the Fascist system of apartheid was incompatible with democracy. The segregated power structure was intended to undermine the solidarity of the internal opposition to apartheid, to lend credibility to the bantustan policy and permanently to disenfranchise the black majority. His delegation urged all States to comply strictly with Security Council resolution 554 (1984).
11. South Africa's intransigence with regard to independence for Namibia had once again led to failed expectations, for the Pretoria régime continued to make that objective conditional on an abrogation of the legitimate collective-defence arrangement concluded between Angola and Cuba. Uganda rejected that linkage and was encouraged to note that the vast majority of States, including members of the Western Contact Group, had denounced it. His delegation hoped that the United States would soon side with the majority of the international community in that regard.
12. In the Middle East, Israel, through illegal occupation and annexation, continued to deny the Palestinian people their inalienable right to self-determination. His delegation reiterated its condemnation of Israel's resolve to defy all United Nations resolutions on the question of Palestine, and maintained that a secure peace in the Middle East would be achieved only when the Palestinian people achieved self-determination.
13. His delegation emphasized the need for more resolute international action against racial discrimination and apartheid and was pleased to note that a number of improvements suggested by the Economic and Social Council to the draft plan of activities for the period 1985-1989 had been taken into account in the Secretary-General's revised draft (A/39/167/Add.2).
14. Lastly, his delegation was willing to furnish the additional information requested of it in the report of CERD (A/39/18), but regretted that that Committee had considered Uganda's report so soon after it had been submitted, with the result that his Government had been unable to ensure its representation at the proceedings.

15. Mr. SUFOTI (Israel) said that racial discrimination was an evil not unconnected with the history which had given rise to the establishment of the United Nations. His own country had identified itself wholeheartedly with the tasks and obligations of the first Decade for Action to Combat Racism and Racial Discrimination and had hoped for a universal effort against racism.

16. Millions of Jews had been massacred by racists throughout history and in modern times. Zionism, the national liberation movement of the people of Israel, had sought to put an end to the subjugation of the Jews to the will of others, just as so many other liberation movements had done. Over 800,000 victims of racial and religious discrimination in Arab States had participated in the struggle for the establishment of the State of Israel. They and their descendants comprised a sizeable part of the current population of Israel.

17. However, certain purveyors of racism had sought to blur the entire issue and frustrate deliberations in the Organization with their anti-Israel crusade. A struggle to overcome the enmity of a dozen neighbouring States and the weapon of terrorism, committed to the destruction of one's land and people, was not racism. Racism was totally different, and those who twisted its meaning to their own political and racial ends would never contribute to its eradication, but would only hinder those who sought to combat it.

18. To create a fiction in the United Nations whereby every national liberation movement was legitimate except the historic national liberation movement of the Jewish people, zionism, a fiction whereby the national liberation movement of the Jewish people was racism, as opposed to the unsullied independence struggles of so many other peoples, was blatant racism. It was blatant discrimination, by United Nations resolution, against zionism and the Jewish people, a resolution arrived at through the politics of one particular bloc.

19. That fiction had tragically undermined the efforts of the first Decade and, since the adoption of Economic and Social Council resolution 1984/43, threatened to do so for the Second Decade. That resolution had destroyed the consensus reached in General Assembly resolution 38/14 by reverting to General Assembly resolution 34/24 in the context of the revised draft plan of activities for the period 1985-1989 (A/39/167/Add.2). His delegation could not accept the reference to the latter resolution or to the other previous resolutions and declarations mentioned in the revised draft plan, for if they were included in the plan, Israel and zionism would thereby be included in the activities for the Decade. The latter would no longer be a decade to combat racism, but yet another expression of the tyranny of the automatic majority. The loss would be that of the Decade, the very campaign against racism, and the effectiveness and international status of the United Nations.

