



Chairman: Miss Maria GROZA (Romania).

AGENDA ITEMS 53 AND 60

Elimination of all forms of racial discrimination (continued) (A/8003, chap. IX, sect. A; A/8027, A/8057, A/8061 and Add.1, A/8062 and Add.1 and 2, A/8117, A/C.3/L.1765):

- (a) **International Year for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;**
- (b) **Measures for effectively combating racial discrimination and the policies of *apartheid* and segregation in southern Africa: report of the Secretary-General;**
- (c) **Report of the Committee on the Elimination of Racial Discrimination, submitted under article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination;**
- (d) **Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General**

The importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights (continued) (A/7998)

GENERAL DEBATE (continued)

1. Mr. GARBA (Nigeria) said that atrocities such as the Sharpeville massacre, the numerous murders of African political prisoners, and the detention of Africans in the veritable concentration camps which were called Bantustans showed that the Government of South Africa intended to pursue its policy of *apartheid* at all costs. But while the masses might meekly resign themselves to that legalized racial discrimination, there was also the possibility that they might resist tyranny and try to free themselves by force of arms, leading to racial war and bloodshed. No one could deny the criminal nature of *apartheid*, a doctrine which treated the members of a whole people as though they were not human beings, condemning them to extermination because of the colour of their skin. Nigeria deplored the activities, avowed or clandestine, of certain great Powers which permitted the Republic of South Africa to continue to ridicule the Organization of which it was a Member. It condemned the declared intention of the United Kingdom to resume its supply of arms to South Africa and the secret transactions of certain other Powers, which were thwarting the efforts of the United Nations in other fields as well. It was that aid which enabled the

Government of the Republic of South Africa to extend its policy of *apartheid* beyond its frontiers, into Namibia and Zimbabwe, for example, and to try, with the aid of Portugal, to silence the protests of the African countries.

2. As for Portugal, its policy of assimilation was actually a policy of forced annihilation of African identity and culture. The procedures it was using had nothing to do with the cultural exchanges that one might wish to see established in the world of today and were leading to the formation in the Portuguese colonies of two categories of citizens, those who had become Portuguese and the others, the Africans, who, as had been reported by various United Nations bodies, including the *Ad Hoc* Working Group of Experts on the treatment of political prisoners in South Africa, set up by the Commission on Human Rights, were employed only in menial occupations and could not even refuse to work. The African population must either lose its identity or else continue to shed its blood to win self-determination. His delegation urged Portugal to give up its policy of total annexation of the African Territories. Ten years earlier the Declaration on the Granting of Independence to Colonial Countries and Peoples had been adopted, yet forty-five Territories were still subject to alien rule. The process of decolonization should take place in an orderly manner but that did not mean that it should be deferred indefinitely.

3. His delegation fully supported the programme prepared by the Secretary-General for the observance of the International Year for Action to Combat Racism and Racial Discrimination (see A/C.3/L.1765). It had also taken note with satisfaction of the first report of the Committee on the Elimination of Racial Discrimination (A/8027), which showed that that Committee had already laid a solid foundation for its future work. Nigeria was one of the States Parties to the Convention on the Elimination of All Forms of Racial Discrimination, and it called upon the States which had not yet done so to ratify the Convention, for their support was essential in overcoming that evil. His delegation thanked the Secretary-General and the Committee of Trustees of the United Nations Trust Fund for South Africa for taking into consideration the proposal that the Fund's aid should be extended to the populations of Zimbabwe and the Portuguese colonies (see A/8117); the Organization should launch a further appeal for an increase in voluntary contributions to that Fund. It should perhaps also examine the possibility of setting up a new fund for assistance to freedom fighters in colonial Territories throughout the world and ask Members to demonstrate that they were assuming their responsibilities with regard to decolonization and the elimination of *apartheid* by deciding that contributions to that new fund would be mandatory. With regard to the establishment of a judicial committee for Namibia (see A/8057, paras. 32 and 33), Nigeria had

already said that in its view such a body should, above all, be effective; that would not seem to be possible in the case of the committee contemplated, because it would not be in a position to impose sanctions on the South African authorities. The efforts of the United Nations Office of Public Information to make known the evils of *apartheid*, on the other hand, were highly commendable, and his delegation supported the suggestion concerning the establishment of a radio system for the same purposes (*ibid.*, paras. 22-24), stressing that the Organization of African Unity could provide useful information in that connexion. Lastly, it thanked all the nations and organizations which were aiding the victims of *apartheid* and expressed the hope that they would continue to do so.

