



SUMMARY RECORD OF THE 11th MEETING

Chairman: Mr. ABULHASAN (Kuwait)

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

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1. **Dr. KOZAKOU-MARCOULLIS** (Cyprus) said that it was ironical that 1988 should mark the fortieth anniversary of both the Universal Declaration of Human Rights and the establishment in South Africa of the policy of institutionalized racism known as **apartheid**, which was based on the doctrine of "separate development" and had been used as a vehicle of oppression, segregation based on colour of skin, forcible removal of population and creation of pseudo-States called bantustans.

2. During those 40 years, the United Nations, with the firm support of the Governments and peoples of the world, had contributed immensely to the further elaboration and implementation of the principles proclaimed in the Universal Declaration. It had adopted a series of international conventions, held conferences, proclaimed Decades and Adopted measures designed to bring about the abolition of the doctrine of racism and its resultant policies of racial discrimination. In that connection, she noted the activities of the organisations of the United Nations system in implementation of the Second Decade to Combat Racism and Racial Discrimination with the strong support and participation of the community of non-governmental organisations. Their contribution was especially noteworthy and could be very effective.

3. She expressed support for the public information activities of the United Nations system and considered that Governments and NGOs could play a major role at the national and local levels in the dissemination of information on human rights. It was important for people to become aware of their rights if they were to participate actively in the international struggle for human rights and the eradication of racism. To that end, the importance of education to help eliminate racial prejudice and create understanding among peoples could not be over-emphasised.

(Dr. Kozakou-Marcoullis, Cyprus)

4. She had noted with **interest** the results of the recent Global Consultation against Racism and Racial **Discrimination** and would like to **see** them translated into action and not **remain** a dead letter) they merited the commitment and firm resolve of all States to eradicate that scourge, which poisoned relations between peoples and **countries**.

5. Her Government had consistently supported the valuable work of the Committee on the **Elimination** of Racial **Discrimination (CERD)**, which was effectively monitoring the implementation by the States parties of the International Convention on the Elimination of All Forms of **Racial** Discrimination. It was distressed by **CERD's financial** problems and urged all **States** parties with outstanding contributions to fulfil their financial obligations promptly so that the Committee could continue **its** important task.

6. Despite concerted international efforts, the situation in South Africa was continuing to deteriorate. In **defiance** of the exhortations of the international community, the **Government** of South Africa was brutally crushing all resistance, had banned the activities of the **press** and other foreign media and imposed a state of *emergency*, forcibly divided the population, enforced racial segregation and was continuing to oppress a people which sought only justice and freedom. Cyprus had always condemned those **practices** and firmly believed that policies of separate development and the uprooting and transplanting of different groups or communities with a view to enforcing segregation were inhuman and contrary to the most elementary norms of human dignity. The sole object of the policy of so-called separate independence for **racial** groups pursued by the South African **régime** was to perpetuate exploitation by dividing the population. **Bantustanization** was a flagrant violation of the right to self-determination and the doctrine that South Africa was a land of minorities, each of which was entitled to self-determination, was **merely** an instrument for white supremacy and a negation of the universal principle of one man, one vote. The international community must continue to exert pressure for the eradication of that anachronistic system and the immediate and unconditional release of all political prisoners, including Nelson Mandela and Zephania Mopotheng.

7. In view of the intransigence of Pretoria, the Conference of Ministers for Foreign Affairs of the **Non-Aligned** Movement recently held at Nicosia had called for a special session of the United Nations General Assembly in 1989 to deal with **apartheid** and its destructive consequences in southern Africa. It was the hope of her Government that the session would be at the highest possible level and would produce decisions and action aimed at increasing pressure on South Africa to dismantle **apartheid**.

8. The **most** recent positive change in the world situation was an indication of an improvement in international relations and, therefore, **more** possibilities of co-operation; it was to be hoped that all **Governments** would take advantage of that opportunity to contribute to the elimination of the scourge of racism and racial discrimination and thus relieve the suffering of millions of **oppressed people** all over the world.

