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SUMMARY RECORD OF THE 10th MEETING

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CONTENTS

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)

AGENDA ITEM 86: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 87: 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: REPORTS OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 88: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued)
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued)
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (continued)

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The meeting was called to order at 3.15 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 and 2)

AGENDA ITEM 86: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/39/79 and Corr.1, A/39/133, A/39/167 and Add.1 and 2; E/1984/56 and Add.1)

AGENDA ITEM 87: 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: REPORTS OF THE SECRETARY-GENERAL (continued) (A/39/133, 140, 185, 307, A/39/505 and Add.1; A/C.3/39/3)

AGENDA ITEM 88: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued) (A/39/18, A/39/79 and Corr.1, A/39/133, A/39/180 and Corr.1, A/39/459, 460 and 484)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued) (A/39/18)
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/39/459)
- (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. Ms. FRANCO (Portugal) said that, since respect for human rights and fundamental freedoms was one of the basic principles of the United Nations, it was only natural for the international community to accord high priority to efforts to combat racism, racial discrimination and apartheid. In South Africa, apartheid and bantustanization were the root causes of the serious internal tensions which existed there. Recent events showed that the continued denial of the basic rights of the majority of the population could only lead to conflict and violence.

2. But racist practices were not confined to South Africa. Discrimination on grounds of colour or of ethnic or national origin was, sadly, far too common a reality. Repression and discrimination on grounds of race or religion continued to exist, either openly or in concealed form. To counter such violations of human rights effectively, action had to be taken first and foremost at the national level. A basic requirement was a change in mental attitudes through education and information to help create a sense of community and equality between the various ethnic groups in the population. Such action at the national level should also be accompanied by unrelenting efforts in the international sphere. A fundamental means of guaranteeing that a high level of awareness of the phenomenon was maintained and that international pressure was brought to bear on those who

(Ms. Franco, Portugal)

practised discrimination, in particular South Africa, was the universal commitment to the eradication of racial discrimination.

3. Referring to document A/39/18, she said that Portugal supported the request made by the Committee on the Elimination of Racial Discrimination that its report should be considered separately by the General Assembly. On the question of reporting obligations, her country welcomed the flexible approach the Committee had taken, although it was viable only on an ad hoc basis, whereas the problems which prevented some countries from submitting their reports on time required a comprehensive and permanent solution. In that connection, the report by the Secretary-General on the meeting of the chairmen of the various human rights bodies (A/39/484) contained constructive proposals.

4. She expressed concern at the tendency of the General Assembly and sometimes of the Committee on the Elimination of Racial Discrimination itself to emphasize matters which fell outside the scope of the Convention. Even though that Committee might have to deal with issues of a political nature, it was not a political body. The Convention itself was the only legal and acceptable basis for the Committee's work, and neither the Committee nor the General Assembly could impose on States parties obligations which they had not accepted through ratification of the Convention.

5. However, accession to international conventions was not enough. With that in mind, the United Nations, by General Assembly resolution 38/14, had proclaimed the Second Decade to Combat Racism and Racial Discrimination. There had been a solid consensus in support of the First Decade. It was clear that the difficulties which were being encountered in connection with the Second Decade stemmed not from a lack of commitment to the fight against racism, but from divergent views on the practical ways to go about it and, sometimes, from attempts to extend it to other issues which, serious as they might be, were not within its scope. Hence the need to seek a common approach.

6. In that connection, document A/39/167 and Add.2 were of particular interest. Her delegation found the proposed draft plan of activities to be broadly acceptable, although some parts of it required further consideration, including the proposal to hold seminars and the suggestion relating to the implementation or monitoring of international instruments in the field of racism, which, in Portugal's view, was a matter falling within the exclusive competence of States parties, the existing monitoring organs of the General Assembly. With regard to paragraph 9 of document A/39/167/Add.2, which referred to paragraphs 2 to 15 of the Programme of Action for the Second Decade, her delegation reiterated the reservations which it had made at the Second World Conference. Turning to document E/CN.4/Sub.2/1984/8, she repeated the reservations with regard to the format of the report which her delegation had already expressed at the thirty-fifth and thirty-seventh sessions of the General Assembly, specifically, that the report lacked a properly defined conceptual framework and that the list of countries was neither representative nor accurate. Moreover, her delegation did not believe that the severing of all links with South Africa would solve the problem. It was to be hoped, therefore, that revised criteria would be used in the preparation of future reports.