20. An element of racism regrettably existed in the Israel-Arab conflict, in the anti-Zionist camp, in Arab States which discriminated by law against Jews, who were excluded from citizenship, and against foreign business firms employing Jews; it also existed in the Soviet Union, where anti-Semitic activities were as notorious today as in the dismal past. The Soviet Union and its allies, by branding their Jewish victims as racists, sought to legitimize their own brutality towards them, which explained why they led the campaign against zionism.

(Mr. Sufott, Israel)

21. Even in moments of despair at the motivations which rendered futile many deliberations in the United Nations, little could his delegation have imagined the cynical use, or the abuse, of what should be a sacred responsibility of the Organization, the duty to combat racism. The Second World Conference to Combat Racism and Racial Discrimination, like all efforts that had preceded and followed, had been exploited by Arab countries pursuing blindly their path of hatred and vituperation against Israel, and aided and abetted by others, led by a great Power. In their hands, the first Decade had become a decade against the common endeavour. The fact that General Assembly resolution 38/14 had marked a restoration of the consensus prevailing at the outset of the first Decade was a tribute to the unwearied efforts of those truly devoted to the struggle against racism. Subsequently, however, the saboteurs had triumphed - it was to be hoped only temporarily.

22. The damage done was to the United Nations, far more than to his country and its good name. Indeed it was a badge of honour to be singled out for the bitter hostility of such States and régimes. Democracies committed to freedom and human decency which were not attacked by such régimes might well ask themselves how and why they had contrived to avoid such onslaughts.

23. Apartheid was an abhorrence. However, in the midst of heartfelt and moving condemnations of that practice by previous speakers had come a totally unexpected, jarring note from the Special Rapporteur, Mr. Khalifa, who, although he had represented himself as the Special Rapporteur and not as the representative of an Arab State, had falsely claimed that he had been criticized for attacking Israel in his report (E/CN.4/Sub.2/1984/8 and Add.1-2) and, using an old trick of rhetoric, had thus created an excuse to launch into a partisan onslaught against Israel. It was indeed ironic that such remarks should be heard in a committee supposedly concerned with humanitarian matters and that not a voice had been raised in opposition.

24. His delegation rejected the false aspersions of the Special Rapporteur and wished to state in reply, first, that there was no nuclear co-operation between Israel and South Africa. Secondly, Israel's foreign trade with South Africa had amounted to 0.6 per cent of South Africa's entire foreign trade in 1982, the latest recorded year in the Yearbook of the International Monetary Fund. He invited Member States to examine the statistics recorded there of trade with all the other continents and blocs, one bloc in particular. Thirdly, Israel faithfully abided by Security Council resolution 418 (1977). His delegation rejected the biased methodology and selectivity of the Special Rapporteur and urged him to abide by the appeal of the President of the General Assembly at the current session that all Members should honour the principle of objectivity to avoid implications that United Nations organs had served as instruments for the exacerbation of conflicts rather than for promoting understanding and reconciliation.

25. The effort to combat racism required sincerity, not political cynicism of the brutal kind which had been heard from some Arab and communist-bloc countries day after day and which had come to characterize their contribution on those issues.

26. Mr. EL-FAYEZ (Jordan) said that the subjects dealt with in the items under consideration were amply covered by the Constitution and legislation of his country, which respected the political, economic, social and cultural rights of the individual. The stability which his country had enjoyed during the past three decades in an area of turmoil was clear proof of that fact. Jordan's constant support for the world community's efforts to combat racial discrimination stemmed from the teachings of Islam, which called for equality among all persons irrespective of colour, religion or sect.

27. The inhuman policies and practices of the Pretoria régime and its hated apartheid system were crimes against humanity. Jordan condemned apartheid and the so-called "constitutional reforms" introduced in South Africa, as well as the illegal occupation of Namibia and the denial of the right of the Namibian people to self-determination under the leadership of the South West Africa People's Organization (SWAPO). The commendable report by the Special Rapporteur (E/CN.4/Sub.2/1984/8 and Add.1-2), indicated clearly who supported the Pretoria régime, which would have been doomed without such support.