9. Mrs. MOLOJWANE (Botswana) found it discouraging that every year representatives from countries all over the world met at the United Nations to consider and adopt resolutions on the question of racial discrimination and the shameful policy of apartheid and that no appreciable progress had been made thus far. To eliminate it, apartheid was brutal and inhuman and the United Nations had rightly declared it to be a crime against humanity. It created insecurity for both its perpetrators and its victims and constituted a serious threat to international peace and security. It was irreconcilable with the ideals of a free and democratic society; it determined where people should live, what type of education they should receive, what kind of job they should have and therefore what kind of lives they should live. It was a policy that caused suffering and had made one sector of the population aliens in their own land and it was destroying and breaking up families.

10. The so-called bantustans were designed to hoodwink Africans into believing that they were being given the right to determine their own destinies, when in reality they were labour reservoirs in which poverty, malnutrition and injustice prevailed. Apartheid was also dangerous because, where it prevailed, peaceful opposition was not permitted and opposition leaders were jailed.

11. She drew attention to the words of the Minister for Foreign Affairs of Botswana, who had said, addressing the General Assembly, that nothing less than the total abolition of apartheid was acceptable and that, even if the problem of Namibia were solved, the causes of the problem would remain and would continue to pose a threat which might erupt at any time. It was not too late, however, to sit down at a conference table in a spirit of reconciliation to negotiate a non-racial and democratic future for a united South Africa.

12. Botswana called for the immediate release of children arrested and detained, the immediate and unconditional release of all political detainees and prisoners, the removal of troops from black townships and the unbanning of all political organisations. In that respect, Botswana appealed to the international community to put an end to that crime against humanity, and to South Africa to implement United Nations Security Council resolution 435 (1978).

13. Lastly, her delegation affirmed the Palestinian people's right to self-determination and to create an independent State, together with the withdrawal of Israeli troops from the Arab territories and recognition of the State of Israel by the Arab States.

14. Mr. RODRIGUEZ (Peru) said that the current improvement in relations between the super-Powers and the better outlook for peace for many peoples from poor and underdeveloped countries would not be irreversible trends towards the just transformation of an extremely unjust world unless they were accompanied by the permanent elimination of the hateful apartheid régime and the repudiation of all expressions of racial discrimination in the world. It was important to repeat that affirmation in order to keep in mind the suffering and the illusions and hopes of individual human beings; in some way, politics, diplomacy, law and, in particular, the economy had become dehumanized, which was clearly the case with apartheid.

(Mr. Rodriguez, Peru)

since it was a **crime** against humanity which **systematically** violated all the human, political and social rights of the South African people.

15. It was important to pause and reflect upon the reasons behind the resolutions adopted, the **mandates** granted and the measures envisaged **within** the United Nations in the international struggle against racism. Opposition to racism was not only a political imperative or an option for **peace** but an ethical question related to the ability of peoples to affirm the universal validity of the principle that all human beings were born free and equal in dignity and rights. The choice was clear, either to struggle against **racial** discrimination and **apartheid** or to accept and **protect** the **policy**. There were no intermediary positions,

16. He pointed out the exceptional nature of the **apartheid** policy, in that it was a violation of human rights and the rights of peoples based on the implementation of **its** own juridical order. Not to fight, **even** indirectly, against the **régime** meant not to be aware that the racist laws **contradicted** the principle set forth in article 1 of the Universal Declaration of Human Rights that all human beings were born free and equal in dignity and **rights**; that the system of bantustaniaation and the law of repatriation of populations limited the freedom of the black majority of South Africa, under articles 13 to 17 of the Declaration, to choose their residence and own property) that South African **legislation** restricted the right of 85 per cent of the population to take part in the government of their country and to have equal access to public service, as provided under article 21 of the Declaration, that the **labour** legislation violated article 23 of the Declaration, which set forth the right to work and to equal pay for equal work; and that the racist legislation imposed unequal, unjust and discriminatory education, in **contravention** of article 26 of the **Declaration**, which established guarantees for equal access to education. Nor were trade union freedoms or the freedom of association, expression and conscience respected, and there were an increasing number of cases of arbitrary detention, violation of the right to life and application of the death penalty, even for political reasons. In such a situation, the South African people were offering a noble example in their collective struggle against the social perversion represented by **apartheid**, and were demonstrating their **greatness** in their moral capacity to struggle in direct proportion to their suffering.