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7. Mr. RANDHAWA (India) said that the promotion and encouragement of respect for human rights and fundamental freedoms for all remained one of the essential purposes of the United Nations. The most degrading form of racial discrimination at the present time was the institutionalized policy of apartheid of the régime in South Africa, where the white minority continued its immoral and unjustifiable subjugation of the black majority. The United Nations had first condemned apartheid in 1949. Since then, it had adopted countless resolutions on the subject but to no avail. It was obvious that South Africa had powerful benefactors. The updated report of the Special Rapporteur, Mr. Khalifa, left no shadow of a doubt about such collaboration. Without such collaboration, South Africa could not have obtained the strategic armaments and the sophisticated military technology it possessed.

8. Once again it had been said in the course of the discussion that everything possible was being done to improve the effectiveness of the European Community's code of conduct. His country had no faith in that code or in the policy of constructive engagement, and was convinced that comprehensive and mandatory sanctions against the Pretoria régime under chapter VII of the Charter was the only effective and peaceful means by which the international community could assist the legitimate struggle of the oppressed people.

9. The illegal occupation of Namibia was another source of deep concern. The United Nations plan for Namibia remained unimplemented. In that connection, his country called for the early implementation of Security Council resolution 435 (1978). In the Middle East, the Palestinian people and the people of the occupied Arab territories were victims of equally grave and dehumanizing discrimination. The crisis in that region stemmed from Israel's aggressive policies and there could be no lasting settlement until Israel withdrew unconditionally from all the occupied Arab territories and the Palestinian people could exercise their right to self-determination.

10. India recognized the useful work carried out by the Committee on the Elimination of Racial Discrimination. However, it was disturbing to learn from that Committee's report (A/39/18, para. 595) that it would be preparing a report on minorities, indigenous populations and other vulnerable groups. Clearly, those categories were outside the scope of the Convention and the Committee's terms of reference. Accordingly, the Committee would do well to limit the scope of the study to the groups mentioned in the Convention.

11. Mrs. WARAZZI (Morocco) said that efforts to combat racism must be accompanied by a campaign of persuasion, information and education, which could in large measure help to eliminate the root cause of racism, which was intolerance. All the major religions had endeavoured to put an end to intolerance, and Islam, the religion of her country, had some 14 centuries earlier issued the first declaration of human rights and established laws uniting all peoples believing in the one God and joining together all hearts in love, fraternity and the equality of all men, who differed only by their good acts.

(Mrs. Warzazi, Morocco)

12. The most extreme forms of intolerance were to be found in South Africa and Israel. In both cases intolerance was based on such powerful political sentiments that there were still peoples under the yoke of apartheid and zionism, which, in the hands of a minority seeking to remain in power at all costs, was the most ruthless instrument of repression ever known.

13. In South Africa, 24 years after the events of Sharpeville and 8 years after the Soweto massacre, the people still had the strength to rise up against oppression. For several days following the "Botha reform", which left 75 per cent of the South African population as disenfranchised as they had been before, there had been a wave of violence that had resulted in destruction, deaths, a great many wounded, arrests and the destruction of the homes of thousands of blacks. But the defenders of apartheid and of the illegal occupation of Namibia were doomed, despite their police apparatus and their military might. A minority of people was already asking questions about the future of apartheid, which in their opinion, already had too great a cost. For Africans, apartheid was an abomination which must be ended before it was too late.

14. The Arab population of the territories occupied by Israel, for their part, were suffering under the heel of oppression, persecution and discrimination. Morocco unequivocally condemned the violation of the rights of the Palestinians and the denial of their self-determination. Morocco would never abandon its defence of those rights.

15. Morocco appealed to all peoples with a sense of justice and dignity to play their part in improving the living conditions of migrant workers and protecting their rights, which included guaranteeing their personal safety and that of their families. An end must be put to the exploitation, scorn and injustice to which migrant workers were subjected, including armed attacks, arbitrary arrests and political election campaigns in which those innocent but productive beings were turned into scapegoats.

16. The activities planned for the Second Decade could bolster the long-standing struggle against racism and apartheid. States had the moral obligation to ensure that success was unqualified and that those activities received the greatest possible moral and also financial support. Such activities must be practical and effective, with a view to ending racial discrimination.