4. Mrs. TOMŠIĆ (Yugoslavia) said that present-day Yugoslavia, which had emerged from the struggle against the nazi and fascist régimes, was convinced of the need to eliminate all forms of racial discrimination, not only for humanitarian reasons but also because of the dangers which racial discrimination represented for peace, development and progress. It would continue to co-operate with the United Nations in the struggle to eliminate racial discrimination, and wished to pay a tribute to the Organization for its many faceted efforts to establish true equality among all individuals and all nations, and in particular for its work of decolonization in Asia and Africa. That achievement had made it possible to reduce the scope of action of the racist and colonialist forces, but unfortunately those forces seemed recently to have gained new and alarming strength. It was now evident that all efforts to eliminate racism would be in vain as long as some States refused fully to implement United Nations decisions. The passivity and indifference of individuals as well as nations towards that question were synonymous with tolerance and even with support of oppression.

5. It was certainly not because of a lack of information that the problem remained unsolved, for the various United Nations bodies had made admirable efforts along those lines, as indicated, in particular, by the study prepared by the Special Rapporteur, Mr. Hernán Santa Cruz. What was lacking, especially in the case of certain States, was the will to grapple with the problem effectively. It was well known that racial prejudice was an instrument of imperialism and colonialism and that only those who sought to perpetuate that kind of rule would want to uphold practices which were so incompatible with the principle of human dignity and the purposes of the United Nations Charter. On the occasion of the twenty-fifth anniversary of the United Nations, all States should give tangible proof of their will to combat racial discrimination and *apartheid*. The legislative measures taken by the minority régimes in southern Africa clearly showed that *apartheid* was being practised for the sole purpose of perpetuating the exploitation of the indigenous peoples. Her delegation associated itself with all those which had already condemned the States that were maintaining lucrative economic and trade relations with South Africa and supplying arms to that stronghold on which the global strategy of the reactionary and imperialist forces was based, thus making it possible to create similar situations in Namibia, Southern Rhodesia—where the United Kingdom bore most of the responsibility for the failure of the United Nations—and in the Territories under Portuguese domination. It was high time that all the States

concerned recognized that it was in their own interest to change their policy, since the progressive forces would triumph sooner or later.

6. At the twenty-fourth session (1699th meeting), her delegation had welcomed the decision to designate 1971 as the International Year for Action to Combat Racism and Racial Discrimination; it approved the programme proposed in that connexion by the Secretary-General and asserted that Yugoslavia would do everything in its power to ensure that the observance of the Year really helped to give effect to action to combat racial discrimination. The adoption of the International Convention on the Elimination of All Forms of Racial Discrimination was an extremely important development, and her delegation expressed the hope that States would demonstrate their readiness to co-operate with the United Nations by ratifying that instrument.

7. Her delegation felt that the United Nations should unmask those responsible for the policy of *apartheid* and should draw the attention of the international community to the evils of racial discrimination. It reaffirmed its solidarity with the victims of that form of oppression and pledged itself in particular to support programmes and activities designed to give them moral and material assistance. It felt that concerted action might influence public opinion and promote the effective implementation of the embargo and of the other United Nations sanctions. As to the Committee on the Elimination of Racial Discrimination, it should consider not only the information provided by certain countries but also the petitions submitted by individuals or groups.

8. Under Article 1 of the Charter, one of the purposes of the United Nations was to develop friendly relations among nations based on respect for the principle of self-determination of peoples. That goal was still a distant one because every conceivable means, ranging from racial discrimination to modern technology, mass information media and military, political and economic pressures, were continuing to be used to prevent millions of people on all continents from exercising their fundamental right to self-determination. The struggle of the peoples of southern Africa, Viet-Nam, Palestine and many other countries was in essence a struggle for the realization of that right and, consequently, for the application of the principles of the Charter.