17. In June 1986, the state of emergency had been extended under which thousands of persons, including many children, as the **Government** itself had conceded, had been detained without being formally **charged**. The number of executions and detentions of leaders of **occupational** and human rights associations had also increased. The state of emergency demonstrated, however, not only the tightening of the **régime's** grip, but also the progress of the **opposition**, especially of the African National Congress (**ANC**) and the Pan Africanist Congress (**PAC**), together with all the anti-apartheid organisations. To stop such progress and resist international pressure, the **régime** had been trying for some time to implement a policy of reforms, for example in respect of voting laws. However, **apartheid** was not negotiable; it must be destroyed, and the current relaxation of international relations might favour the fulfilment of that legal, political and moral mandate.

/...

(Mr. Rodriguez, Peru)

18. The agreement reached in the negotiations on Namibia must be fully implemented, but it would take on its true historic dimension when apartheid had been abolished and when a non-racial South Africa had made it possible for permanent future peace in the region. In that context, any measures that might be taken by the General Assembly against the seriously destabilising phenomenon of mercenaries were very important, and his delegation supported the Special Rapporteur's report on that subject.

19. The international community should adopt the sanctions provided for in Chapter VII of the Charter because, although they might lead to suffering for the people, the latter had support for them because they were thought to be a necessary means of pressure. As Albert Luthuli, former President of ANC, had said in 1959, economic boycott was a prior which they were prepared to pay in order to avoid further bloodshed.

20. As Chairman of the Task Force on Political Prisoners of the Special Committee against Apartheid, he called on the South African authorities to release, immediately and unconditionally, all political prisoners, including Nelson Mandela, whose release after 25 years in prison would symbolize the advent of a non-racist South Africa.

21. Mr. MOKBIL (People's Democratic Republic of Yemen), speaking also on behalf of the Arab countries, said that the struggle against racism was particularly important because it was related to the defence of human rights, especially in South Africa, Namibia and Palestine. The international community should spare no effort to put an end to apartheid and the implementation of the Charter and United Nations resolutions, and respect for the norms of international law. To bring about an end to the inhuman practices of the racist régime, the international community should demonstrate more firmness and solidarity.

22. He noted that the implementation of Security Council resolution 435 (1978), the internationally agreed framework for the independence of Namibia, would represent a triumph for the cause of human rights in southern Africa.

23. In order to put an end to the crime of apartheid, which was supported by transnational corporations operating in Namibia and South Africa, the international community must impose the mandatory sanctions provided for in the Charter of the United Nations. The pretext cited by some States that such sanctions would involve sacrifices for the majority population was unacceptable, since the majority did accept them as an inevitable consequence of its struggle.

24. The struggle against racism and all forms of racial discrimination called for firmer action in dealing with the alliance of régimes supporting South Africa, which constituted a threat to world peace. The General Assembly resolution which held that Zionism was a form of racism was still valid, in view of the repression to which the Palestinian people was subjected by the Israeli forces. The norms of international law and United Nations resolutions must be implemented to restore to the Palestinian people its right to self-determination and to establish its own State in its national territory.