17. Morocco welcomed the work performed by the Committee on the Elimination of Racial Discrimination, which was all the more valuable as the number of States parties to the Convention (currently 124) continued to increase. However, the time of the experts was too precious to allow repetition and duplication.

18. In 1960, the General Assembly had adopted resolution 1514, the Declaration on the Granting of Independence to Colonial Countries and Peoples, which had strengthened the principle of the peoples' right to self-determination. The universal character of that right was plain from the word "peoples", which covered all the populations of all countries and all territories. Scrutiny of the

(Mrs. Warzazi, Morocco)

instruments and declarations adopted thus far revealed provisions stating that the peoples under colonial domination were entitled to accede to independence and that the exercise of that right must be universal. All peoples had the right to choose their own political, economic and social system, provided that that was done through the free and sincere expression of their will.

19. Mr. POERSCHKE (German Democratic Republic) said that, compared with 1983, the updated list of those collaborating with South Africa prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1984/8/Add.1) revealed the addition of 223 banks and firms, belonging especially to the United States and Western Europe, and above all to the countries of the contact group. The reasons for the increase were: the unprecedented exploitation of the African majority and the enormous plunder of South African natural resources by the monopolies. From 1979 to 1982, 181 banks of the United States had invested more than 2,750 million dollars in South Africa, and for each dollar invested a profit of four dollars had been gained.

20. The countries mentioned in the report had become accomplices of a system that trampled on fundamental human rights and relied on the assistance provided to it by Western countries in the military, nuclear and other fields, which was why the Pretoria régime constituted a growing danger to peace.

21. The racists had stepped up the militarization of the country to an alarming extent. At the beginning of the 1980s, spending for military purposes had already been 50 times higher than at the beginning of the 1960s. The Pretoria régime had developed an arms production capable of satisfying 80 per cent of internal demand. The country had become an important exporter of weapons and there were increasing indications that it was turning out nuclear arms.

22. He renewed his delegation's demand that, on the basis of the report, resolute steps should be taken against those collaborating with the racist régime. The violations by transnational corporations of the United Nations boycott decisions must no longer be tacitly accepted. Comprehensive mandatory sanctions in accordance with Chapter VII of the United Nations Charter were imperative.

23. The political aim of the transnational corporations and the circles supporting them was to liquidate, or at least to do great harm to, the national liberation movements in southern Africa. Thus, in connivance with the racist régime, they violated the right of the African majority to self-determination and independence. Accordingly, the German Democratic Republic regarded as an urgent matter the updating of the list of those collaborating with the racist régime and supported the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to renew the mandate of the Special Rapporteur, Mr. Khalifa.

24. Mr. HEGYI (Hungary) said that the right of peoples to self-determination was one of the basic principles of contemporary international law and a prerequisite for the exercise of other human rights and fundamental freedoms. Although a large number of States emerging from colonial domination had joined the United Nations

(Mr. Hegyi, Hungary)

since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples 24 years earlier, the international community could not yet declare an ultimate victory over the subjugation and exploitation of peoples. History had taught the Hungarian people to appreciate their present freedom and to support the right to freedom of other peoples.

25. The progress thus far achieved in implementing the Declaration was chiefly due to the heroic struggle waged by the oppressed peoples of Africa, Asia and Latin America. But that process had stalled in southern Africa and the Middle East, while in other parts of the world attempts were being made to turn back the march of history.

26. The racist régime of Pretoria, acting in defiance of resolution 2145, of October 1966, persisted in its illegal occupation of Namibia and in extending its apartheid and bantustan policies to that territory. Under the terms of the Definition of Aggression contained in resolution 3314, of December 1974, the illegal occupation of Namibia constituted an act of aggression against the Namibian people, and consequently the latter were entitled to use all the means at their disposal, including armed struggle, to repel South Africa's aggression and to achieve self-determination and independence.

27. Some permanent members of the Security Council wielded their veto to prevent the adoption of sanctions against South Africa, thereby encouraging the Pretoria régime to defy international law. South Africa's acquisition of nuclear-weapon capability was another form of threat that terrorized independent States in the region.