28. Although the repressive system imposed by Israel in the Middle East was not as fully institutionalized as in South Africa, since 1967 Israel had carried out comparable inhuman and illegal measures in the occupied Arab territories. Those policies violated the right of the Palestinian people to self-determination.

29. The military and strategic co-operation between the Pretoria régime and Israel showed clearly the similarities between them. Those régimes, which were condemned by the world community, would be compelled to change their hated policies only if subjected to mandatory economic and military sanctions.

30. Mr. Madar (Somalia) took the Chair.

31. Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran) said that his country's position on racism was based on the Koran, which proscribed all forms of racism. What was most regrettable was that the United States, the United Kingdom and certain other Western European countries, which also co-operated with South Africa, claimed to be champions of human rights while they themselves violated human rights within their countries. The United States, while seizing every opportunity to exploit human-rights issues for its own political purposes, under the mask of "constructive engagement", was strengthening apartheid by co-operating with the racist régime in the nuclear, technological and economic fields, in defiance of United Nations resolutions and universal moral principles. He called on the Committee to do all that was necessary to put an end to those practices.

32. He was not surprised by the co-operation between Israel and South Africa since those were both racist and anti-human régimes which had been created to serve expansionist and imperialist policies. Both deserved to be targets of liberation movements. The oppressed nations must unite to expose the policies of those two entities and to exert pressure on those who supported them to sever diplomatic and economic relations with them. "Strategic interests" and "constructive engagement" were no cover for those hypocritical practices.

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

33. It must be understood that South Africa's aim was to deprive the indigenous peoples under its illegal occupation of their basic rights. In that regard, United Nations action, which so far had not gone beyond rhetoric and intellectual discourse, was inadequate to tackle racism. In order to increase pressure on the racist régime, comprehensive sanctions needed to be applied, and the evils of racism needed to be disseminated through exhibitions and information centres, and through regular television and radio programmes broadcast by Member States, with United Nations assistance.

34. It was not enough, however, to condemn only those two régimes. The United Nations must not condone the manifestations of racism in Western countries. Iran had received letters from various parts of the United States, for example, referring to racism in that country. Indeed, the co-operation and aid extended by Western countries to Israel and South Africa might well be related to the racist inclinations in those Western countries.

35. The indigenous people of South Africa had been deprived of all basic rights, including the right to self-determination. The Government, fortified by systematic support from certain Western States and its increasing collaboration with the United States, remained unresponsive to United Nations resolutions. Had the Zionist aggression succeeded in destroying the heroic resistance of the Muslim people in Lebanon, the situation there might not have been very different from that in South Africa. Palestine was still occupied and the Muslim holy places were still under Zionist control. The Arabs of the West Bank and the Gaza Strip were looking to the example of Lebanon, despite pressures on them to accept the Camp David accords.

36. Lastly, he noted that the Indian Ocean was another area of concern. The United States military base on Diego Garcia constituted a threat to peace and stability in that region.

37. Mr. HOUFFANE (Djibouti) noted that, even before the proclamation of the second Decade, the Pretoria racist régime had taken measures to deprive the black majority in South Africa of its most fundamental rights by introducing so-called "constitutional reforms". The situation had been made explosive by the proclamation of the "new constitution". The black majority needed material and moral aid and it was time the Committee concerned itself with action. The most effective way to combat apartheid was by supporting the liberation struggle and increasing assistance to the liberation movements in South Africa.

38. The international community must also take urgent measures against South Africa's manoeuvres designed to continue its occupation of Namibia in defiance of Security Council resolution 435 (1978).

39. The racist Zionist régime in the Middle East was pursuing a policy identical to that of Pretoria by depriving the Palestinian people of its inalienable right to self-determination and independence and by continuing its occupation of Arab

(Mr. Houffane, Djibouti)

lands. Its collaboration with Pretoria had been repeatedly condemned by the international community. The latter could not ignore the suffering of the Palestinian people, whose freedom fighters, currently labelled "terrorists", would one day be acknowledged for what they were.