25. **Mr. ZAWACKI** (Poland) said that, even though the question of racism and racial discrimination had been discussed in the United Nations and other forums for 40 years, results were far from satisfactory, especially in South Africa, South Africa was the only country in the world that provided for racial discrimination in its Constitution and law. The Pretoria régime had even embarked on an escalating spiral of terror and repression to preserve institutionalised racism. Countless appeals and recommendations for peaceful change in South Africa and the eradication of apartheid had not deterred the Pretoria régime. It was evident that that régime would not change its policy unless forced to do so by resolute international action. Comprehensive and mandatory sanctions must be adopted and imposed in accordance with Chapter VII of the United Nations Charter, as they constituted the most appropriate and effective means of assisting the oppressed people of South Africa in its legitimate struggle.

26. Poland had often reiterated its opposition to racism, racial discrimination and apartheid, and implemented all decisions and recommendations of the United Nations aimed at combating those aberrations. Poland had also acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid; it maintained no political, economic or other relations with South Africa, condemned the assistance given by certain countries and transnational corporations to the Pretoria régime, supported the immediate imposition of mandatory sanctions against South Africa by the Security Council and expressed its solidarity with all who struggled for the elimination of apartheid and racial discrimination, particularly the South West Africa People's Organisation (SWAPO) and the African National Congress (ANC).

27. The complete eradication of racism, racial discrimination and apartheid depended also on the universal ratification and strict observance of the relevant international conventions, including the International Convention on the Elimination of All Forms of Racial Discrimination, the adoption of which by the General Assembly in 1965 had been a historic milestone. That instrument provided the basis for the activities of the Committee on the Elimination of Racial Discrimination (CERD), to whose work Poland attached great importance. Unfortunately, the current financial crisis affecting the Committee had hampered its ability to discharge its responsibilities. All States parties must honour their obligations under the Convention and pay their contributions.

28. Another significant instrument in that struggle was the International Convention on the Suppression and Punishment of the Crime of Apartheid, even though only 88 of the 159 States Members of the United Nations were parties to it. His delegation appealed to those States that had not yet done so to accede to the Convention, particularly those States having jurisdiction over transnational corporations operating in South Africa and Namibia.

29. Poland fully supported the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and commended the Secretary-General's detailed reports on the activities undertaken to achieve the objectives of the Decade as well as the convening at Geneva during the current

(Mr. Zawacki, Poland)

month of **the** Qlobal Consultation on racism and racial disorimination. **His** **delegation** **agreed** with the **conclusion** in document A/43/637 that the global compilation of legislation against **racial** discrimination was an important element in the **Second Decade's effort** to strengthen proteotion against raoial disorimination at **the** national level.

30. The right of peoplrs to srlf-determination was one **of** the most signifioant **concepts** of **the present** time, yet despite its general **acceptance**, **millions** of people were deprived of that right, **particularly** the peoples of South Africa and Namibia. Poland **condemned** the policy of the Pretoria **régime**, which **refused** to oomply with United Nationr tosolutions and attaaked the **front-line States**, jeoparditing international peace and security. Poland supported the prompt declaration of **Namibian independence** on the basis of Security Counail resolution 435 (1978). It **likewise** supportod all **peoples** of the world who were struggling against colonialism and **othe" forms** of oppression and exploitation.

31. There would **be** no **peace** or stability in the Middle Eart without a settlement of **the** question of **Palestine**. The Palestinian people must be **able** to **exercise** its right to **self-determination** and establish an independent State within **the** framework of a **peace settlement** for **the Middle East**, based on the Charter and the **relevant** resolutions of **the** United Nationr, that would guarantee all countries of **the** region **recognised** **the** • oouroboundaries. Poland supported the proposal to **convene** an **international peace conference** on the Middle East and **deplored** the **repressive measures** taken by **Israel** in the occupied territories.

32. **The** use of **mercenaries** was a flagrant violation of the right of peoples to self-determination, and all **countries** should condemn it regardless of where **it** **occurred** and thr **motives** that lay behind **it**. His delegation oalled for the prompt adoption of an international convention against the recruitment, **use**, **financing** and training of **mercenaries**, supported United Nations efforts to that end and endorsed the conalusionr and **recommendations** of the Special **Rapporteur's** report on the subject .