28. The question of Namibia was one of decolonization which must be resolved in accordance with the provisions of the Charter and other relevant United Nations instruments. The distortion of the nature of the Namibian problem by portraying it, not as the struggle of a people for liberation, but as part of global East-West confrontation was an obstacle in the search for a solution. The same went for the attempts of the South African régime and its supporters to obstruct the implementation of resolution 435 (1978) of the Security Council by establishing a linkage or parallelism between the independence of Namibia and the withdrawal of Cuban forces from Angola.

29. Israel's denial of the right of the Palestinian people to self-determination and its aggressive policy in the Middle East had adverse effects even on the long-term interests of the Israeli people. Without external support, Israel would not be able to pursue its expansionist policy. The people and Government of Hungary supported the Palestinian people and the PLO, their sole legitimate representative, in their struggle for self-determination and independence. The crux of the matter was to achieve a just and lasting peace in the region; it would therefore be necessary to establish an independent Palestinian State.

30. The right of peoples to self-determination was jeopardized in other parts of the world as well. In particular, the aggression against Grenada and the actions

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(Mr. Hegyi, Hungary)

threatening the sovereignty of Cuba and Nicaragua had increased tension. Such developments were of concern to his Government, which supported the efforts to find a peaceful, negotiated solution to the crisis in Central America.

31. Mr. HAWKES (Canada) said it was perhaps the cultural and ethnic diversity of his country which caused his delegation's interest in such topics as agenda items 86 and 88, which Canada firmly supported. Cultural or racial differences could bring problems as well as opportunities, and an open discussion could help to minimize the former and maximize the latter. Any legislated changes to reduce racial barriers would be of little avail unless they were accompanied by special programmes to facilitate adjustments by individuals and communities. The real beneficiary was society at large, which also stood to gain in economic terms. One way of maximizing a nation's gross national product was to maximize the potential of all the human talents available.

32. Canada had been striving hard to eliminate all aspects of formal and informal racism and would continue to do so. Canadian citizens were protected from racially discriminatory conduct by federal and provincial legislation and by the Constitution. There were appropriate tribunals that examined complaints and provided remedies. Efforts at public education continued to accelerate. A parliamentary task force had recently completed an examination of the problems of minorities, and its suggested recommendations would provide direction in the years ahead.

33. On the basis of the Canadian experience of racial questions, his delegation would countenance any reasonable proposal submitted in the Third Committee and Canada would participate fully in the Second Decade to Combat Racism and Racial Discrimination. He hoped that the fragile consensus which had characterized the debate on the item at the thirty-eighth session of the General Assembly would be restored and consolidated at the current session.

34. The Government of Canada firmly condemned the policy of apartheid of the Government of South Africa as a flagrant violation of fundamental human rights and had taken concrete measures to underline its opposition. For example, it had issued a code of conduct for private companies which were continuing their activities in South Africa. That code established guidelines concerning the employment and working conditions of black workers. Canada was contributing to multilateral programmes for refugees from South Africa and had undertaken bilateral aid programmes for the black communities of South Africa, including black labour organizations.

35. His delegation did not think it would be wise for the Third Committee to direct all its energies towards that one single manifestation of racism, for racism and racial discrimination had deeper roots which must be destroyed by constant monitored action at both the national and the international levels. That was why it supported the efforts of the Secretary-General to propose a plan of activities directed at the overall problem of racism and racial discrimination and not exclusively directed at apartheid. It had serious reservations concerning certain



(Mr. Hawkes, Canada)

of the activities proposed in the Programme of Action adopted at the Second World Conference to Combat Racism and Racial Discrimination, but would be willing to work with other countries on the basis of the Secretary-General's proposals in document E/1984/33/Add.2. His delegation hoped that a compromise solution acceptable to all delegations would be found at the current session so that an early start could be made on implementing the Plan of Activities.

36. With regard to the report of the Committee on the Elimination of Racial Discrimination, he said that his delegation appreciated its efforts and supported the recommendations that its two studies on articles 4 and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination should be issued as United Nations publications and should be given the widest possible distribution. Article 4 of the Convention, on the other hand, would be hard for Canada to accept because of the problem of reconciling the need to curb the dissemination of racist opinions with the need to preserve freedom of expression and association.