9. The problem was not only one of human rights; it was also a political question, the peaceful solution of which depended largely on action by the United Nations and the non-aligned countries. In that connexion she pointed out that, at the Third Conference of Heads of State or Government of Non-Aligned Countries, held at Lusaka in September 1970, the Yugoslav representative had urged those States to give priority to that question, extend full material as well as moral and political support to the liberation movements, and agree to take effective measures against those who persisted in undermining United Nations action. The United Nations must work to achieve worldwide recognition of the right to self-determination and must extend moral and material assistance to the liberation movements, thus recognizing them as a means of achieving its own objectives.

10. Mr. CSATORDAY (Hungary) said that, although one of the principal purposes of the Charter of the United

Nations, namely respect for the principle of equal rights and self-determination of peoples, had been reaffirmed in numerous resolutions, declarations and conventions, racial ideologies, far from having disappeared, were becoming more and more dangerous.

11. The policies of racial discrimination which were still being pursued in southern Africa were thus comparable in several respects to Nazi practices in Hitler's Germany. *Apartheid*, the internal policy of the South African régime, was an ideology based on racial considerations which upheld the supremacy of a minority group over a majority of the population. The minority group maintained its supremacy by applying the most cruel methods of segregation, detention and extermination, reminiscent of Nazi methods in Europe and of slavery in the southern part of the United States. The policy of *apartheid*, as well as other racist policies applied in southern Africa, formed part of the imperialist and neo-colonialist strategy, which made use of artificially created racial tensions to maintain a so-called "balance of power" in that area. The Western military alliance viewed the South African racist régime as a strategic factor in the defence of the "free world" against communism. The Western Governments thus shared the responsibility for the discrimination that continued to be practised. Thus it was not communism, the pretext under which millions had been exterminated, that threatened civilization, but rather the ideology of the supremacy of one race over another and its implementation.

12. The problem of racial discrimination was persisting and worsening because the racist régimes continued to defy United Nations resolutions and because the Western Powers were giving those régimes economic, military and political assistance. Thus it was those régimes which should be condemned when condemnation of *apartheid*, nazism and all other forms of racial discrimination was expressed. All the victims of racial discrimination had the full sympathy and support of his Government.

13. His delegation was pleased to note that the forty-four States which had already acceded to or ratified the International Convention on the Elimination of All Forms of Racial Discrimination included the Federal Republic of Germany, even though that State was giving considerable aid to the racist South African régime. On the other hand, it was most regrettable that the German Democratic Republic, whose policy and legislation had long included the condemnation of all forms of racial discrimination, had not been permitted to sign the Convention. The States which were hypocritically using their influence to prevent the German Democratic Republic from becoming a party to that instrument should instead exert their influence to fight the racists.

14. Despite past disappointments, his delegation was convinced that perseverance and a clear understanding of the problem would lead to positive results; it would therefore support any suggestion and any draft resolution to that end as well as the aims of the International Year for Action to Combat Racism and Racial Discrimination.

15. Mrs. KUDRYAVTSEVA (Byelorussian Soviet Socialist Republic) said that the provisions of the United Nations Charter aimed at combating nazism and racism were also

embodied in other international instruments, in particular the International Convention on the Elimination of All Forms of Racial Discrimination. That Convention should be implemented at two levels: at the international level against the most dangerous form of racial discrimination, which had become established as a national policy in southern Africa, and at the national level against those manifestations of racism which were not a matter of avowed policy but occurred in everyday life. To that end, Governments should institute genuine social reforms designed to put an end to the exploitation of man by man, which was the source of all discrimination.

16. In the Byelorussian SSR the October Revolution had abolished all forms of exploitation and discrimination, and people of different nationalities and religions were living together harmoniously in equality and friendship. Discrimination was a punishable offence under the Constitution.

17. The Byelorussian SSR took an active part in all United Nations activities relating to human rights; for example, it had helped to draft international conventions on racial discrimination and on the crime of genocide. It had been among the first to ratify the conventions on those subjects and was implementing their provisions in law and in practice.