33. **Mr. VILLAGRAN** (**Guatemala**) said that the international community had devoted two decades to the struggle against racism and racial discrimination, and yet **it** had not yet been possible to eradicate those phenomena totally, At present, racial discrimination was illegal in almost every part of the world, and countries that supported **it** were **unanimously** condemned, as was the case with the **ignominious institutionalised system** of **apartheid** practised by the South African **Government**. That intolerable situation murt be ended. To that end, the **Congress** of the Republic of Guatemala had recommended to the executive branch of the **Government** that of all typos of relations with South Africa should be suspended.

34. The return to a dangerous ethnocentrism - the most subtle form of discrimination - and the resurgence of extremist political groups which denied individuals freedom of movement within their own territory because they were not **nationals**, or **were** children of migrant workers, came from former colonial territories or, even worse, were not of the same race or culture, were particularly

(Mr. Villagran, Guatemala)

disturbing. His delegation hoped that United Nations recommendations aimed at **mobilizing** and alerting public opinion to those issues would be implemented. In that connection, it was to be hoped that the deliberations of the working group established by UNESCO in 1966, in co-operation with the Committee to Investigate Relations ~~between~~ Races, Ethnic Groups and Minorities of the International Sociological Association, would help foster ties of brotherhood and solidarity rather than confrontation between indigenous ethnic **groups**.

35. Guatemala supported the Programme of Action adopted by the Second World Conference to Combat Racism and Racial Discrimination, which called for measures to eliminate discrimination and combat all racist practices and **apartheid**. Guatemala also followed with interest the activities carried out by the United Nations and other **concerned** organisations to implement the Programme, particularly through the holding of seminars and symposia. It was important that educational measures should be taken to promote friendly relations between peoples, equality, and understanding between different races and cultures,

36. Guatemala had a heterogeneous population of great ethnic diversity and was proud that all ethnic groups participated in the country's political, economic and social life. There were representatives of indigenous **communities** in Congress, holding municipal office and on the regional and national development councils. The Constitution contained a section devoted to the indigenous communities, under which the State recognised, respected and promoted their way of life, **customs**, traditions and forms of social organisation, offered special protection to lands held by co-operatives, indigenous communities and other **systems** of communal or collective landholding, and established preferential loans and **technical** assistance to facilitate the ownership and development of land. Article 76 provided that the educational system should be decentralised and regional in character and that teaching should be bilingual in regions with a predominantly indigenous population. While the official language was Spanish, the vernacular tongues were part of the nation's cultural heritage.

37. In view of its commitment to the protection of the ethnic groups which make up its society, Guatemala appealed to the Sub-Commission on the Prevention of Discrimination and Protection of Minorities to maintain the impartiality that should characterise its work and recognise the political aims of tendentious groups that sought to ~~divert~~ it from the purpose for which it was established, namely to strengthen and advise the United Nations on the best ways of **eliminating** discrimination against vulnerable groups.

38. Guatemala appreciated the work done by the Working Group on Indigenous Populations, but was concerned that it might be influenced by political interests which, far from contributing to the promotion of and respect for the cultures it was intended to preserve, encouraged fratricidal conflict that **jeopardized** the territorial integrity of countries with indigenous populations. Guatemala also supported the use of education, teaching and training to eradicate racism, and the use of the communications media to promote respect for and protection of the human rights of minority groups.

(Mr. Villagran, Guatemala)

39. With regard to the right of peoples to self-determination, Guatemala supported the implementation of Security Council resolutions 385 (1976) and 435 (1978) as the only internationally recognised basis for a peaceful settlement of the question of Namibia and would support any measures adopted by the United Nations in defence of the inalienable right of the Namibian people to self-government that would ensure the establishment of a pluralistic and democratic society. It was heartening that current negotiations on the subject gave grounds for hoping for the speedy implementation of the relevant resolution of the Security Council adopted 10 years ago.