37. With reference to the problems of delays in the presentation of the periodic reports, Canada believed that their presentation should be more than a mere enumeration of measures embodied in national constitutions; the process of preparing the reports should be the occasion for each State to conduct an exhaustive public review of the national situation with regard to racial questions. It was to be regretted that the Committee had not pursued the suggestion made by various countries, including Canada, that the reporting period under article 9 should be extended from two to four years. The purpose of the suggestion had been to enable States parties to have enough time to present good reports.

38. His delegation regarded as an important step the recommendation in General Assembly resolution 38/117 that a meeting of the Chairmen of the various committees responsible for the implementation of international instruments in the field of human rights should be held, and it noted with interest the suggestions made by the Chairman of the Committee on the Elimination of Racial Discrimination after that meeting. Those suggestions, which were set forth in paragraph 39 of the Committee's report, deserved special attention from the Third Committee.

39. The Government of Canada was determined to continue respecting its obligations under the Convention, but felt that it was essential to rationalize the presentation of reports. With regard to the establishment of consultative services and technical assistance programmes for countries which requested them, he said that his delegation was disposed to co-operate in the search for acceptable solutions.

40. As far as article 15 of the Convention was concerned, he said that in the view of his delegation the Committee should address itself only to questions that were clearly related to racial discrimination and not to political issues, as in the case of the problem of the Falkland/Malvinas Islands.

(Mr. Hawkes, Canada)

41. With regard to the right of peoples to self-determination, which was violated in many parts of the world and subjected all too frequently to political and military interests, he said that Canada wanted the illegal occupation of Namibia by South Africa to be brought to an end and the independence of that country to be attained as early as possible on the basis of Security Council resolution 435 (1978).

42. The Soviet Union must withdraw its troops from Afghanistan, a country on which it was continuing to impose its will, preventing the Afghan people from freely choosing their political status. Conditions must be created enabling the millions of refugees who had fled the Soviet intervention to return. Canada supported the Secretary-General's efforts to find a just and lasting solution to that problem.

43. Canada supported the ASEAN countries in their search for a just solution to the problems of Kampuchea. The aspect which concerned the Third Committee was the continued illegal presence of Vietnamese troops in Kampuchea, and Canada hoped that an early solution to that problem could be reached.

44. Commenting on the resolutions presented under the item on the right to self-determination, he said that his delegation wished to underline its preference for moderate and constructive language. Virulent condemnations encouraged certain delegations to try to divert the Committee's attention from the real problems confronting it and should be avoided. It hoped that the resolutions introduced under the Third Committee's agenda items would respect the sense of balance and compromise which should characterize all United Nations resolutions.

45. Mrs. AL-TURAIHI (Iraq) said that since it had attained independence Iraq had signed all the treaties and legal instruments relating to the struggle against racism and racial discrimination and apartheid and that ever since its revolution of 1958 it had been on the side of the peoples who were fighting for self-determination. It had participated actively in the work of the Fourth Committee and of the Committee of 24, as also in most of the relevant conferences, such as the First and Second World Conferences to Combat Racism and Racial Discrimination, and had signed all the relevant conventions, incorporating into its national legislation the principles set forth in those instruments. Its constitution guaranteed the equality of all citizens before the law without discrimination based on ethnic origin, language or social position. Racial discrimination was considered a punishable offence and the law prohibited the publication of any article inciting racism. Iraq had refrained from co-operating with South Africa and had taken part in the petroleum boycott against that country. It had likewise participated in the Conference of Arab Solidarity with the Struggle for Liberation in Southern Africa held at Tunis in August 1984, and similar conferences.

46. Despite the resolutions of the United Nations, the régime in South Africa was continuing its apartheid practices, thanks to the support of the transnational corporations and some Western States which were trying to protect their economic, strategic and political interests. Numerous United Nations documents reported and

(Mrs. Al-Turaihi, Iraq)

gave evidence of the co-operation of many Western countries with the racist régime of South Africa. She mentioned various documents in that connection, including document E/CN.4/Sub.2/1984/Add.1 and Add.2, an updated report prepared by the Special Rapporteur which contained a list of the corporations and institutions that collaborated with South Africa. With reference to item 87, she noted that South Africa had not heeded Security Council resolution 435 (1978).