40. Miss RUTAGERUKA (United Republic of Tanzania) said that unless the international community committed itself to backing up the condemnation of racism, colonialism and foreign domination with action, the items under consideration would remain on the agenda. Nowhere had racism taken such massive and blatant form, negating all concepts of human dignity and equality, as in South Africa under apartheid. However, certain Governments had chosen to be accomplices to apartheid and had used their power to prevent action to put an end to that evil.

41. Apartheid offended all mankind and the responsibility for eliminating it therefore belonged to all mankind. The peoples of Africa, however, had a special obligation in that regard. The United Republic of Tanzania, as a front-line State, remained committed to the struggle, and would leave no stone unturned to put an end to the apartheid system.

42. Her delegation considered the commitment given by the Socialist International to work towards increased solidarity with the front-line States and the liberation movements of southern Africa, to be very significant. On the other hand, it deplored the continued economic investments by transnational corporations in South Africa and disagreed with the argument that, if those corporations were to terminate their investments, the main losers would be blacks.

43. The increased military assistance to South Africa could not be divorced from the regime's acts of aggression against its neighbours. The fact that the régime was talking to the Governments of the countries of southern Africa it thought it could subjugate, was, in the Tanzanian Government's view, a gesture of accepting defeat.

44. The apartheid structure in South Africa remained unchanged and the so-called "constitutional reforms" had only strengthened the system and was intended to create more refined means of racist minority rule.

45. South Africa's continued illegal occupation of Namibia posed a challenge to the international community. Its attempt to link its own withdrawal with that of Cuban forces from Angola was unrelated to the mandate of Security Council resolution 435 (1978), and constituted a serious infringement of the sovereign right of Angola. Her country rejected such a linkage and urged continued commitment to the implementation of that resolution. The transnational corporations had helped to perpetuate the exploitation of Namibia and impede the struggle of its people for independence. South Africa continued to plunder the mineral wealth of Namibia and to integrate its economy into the apartheid economic system. Delay in implementing the United Nations resolutions on Namibia meant continued suffering for the Namibian people.

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(Miss Rutageruka, Tanzania)

46. The denial of the right of the Palestinian people to achieve self-determination and establish a homeland would continue to be a source of conflict in the Middle East. Her delegation supported the aspirations of the people of Lebanon to safeguard their independence, sovereignty and territorial integrity.

47. There could be no peace for those who continued to suffer the ordeals of foreign occupation or racial discrimination. The world community must not be indifferent to their plight.

48. Mrs. NHLABATSI (Swaziland) said that failure to implement United Nations resolutions on the questions under consideration, had made the oppressed people of South Africa even more vulnerable to apartheid. The Members of the United Nations were collectively accountable for the continued violence suffered by that people. Her Government remained committed to the right to self-determination and independence and the settlement of disputes by peaceful negotiation. In its view, the problem of South Africa could be solved only if all parties concerned came to the negotiating table.

49. Her Government applauded the Secretary-General, the front-line States and all concerned for their efforts to seek a permanent solution to the Namibia question. However, it noted with serious concern the deteriorating position on human rights and the right to self-determination of the peoples of Western Sahara and Chad and appealed to the parties concerned to resolve their differences by peaceful means. With regard to the question of Palestine and the ongoing war in the Persian Gulf, Swaziland also urged the parties concerned to exercise moral restraint and resolve their differences peacefully.

50. Mr. AIDARA (Senegal) said that, in keeping with the principle of the right of peoples to self-determination and independence, his country had always supported oppressed peoples fighting for independence and the restoration of their rights. Thus, Senegal would continue to support the struggle of the Namibian people under SWAPO leadership. Senegal's position would remain unchanged so long as the Pretoria régime refused to withdraw and to grant the Namibian people their independence pursuant to Security Council resolution 435 (1978), the only basis for a peaceful settlement.

51. His delegation supported the Palestinian cause and reaffirmed the right of the Palestinian people to achieve their aspirations. Senegal was convinced that the convening of an international peace conference in the Middle East with the full co-operation of the Palestine Liberation Organization would be useful in efforts to solve the Palestine question, which lay at the heart of the wider Middle East question.