18. Her delegation shared the concern expressed in General Assembly resolution 2545 (XXIV) at the present-day manifestations of racism and nazism. Those ideologies were responsible for constant violations of human rights and countless crimes and eventually led to wars, as illustrated by the case of Nazi Germany. Yet there were still States today which supported racist ideologies: for example, the Western Powers were giving political, military and economic assistance to the racist régime of South Africa. Because of that country's policy, thousands of Africans were being ill-treated and lived in abject poverty. The situation was no better in Southern Rhodesia, where relationships between human beings were determined by the colour of their skin. In the Portuguese colonies, too, freedom fighters were being subjected to reprisals and torture and, in fact, Portugal, one of the most backward countries of Europe, was holding on to its colonies only with the assistance of members of the North Atlantic Treaty Organization, particularly the United States, which had substantial economic or strategic interests in those colonies. The Israeli aggressor had established in the territories it now occupied a régime similar to that existing in the Portuguese Territories. Human rights were being disregarded, national feelings were being crushed and the inhabitants were living in terror.

19. It had been at the initiative of the Byelorussian delegation that the General Assembly had decided to celebrate the International Year for Action to Combat Racism and Racial Discrimination in 1971. On that occasion the Assembly should condemn States which violated United Nations recommendations, placing special emphasis on the flagrant violations committed by the United States in Indo-China, by Israel in the Middle East and by South Africa, Southern Rhodesia and Portugal in southern Africa. The programme planned for the observance of the International Year would not be complete, in her delegation's view, unless certain States were called upon

to stop supplying weapons to South Africa and Portugal and to support instead the peoples fighting racism.

20. The time for appeals to South Africa, Southern Rhodesia and Portugal to put an end to their racist policies had passed. The world must now demand an end to those policies. In 1971 all States which had not yet done so should ratify the Convention and the international instruments aimed at eliminating racism, nazism and other forms of racial discrimination and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity. In addition, the United Nations should demand the prohibition of the activities of Nazi and racist groups, and a day of remembrance could be planned to honour the memory of the victims of nazism and racism. Lastly, as had been proposed, 1 September could be proclaimed an international day for action to combat fascism.

21. Mr. DE BARROS (Brazil) said that in Brazil, because of the mixture of races that had developed over several centuries of history, non-discrimination was not only embodied in constitutional and legislative provisions but firmly rooted in the hearts of the people. For that reason Brazil was deeply concerned about the persistence of *apartheid* and racial discrimination, which it regarded as contrary to the human rights enshrined in the United Nations Charter. *Apartheid* in particular was negative and pernicious, since it was a system established as official policy in South Africa in order to legitimize an odious, inhuman and criminal practice. That practice ran counter to the right of peoples to self-determination and condemned 5.1 million persons to living in an area defined by the State, beyond whose limits they were deprived of the most elementary rights and guarantees.

22. His delegation was therefore fully prepared to support any measure designed to eliminate *apartheid* and any other form of racial discrimination which it considered effective. His Government was currently preparing a number of activities to celebrate the International Year for Action to Combat Racism and Racial Discrimination in 1971; the programme had already been transmitted to the Secretary-General. It did not have to take measures to promote racial integration because racial integration was already a practical reality in his country.

23. His delegation had taken note of the work of the Committee on the Elimination of Racial Discrimination and believed that it could effectively contribute to United Nations efforts in that field. His Government had signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination.

24. Miss TEDAM (Ghana) said that when the United Nations was founded, mankind affirmed its faith in fundamental human rights, in the dignity of the human person and in the equal rights of men and women. In the Universal Declaration of Human Rights, it subsequently proclaimed that all human beings were born free and equal in dignity and rights and that everyone was entitled to all human rights and fundamental freedoms. The United Nations had played, and continued to play, a major role in the field of human rights, particularly in the struggle against colonialism, which had historically meant the domination

of one race by another. The laudable efforts of the United Nations to break down the intransigence of South Africa and Portugal with regard to the indigenous people of southern Africa, whose only crime was the dark pigmentation of their skin, had been futile and its numerous resolutions and condemnations had not pierced the armour of *apartheid*. The United Nations continued to create all kinds of intergovernmental bodies to fight *apartheid* but they had value only for propaganda purposes. It was a source of shame for the United Nations that it could not prevent a situation in which millions of Africans were living in slavery in their own motherland. Those countries which traded with South Africa, Southern Rhodesia and Portugal and shipped them arms should be especially ashamed because they were almost totally frustrating the efforts of the international community. In the final analysis, the effectiveness of the Organization depended on the political will of its various Member States and without a change of heart on the part of the Western Powers which were members of the Security Council, the arms embargo and economic sanctions amounted to no more than an expression of pious hope.