47. Zionism was no less racist than apartheid, and attempts to conceal that fact would be unsuccessful. The compatibility of the racists was nothing new: the alliance between South Africa and Israel was based on their common ideology. Israel also had the support of certain other States. The Sabra and Shatila massacres were an example of racism, and when Israel accused its detractors of anti-Semitism it was forgetting that the Arabs themselves were Semites. The three great religions had co-existed in the Middle East until the establishment of zionism, which had introduced new ideas that were alien to the culture of the region. Israel and South Africa co-operated in the military and nuclear fields. There was a long-term plan for Israel to supply South Africa with nuclear weapons. Only recently Minister Ariel Sharon had visited South Africa. According to the book The Natural Alliance by John Adams, approximately 25,000 Israelis were living in South Africa and co-operating with the racist régime in the sphere of nuclear weapons. An example of that co-operation was the nuclear explosion carried out in the South Atlantic by the Pretoria régime in collaboration with the Zionists. That collaboration had been condemned in many United Nations documents and resolutions, such as General Assembly resolution 38/39 of 5 December 1983.

48. Israel had not been present at any of the international conferences at which the problem had been debated, nor had it participated in the voting on the General Assembly resolutions relating to apartheid, and it had accused the United Nations of taking a subjective position on the matter.

49. Her delegation felt that the draft plan of activities for the period 1985-1989 contained in the Secretary-General's report (A/39/167) should be broader and more detailed. However, the plan was positive in that it stressed the importance of education, teacher training and information.

50. Her delegation likewise endorsed the content of the two final documents and the Programme of Action adopted at the Second World Conference to Combat Racism and Racial Discrimination, but regretted that there had been no mention of the Palestinian cause, although the Palestinian people were suffering as much as the Azanian people.

51. Lastly, she observed that as long as economic, political and other co-operation with South Africa continued it would not be possible to advance towards the eradication of racism, and the Members of the United Nations must be resolute in confronting that problem.

52. Mr. RAKOTOZAFY (Madagascar) said that apartheid persisted in South Africa by virtue of the economic, political and military co-operation still being given to that régime, which helped to consolidate the power of the white minority and its oppression of the majorities. The so-called constitutional reforms recently proposed by the racist régime of South Africa and condemned by the Security Council and the General Assembly did not represent any basic change. The boycott of the electoral farce by the majority of those who were primarily concerned, and the violence and repression subsequently unleashed, eloquently demonstrated that the people rejected the so-called reforms. The apartheid régime was a denial of the right to self-determination, and the aim of its bantustanization policy was to prevent the establishment of a South African nation and to dispossess the black majority of its lands.

53. Moreover, with its policy of annexation and its delaying tactics, the Government of South Africa was continuing its illegal occupation of Namibia, thus violating the latter's right to self-determination in accordance with the relevant resolutions adopted by the United Nations. At the same time, South Africa continued to exploit Namibia's natural resources and to promote internal divisions among the various groups and tribes so as to undermine the bases of national unity in the future independent State of Namibia.

54. His Government felt that the only possible solution to the problem of southern Africa was the total isolation of the racist régime, the effective implementation of all sanctions adopted by the United Nations and Namibia's accession to independence, in conformity with Security Council resolution 485 (1978).

55. Similarly, and also in defiance of the relevant United Nations resolutions, which recognized the right of the Palestinian people to self-determination, the Israeli authorities appeared to be determined to destroy the Palestinian identity by, inter alia, modifying the physical and demographic character of the occupied Arab territories in an attempt to annex them, expelling or assassinating the Palestinian leaders and establishing Israeli settlements through expropriations and the mass displacement of the Arab population. Madagascar reaffirmed the inalienable right of the Palestinian people to self-determination and to the establishment of their own State, and it therefore urged that Israeli troops should be unconditionally withdrawn from all the occupied Arab territories, including Jerusalem. As long as no just solution to the Palestinian problem was found, there would be no peace in the Middle East.

56. Lastly, with regard to the obligation of States to submit periodic reports to the Committee on the Elimination of Racial Discrimination (CERD), it would be necessary to make a thorough study of the causes of the difficulties faced by most States in complying with that requirement, and to establish suitable machinery to ensure compliance. His delegation called on all States Members of the Organization to accede to the principal international instruments concerning the struggle against racism and racial discrimination.

57. Mrs. SHRESTHA (Nepal) said that the adoption of 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 were important steps towards the eradication of racism and apartheid. As a State party to both instruments and a founding member of the Special Committee against Apartheid, Nepal unconditionally supported the adoption of the strongest possible measures to eliminate racism and apartheid.