52. The apartheid system still prevailed and was being strengthened in South Africa. Recent events following so-called "elections" based on "constitutional reforms" proved that verbal condemnation was not sufficient to put an end to apartheid. The international community must take concrete measures in appropriate United Nations bodies, particularly the Security Council, to force the Pretoria

(Mr. Aidara, Senegal)

régime to listen to reason. In that context, the report of the Special Rapporteur (E/CN.4/Sub.2/1984/8 and Add.1-2), and the work of the Special Committee against Apartheid and the Centre against Apartheid could be decisive in alerting public opinion to the real nature of apartheid.

53. The first Decade had certainly made public opinion more aware of the harmful effects of racism. For example, the number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination had increased to 124. The Committee on the Elimination of Racial Discrimination had become competent to exercise the functions provided for in article 14 of the Convention following the deposit by Senegal of the tenth declaration required under paragraph 9 of that article. Many States had adopted measures to prohibit manifestations of racial discrimination. Many Governments had included questions of racial discrimination in their national educational programmes. At the regional and international levels, seminars and conferences had been held on the question of racial discrimination, and days and weeks of solidarity with the victims of racism had been organized.

54. It had to be admitted, however, that the objectives of the Decade had not been attained. Forms of racism were still found throughout the world and the rights of individuals, migrant workers and ethnic minorities were still flagrantly violated. His delegation therefore hoped that the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination would soon be implemented. The revised draft plan of activities for the period 1985-1989 (A/39/167 and Add.1-2) could serve as a basis for negotiation in the Committee. His delegation hoped that a compromise would be found to enable the international community to engage in a common struggle against racial discrimination and apartheid. It was heartening that most delegations hoped the consensus achieved at the thirty-eighth session would be restored. His delegation would spare no effort to work towards restoration of a consensus which would promote the rapid implementation of the Programme of Action for the Second Decade.

55. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic) said the apartheid régime could not continue to commit its crimes against neighbouring African States and its own people without the all-round support of the United States and its NATO allies, Israel and the transnational corporations. As the Special Rapporteur's report (E/CN.4/Sub.2/1984/8 and Add.1-2) revealed, illegal co-operation with Pretoria embraced nearly all fields and was steadily growing. The members of NATO were the main sources of the foreign capital being channelled into South Africa's economy; their South African investments currently exceeded \$30 billion. Despite that support, the apartheid régime was currently in a state of deep economic, political and social crisis.

56. The Western monopolies were nevertheless expanding their operations in South Africa and Namibia. Western capital was merging with South Africa's military and police apparatus: for example, there was a secret agreement between the directors of the South African branch of General Motors and the racist authorities under which, in case of "disturbances", the company's facilities in South Africa would be "protected" by the military and, "in extreme cases", all the company's resources would be placed at the disposal of the racists.

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(Mr. Ogurtsov, Byelorussian SSR)

57. Although the apartheid régime's offences against law and morality were too numerous to mention, the co-operation between Pretoria and certain Western countries, primarily the United States, was constantly growing. The United States had openly declared South Africa to be its "ally", and American leaders attempted to prove that in the final analysis their policy would soften the effects of apartheid. No matter how hard they tried to represent the activities of transnational corporations as beneficial to South Africa's population, however, they could fool no one.

58. Financial co-operation with the racist régime was the material foundation for the policies of apartheid and of aggression against neighbouring African States; it underlined the timeliness of United Nations and Organization of African Unity resolutions imposing more extensive sanctions against Pretoria, and was the main reason why the international community's efforts to isolate South Africa had failed. The military aspect of such co-operation - for example, the aid provided to the régime by 55 American, 20 English, 8 Israeli and many other corporations - was taking on threatening proportions. No less than 30 per cent of South Africa's arsenal and nearly 80 per cent of the components for its domestically-produced weapons were foreign-made.