25. The Africans of southern Africa were being progressively reduced to the condition of beasts of burden. The situation of African women in southern Africa was particularly grim. An article in *The New York Times* of 20 October 1970 had reported that, to reduce the number of Africans in white areas, the Government forbade African wives to live with their husbands if the latter worked in a white urban area. Family life was thus impossible for the majority of African women and they were obliged to resort to subterfuges to see their husbands; in one case a young woman's only recourse had been divorce, so that she could continue to make her home with an aunt living near her husband.

26. The Secretary-General, in an address to the National Committee on *Apartheid*, a Ghanaian committee whose aim was to arouse public awareness of the evils of *apartheid*, had said that it was a matter of deep regret that, in spite of the universal condemnation of *apartheid*, the Pretoria régime continued to defy world opinion and was becoming progressively more entrenched in its racist doctrine while diplomatic hypocrisy dictated by vested interests continued to undermine all attempts to attack that policy.

27. To remedy the impossible situation which existed in southern Africa, novel and radical measures must be taken and the work of the various institutions, committees and agencies dealing with the situation must be reviewed with a view to making them more productive. Furthermore, action must be pragmatic. Referring to the Secretary-General's report (see A/8057, para. 7) she said that the lack of a reply from South Africa and the suavity of the replies from several other countries were to be expected; the time and money devoted to asking those countries questions could have been more profitably donated to assisting freedom-fighters in southern Africa.

28. Clearly, a new orientation was needed in the fight against racism and racial discrimination, particularly in southern Africa. For that reason, her delegation welcomed the fact that 1971 was to be the International Year for Action to Combat Racism and Racial Discrimination. It was

to be hoped that it would be a year in which practical and effective measures would be worked out. The proposed programme of action should focus on practical steps such as the establishment of a United Nations radio channel aimed at southern Africa, the enlargement of the United Nations Trust Fund for South Africa and United Nations support for active measures taken by the Organization of African Unity against the racist régimes of Portugal and South Africa.

29. Mrs. FJOSE (Norway) recalled that her delegation had repeatedly set forth, in the Special Political Committee, the Fourth Committee and the General Assembly, its position with regard to the elimination of all forms of racial discrimination.

30. During 1968, the International Year for Human Rights, and on the occasion of the twenty-fifth anniversary of the United Nations, various information activities relating to racial discrimination in southern Africa and elsewhere had been undertaken in Norway through the mass information media, schools, seminars and so forth. Those practical steps, which were aimed at encouraging respect for human rights, would be continued throughout the International Year for Action to Combat Racism and Racial Discrimination. Norway's wide-ranging information programmes concerning United Nations activities in 1971 would place special emphasis on the need to eliminate all forms of racial discrimination.

31. Norway supported the Secretary-General's conclusions on the question of enlarging the scope of the United Nations Trust Fund for South Africa (see A/8117); however, her delegation felt, as it had stated at the twenty-fourth session, that that question should be considered not in the Third Committee but in the Special Political Committee. Norway had increased its voluntary contribution to the Fund in 1970 from \$20,000 to \$25,000.

32. Her delegation thought it was important that all Member States should ratify the Convention on the Elimination of All Forms of Racial Discrimination and it was glad to note that more countries were acceding to it each year. Norway had ratified the Convention on 5 August 1970, after making a thorough examination of Norwegian legislation and after the Norwegian Parliament had amended certain provisions of Norway's penal code to bring it into conformity with the Convention. For example, the penalty of imprisonment to which a person was liable if he publicly threatened or insulted a group of persons on account of their creed, race, colour or national or ethnic origin had been raised from one to two years and it had been made a punishable offence for a person engaged in business activities to refuse to have normal dealings with another person by reason of the latter's creed, race, colour or national or ethnic origin; she pointed out that by including the word "creed" Norway had gone farther than the provisions of the Convention, making religious intolerance a criminal offence.