40. It was a disturbing fact that there were peoples who could not exercise their right to self-determination because of the existence of anachronistic colonial systems or occupation by foreign troops in open violation of the United Nations Charter. Guatemala condemned interference in the domestic affairs of States and support for groups which used terrorism and violence to prevent peoples from choosing their governments freely through elections and from establishing the economic and social system they believed best. Guatemala was a firm believer in the peaceful settlement of disputes in accordance with the provisions of the United Nations Charter.

41. Mr. OSNATH (Ukrainian Soviet Socialist Republic) said that the exercise of self-determination presupposed the right to set up a State and elect representatives. In the modern day world, the principle of sovereign independence and non-interference in the domestic affairs of other States were widely recognized and it had been demonstrated that respect for those principles was possible the peaceful settlement of disputes and the reduction of international tension,

42. It was essential that the resolutions and decisions of the General Assembly and the Security Council should be applied to the situation in southern Africa, bearing in mind the interests of the liberation movements and the OAU. Recent developments in the negotiations gave grounds for hoping that very soon the people of Namibia would be able to exercise their right of self-determination freely and unconditionally. To achieve a satisfactory result, the implementation of Security Council resolution 435 (1978) must be made irreversible and the Secretary-General must participate actively in the process. The solution of the problem of Namibia, though an important step, was not enough in itself to bring peace to southern Africa. That could only be achieved by eliminating the hateful system of apartheid through collective action by the international community based on the rule of international law, non-interference in internal affairs and respect for the sovereignty of States.

43. On the situation in the Middle East, he said that Israel's aggression had denied the Palestinian people the exercise of their right to self-determination. The Palestinians must recover that right and choose their representatives freely as the Israelis had done. Israel was unwilling to face the facts in order to arrive at a just solution and allow the establishment of a Palestinian State. The Ukrainian SSR endorsed the idea of convening an international peace conference on the Middle East, which had the support of a growing number of countries. In the

(Mr. Osnath. Ukrainian SSR)

light of what had happened in the case of Afghanistan, it was clear that such a conference could be useful. With reference to Afghanistan he pointed out that it was important for all States to respect the agreements signed at Geneva. The Ukrainian SSR supported efforts aimed at maintaining and strengthening the independence, non-alignment and neutrality of the Republic of Afghanistan.

44. The international community's fundamental objective of establishing the necessary conditions *for* sustained development, respect for human rights and world peace and justice depended upon enjoyment of the right to development. It was each country's prerogative to decide for itself which road it wished to follow. Nicaragua, which had made that decision, was *seeing* its efforts blocked by the aggressive acts of the forces of the opposition. The United Nations should act to promote the settlement *of* the problems besetting the countries *of* Central America and should set up machinery for starting a dialogue in the region.

45. More than 20 non-independent States were still in existence, victims of colonialist Powers seeking to perpetuate their control or to impose neo-colonialist forms of government. The rights of those peoples must be protected in accordance with the provisions of the Charter and of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

46. In that connection, mention should be *made of* the problem of mercenaries. The financing, training and use of mercenaries to destabilize the internal order of independent States and overthrow their Governments must be ended. The Ukrainian SSR commended and supported the efforts of the Special Rapporteur and shared the view expressed by other delegations that he should continue in his work.

47. Only respect for the right to self-determination and the peaceful settlement of conflicts in all the regions of the world would guarantee true respect for human rights. In today's interdependent world, tolerance was fundamental. Each people must decide for itself what economic system was right for it and to what gods it wished to pray.

48. Mrs. MUKHERJEE (India), speaking in exercise of her right of reply, said, in connection with a comment *made by* the representative of Pakistan at the previous meeting, that **Jammu** and Kashmir were part of India. The right to self-determination did not apply to integral parts of an independent and sovereign State. India's position on that question was well-known and there was no need for any further explanation.

49. Mr. SHAUKAT (Pakistan), exercising his right of reply, said that his delegation had already *made known* its views on the question of **Jammu** and Kashmir and it was not his intention to engage in further polemics on the matter.

The meeting rose at 4.45 p.m.