59. The political co-operation between Western countries and the racist régime was multi-faceted - diplomatic, consular and official. Mercenaries recruited in Western countries were constantly arriving in Pretoria to put down the national liberation movement. The growing economic, military and other aid provided to the racist régime enabled it to repress the peoples of South Africa and Namibia more and more cruelly. The break-up of meetings and demonstrations, the savage treatment of and legal reprisals against freedom fighters, and torture were all part of the régime's policy.

60. The opportunity to reap financial rewards from the merciless exploitation of Africans and pillage of their natural wealth was why South Africa's Western partners protected and armed the final bastion of racism. South Africa's nuclear build-up and co-operation with Israel in developing nuclear weapons was facilitated by a number of NATO countries. Since South Africa had signed neither the Treaty on the Non-Proliferation of Nuclear Weapons nor the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, the nuclear co-operation with that country represented a serious danger. His delegation endorsed the demand for an end to the activities of transnational corporations in South Africa and to any support of the racist régime. It believed that all States must strictly apply the sanctions imposed by the Security Council, including the arms embargo, and it fully supported the demands of the African countries for the immediate imposition by the Security Council of comprehensive and mandatory sanctions in accordance with Chapter VII of the Charter.

61. Ms. BARGHOUTI (Observer, Palestine Liberation Organization (PLO)), observed that zionism was the basis of Israeli legislation, policies and practices and had been the guiding force of political life in Israel. Whereas, in 1981, Israel had become a party to the International Convention on the Elimination of All Forms of Racial Discrimination, zionism was undeniably a form of racism.

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(Ms. Barghouti, Observer, PLO)

62. In 1952, Israel had promulgated the Israeli Nationality Law, under which all that was required of a Jew in order to become a citizen was that he should have entered the country before or after the establishment of the State; in order for a Palestinian non-Jew to obtain citizenship he must comply with certain discriminatory conditions. The Israeli Nationality Law had not used the word "Arab" in its provisions, in order to give the appearance of general application and to avoid the charge of racial discrimination. However, racial discrimination was not a question of form only; it was a question of substance and effect.

63. Other examples of Israeli attempts to camouflage the racist nature of Israel's political ideology were to be found in that country's social legislation, and a striking example of the institutionalization of racism in Israel was the discrimination against Israeli citizens of Arab Semitic origin. Arab students were finding it increasingly difficult to enter Hebrew universities and in 1981 the Israeli authorities had refused permission for the establishment of an Arab university at Galilee on the pretext that it was not needed. Under Israeli law, Palestinian Arabs were not allowed to do military service and yet they were deprived of their livelihood, jobs, education and work opportunities because they were not in the armed forces. Jewish students were preferred over Arab students for entrance to higher educational institutions and received grants and university services on a much broader scale than their Arab student colleagues.

64. The PLO trusted that, in implementing the Programme of Action for the Second Decade, the international community would plan action against zionism with the same fervour as it planned action against apartheid and other forms of racial discrimination.

65. Mr. EBRAHIM (Observer, Pan-Africanist Congress of Azania (PAC)) said that there were only two ways of eliminating apartheid: either the international community could impose comprehensive and mandatory sanctions against the Pretoria régime, or, the international community could support by all available means, the just struggle of the people of South Africa to overthrow the régime.

66. The United States representative had claimed that the problem of apartheid could be overcome if companies abided by the Sullivan principles. However, the survey to which he had referred in support of that claim was invalid. In the first place, the survey had been paid for by the United States Government. Secondly, the questions asked in it had been misleading. The people represented by PAC were not warmongers and had obviously said that they hoped the problems of their country would be settled peacefully. The question that should have been put to the people was whether they believed that the matter can be resolved peacefully. The answer would have shown that no one believed that that was possible.

67. PAC objected to the invitation extended by several European countries to the South African Prime Minister to visit their countries on the grounds that they wanted to inform him of their opposition to apartheid, and to his invitation to the Vatican.