33. However, the best protection against all forms of racial discrimination in the future would be an informed public opinion, and her Government felt that the new legislative provisions must be supplemented by informational and educational measures such as those envisaged for 1971, measures which should be carried on in the years thereafter.

34. Mr. PALMA (Chile) said that the two questions under consideration posed problems of special urgency. The persistence in certain parts of the world of a situation in which the inhabitants were deprived of their fundamental rights and their social and political freedoms was not only a flagrant violation of the principles of the United Nations Charter but also a grave threat to international peace and security.

35. In Chile there was no racial discrimination or other form of segregation. Chilean legislation ensured the absolute equality of all persons inhabiting the country, whatever their race, sex or social status. That was the consequence of its mixed culture, and was given effect by means of intensive Government and private programmes. The right to education and the right to work were guaranteed to all Chileans, without any distinction. All citizens who had reached the age of eighteen had the right to vote and that right was exercised by about one third of the population, which was one of the highest voting rates in the world.

36. He wished to state once again that his country vigorously condemned all violations of human rights and fundamental freedoms, wherever they occurred and whatever the pretext under which it was sought to justify them. While racial discrimination was always a threat to world peace, that threat was particularly grave in southern Africa. South Africa and the illegal régime in Rhodesia were persisting in their refusal to implement the resolutions of the United Nations and put an end to their racist practices and were thus creating serious social tensions. Confronted with South Africa's refusal to give up Namibia, the United Nations must try to solve that problem in the most vigorous manner. Noting that the inhabitants of Namibia could not exercise their sacred right of self-determination, he addressed an urgent appeal to all States Members to take the requisite political measures to put an end to that situation without delay. In addition, Chile strongly condemned the inhuman way in which the political and military authorities were treating the freedom fighters in southern Africa, showing no respect for the decisions of the United Nations, and it felt that the Geneva Conventions of 1949 should be applied to those persons.

37. It would be particularly appropriate on the occasion of the twenty-fifth anniversary of the United Nations to undertake a thorough study of the question of racial discrimination, from which useful conclusions could be drawn. While progress had been made in the field of human rights, there were still situations, some remaining unchanged and others becoming worse, which should be condemned. He drew attention in particular to the study prepared by Mr. Hernán Santa Cruz, which was the first analytical study to have been made of that question and which highlighted various situations that must be remedied. That would require an enormous effort on the part of the international community; but it could be done. In 1971, the International Year for Action to Combat Racism and Racial Discrimination, it would be essential to have a clear idea of both the facts of the situation and the objectives to be attained and to go beyond mere resolutions and declarations. Chile approved the programme drawn up by the Secretary-General (see A/C.3/L.1765). The time had come to take action. His delegation considered that Governments which practised racism, *apartheid* and any

other form of discrimination were, by pursuing that policy, not only committing a crime against humanity but also virtually committing political suicide.

38. In conclusion, he appealed to all countries to take action in 1971 to promote respect for fundamental rights and individual freedoms, thus helping to build a humane society.

39. Mr. FZERI (Algeria) said that for his country it was both a duty and a fundamental element of foreign policy to give unstinting support to the struggle against racism and racial discrimination and the unspeakable crime of *apartheid*. It would continue to follow that course, in conformity with the general policy outlined at the Lusaka Conference in September 1970. Algeria was providing direct and disinterested aid in many forms to those who were struggling to recover their rights, for that was the course which should be followed by the countries which were sincerely dedicated to peace and justice, particularly the non-aligned countries. Confronted by the advocates of systems the survival of which was an affront to the civilized

world and to all mankind and by the support given them by a number of Western Powers, one of which was entirely responsible for the existence and survival of the régime in Southern Rhodesia, the United Nations and all its Members should give their unequivocal and unconditional support to all those who were fighting for freedom.

40. The colonialism practised by white minorities could not confer rights on those who disregarded the rights of the indigenous populations of southern Africa, Namibia, Zimbabwe or Palestine. For almost a quarter of a century, immigrants of all nationalities had been settling in Palestine, dispersing the legitimate inhabitants and driving them into exile, reducing them to the status of refugees and applying the most discriminatory laws to the small number who had remained in their own country. His delegation wholeheartedly endorsed the observations made in that connexion at the 1766th meeting by the representative of Morocco.

The meeting rose at 1 p.m.