(Mr. Ebrahim)

68. It had been stated that the Western companies operating in South Africa were doing a favour to the people of that country. He wished to make it clear that none of them was operating in South Africa in order to undermine apartheid or improve the living conditions of the people: their intention was to reap super-profits. It was farcical to claim that, by paying better wages, the companies would improve the living conditions of the people. In the first place, the people did not have the right to live where they wanted and, secondly, the educational facilities available to them were inadequate. Currently, 800,000 students were on strike because of the inferior educational system applied to them.

69. He wished to reiterate that in the opinion of PAC, apartheid would be eliminated only if the international community imposed comprehensive and mandatory economic and military sanctions on South Africa or fully supported the people of South Africa in their struggle, including armed struggle.

70. In conclusion, he thanked the Government of New Zealand for having closed the South African consulate in that country.

71. Miss ABAS (Indonesia), speaking in exercise of the right of reply, deplored the fact that during the discussion two delegations had found it necessary to refer to the question of East Timor. Her delegation's position on that question was widely known. Decolonization had taken place in East Timor, whose people had exercised the right to self-determination through integration with Indonesia in conformity with General Assembly resolutions 1514 (XV) and 1541 (XV). East Timor had become an integral part of Indonesia. The principle of self-determination had therefore been satisfied and could no longer be applied to an integral part of a sovereign State.

72. Mr. FURSLAND (United Kingdom) said that his delegation wished to reply to the statement by the Argentine representative that Argentina supported the principle of self-determination but that the Falkland Islands were a unique exception to that right. The representative of Argentina had said that the people of the Falkland Islands had no right to self-determination because the Islands had been occupied by British settlers by force and because the indigenous people had been expelled. That was untrue. There had been no settled population on the Falkland Islands when they had been reoccupied by British people in 1833. No shots had been fired; no force had been used. United Kingdom administration of the Falkland Islands had been continuous since that time.

73. The position of the people of the Falkland Islands was similar to that of many other peoples in North and South America, most of whom were descendants of settlers. Indeed, most of the population of Argentina had descended from settlers who had arrived since 1870, in other words, more than 30 years after the United Kingdom administration of the Falkland Islands had started. It was clearly absurd to suggest that the peoples of North and South America had no right to self-determination because they had once been settlers. There were no grounds for making an exception for the people of the Falkland Islands.

(Mr. Fursland, United Kingdom)

74. Indeed, all members of the Committee, as representatives of nation States, had an interest in maintaining the universality of the right to self-determination; no country knew when its right to self-determination might be threatened. The United Nations would doubtless be expected to uphold his country's right to self-determination if it were threatened and not to regard the United Kingdom as an exception. Much had been said of the right to self-determination of the peoples of Namibia and the Middle East. Those peoples were entitled to exercise their right to self-determination. So were the people of the Falkland Islands. It was satisfactory to know that the people of Argentina had been enabled to exercise their right to self-determination. His delegation hoped they would recognize that the people of the Falkland Islands were also entitled to exercise that right. The United Kingdom would continue to uphold its obligations under the Charter to respect and promote that right for the people of the Falkland Islands.

75. Speaking on the report of the Committee on the Elimination of Racial Discrimination (CERD) (A/39/18), the representative of Argentina had expressed surprise that some delegations had criticized CERD because it had adopted an opinion on the Falkland Islands. The representative of Argentina had suggested that the opinion was relevant to that Committee's competence and was similar to opinions adopted by CERD on other colonial Territories. There was, however, a clear distinction among the various opinions adopted by CERD. In his earlier statement he had said that the United Kingdom was readily complying with the opinions that Committee had adopted on Anguilla and Bermuda. However, the opinion adopted on the Falkland Islands had nothing to do with racial discrimination; it concerned the political future of the Islands. That was an important question but was no business of that Committee.

76. Mr. VILLAGRA DELGADO (Argentina) said that, in his delegation's view, CERD was entitled to express opinions on any of the territories concerning which it received information. Regarding the United Kingdom statement concerning the right to self-determination in the Malvinas Islands, it was incorrect to say that the Islands had not been occupied by force in 1833 and that there had been no opposition by the Argentine population. A United Kingdom frigate had evacuated the Argentine population and the fact that not a shot had been fired was because Argentina had just become independent and had had no means of retaliating. As to the statement that there had been no people on the Islands, it might be useful to remind the United Kingdom representative that Darwin, in his account of his travels, had said that the British garrison established after the expulsion of the Argentines was hunting the Argentines remaining on the Islands.

77. Argentina had never accepted the occupation of the Islands by force and could not accept the current situation. As the Special Committee on decolonization had said, "the way to put an end to the colonial situation in the Malvinas Islands was to find a peaceful solution to the continuing sovereignty dispute between the Governments of Argentina and the United Kingdom."

78. Mr. NGUYEN LUONG (Viet Nam) said that certain delegations had referred to the Vietnamese presence in Kampuchea and had stated that Viet Nam was interfering with the right to self-determination of the people of Kampuchea. He wished to reaffirm that the people of Kampuchea were experiencing a rebirth and exercising their right to self-determination. Since 1982 Viet Nam had been gradually withdrawing its troops and in that way had thwarted China's attempts to cause it to withdraw unconditionally. The criticism of Viet Nam showed that the forces hostile to the rebirth of the Kampuchean people and of the People's Republic of Kampuchea were an expression of the collusion between imperialism and reactionary expansionism in the region.

79. Mr. SCHIFTER (United States of America), speaking in exercise of the right of reply, said, with regard to the statement by the USSR representative concerning alleged collaboration between the United States and South Africa in the field of nuclear armaments, that since 1963 the United States had embargoed all arms shipments to South Africa. That embargo had predated the adoption of Security Council resolution 418 (1977). His country had strictly adhered to the embargo ever since and the facts were not altered by statements to the contrary, no matter how frequently they were repeated.

80. Mr. YAKOVLEV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that he would welcome proof by the United States representative of his assertion that his Government strictly observed an embargo on nuclear-weapons shipments to South Africa, and would like to see the United States use its political, economic and other potential to prevent the movement of those weapons of mass destruction.

81. The United States, moreover, had not refuted the observations by his own delegation that the United States helped train South African experts, supplied uranium to South Africa and that United States banks participated in strengthening South Africa's military potential. Those facts apparently remained valid. A simple statement that an embargo was in effect did not mean that true sanctions were imposed against South Africa in the nuclear-weapons field. The fact remained that United States companies continued to build South Africa's nuclear potential. He wondered how South Africa could continue to develop its nuclear capability by itself.

82. Mr. NGO PIN (Democratic Kampuchea), speaking in exercise of the right of reply, said that the arrogance, threats and allegations of the representative of Viet Nam regarding the right of peoples to self-determination, like the Vietnamese delegation's statements before the General Assembly and elsewhere, served merely to aggravate the situation. Vietnamese aggression against his country was a crime, whatever the pretext. The General Assembly would soon once again condemn Vietnamese aggression in Democratic Kampuchea and would reiterate its demand for the total and unconditional withdrawal of Vietnamese troops from that country. That also applied to the Soviet Union, its master, with regard to the situation in Afghanistan. The solution to the Kampuchea problem and to the search for peace, security and stability in South East Asia depended on the cessation of Vietnamese aggression and occupation.

83. Mr. SCHIFTER (United States of America), speaking in exercise of the right of reply, said that the United States boycott of South Africa applied to all kinds of weapons and covered both the private and the public sectors.

84. In reply to the question as to how South Africa could develop a nuclear capability without his country's assistance, he recalled that the Soviet Union had developed such a capability without the assistance of the United States, although it had perhaps stolen some material.

85. Mr. YAKOVLEV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said that the United States representative had responded to only one of the points he had raised, and answers to the others were needed. He observed that at the end of 1982 the military authorities in Pretoria had reported that they had developed a nuclear weapon. A United States firm, Space Research Corporation, had assisted the Armaments Development Corporation (ARMSCOR) of South Africa with the development of that weapon.

The meeting rose at 9.20 p.m.