58. Turning to item 86 she said that Nepal welcomed the draft plan of activities proposed by the Secretary-General in his report (A/39/167 and Add.1 and 2) and hoped that it would serve as a basis for the adoption of decisions to help the community of nations intensify its struggle in a co-ordinated manner. In that context, it was important to remember that in addition to the efforts being made at the international, regional and national levels, the non-governmental organizations had an important role to play in contributing to the promotion of activities for the elimination of racism, racial discrimination and apartheid.

59. Mrs. BORGES (Uruguay) noted that, in the framework of international law, the political will of Governments to encourage the power of negotiation and consensus and to give priority to the eradication of racism in all its forms was of fundamental importance. The rights proclaimed and embodied in the principal international instruments must be effectively implemented. At the international level, Uruguay had acceded to those instruments and had co-operated in their preparation.

60. At the national level, there was no racial or ethnic discrimination in Uruguay, for equality was enshrined both in its Supreme Charter and in its internal legal system. Its criminal legislation included the crime of association for the purpose of promoting racial struggle or hatred.

61. Uruguay vigorously rejected the policy of apartheid, as well as its doctrinal basis, its institutional manifestations and its practical application. It felt, therefore, that the new constitution of South Africa was contrary to the principles of the United Nations Charter and that, if it entered into force, the prevailing situation in South Africa would deteriorate still further.

62. Uruguay was the first State to have recognized the competence of the Committee on the Elimination of Racial Discrimination to receive individual communications, and it welcomed the increase in the number of States which had ratified or acceded to the Convention on the Elimination of All Forms of Racial Discrimination. She urged States parties to the Convention to consider the possibility of making the declaration provided for in its article 14 in order to improve the effectiveness of CERD, and she expressed the hope that the Programme of Action adopted by the General Assembly in its resolution 38/14 would be fully implemented.

63. The right to self-determination, and the principle of non-intervention in the internal affairs of States as a basic condition for the exercise of that right, were enshrined in the United Nations Charter and were essential to the peaceful coexistence of States. Uruguay condemned all forms of intervention and stressed

(Mrs. Borges, Uruguay)

the importance of the tie between the right to self-determination and the process of decolonization. It therefore reaffirmed Namibia's right to self-determination in accordance with international legal norms.

64. The international community's support should be concentrated on creating conditions which would facilitate the exercise of self-determination and not on trying to influence in advance, the conclusions which each people would reach when exercising that right. In that regard, due attention should be paid to General Assembly resolution 1514 (XV), in accordance with which the right to self-determination could take various political forms.

65. Mr. CHAVANAVIRAJ (Thailand) said that, since its inception, the United Nations had devoted much of its effort to putting an end to the policy of apartheid in South Africa. Recently, South Africa had experimented with a so-called constitutional reform, which had not led to any significant change of policy, showing that South Africa had no intention of abolishing apartheid but intended rather to entrench it. In Namibia the indigenous people, subjugated by the military superiority of South Africa, continued to be deprived of their legitimate rights and their freedom. Confronted with that situation, the United Nations must do its utmost to create conditions conducive to the exercise of the right to self-determination by the indigenous populations of South Africa and Namibia. At the same time, all Member States should discontinue assistance to the South African régime in any form. In that context, he noted that Thailand had hosted the extraordinary plenary meetings of the United Nations Council for Namibia, where the Bangkok Declaration and Programme of Action had been adopted. His Government would continue to assist the just struggle of the Namibian people under the leadership of the South West Africa People's Organization.

66. In the Middle East, the situation was no better for the Palestinian people, whose rights to national independence and statehood were being ignored. The Arabs in the occupied territories shared the same plight, living under foreign occupation while the Israeli authorities refused to apply the relevant United Nations resolutions and to withdraw their forces from the occupied Arab territories. In Asia, the peoples of Afghanistan and Kampuchea continued to be denied the right to self-determination as a result of foreign aggression and occupation. In both instances, the problems were aggravated by the plight of the refugees.

67. Mrs. TROFIMYAK (Ukrainian Soviet Socialist Republic) said that despite the fact that the colonial system had practically been abolished, dependence remained a reality in southern Africa and other parts of the world. The Ukrainian SSR championed the right of peoples to self-determination. Its history clearly exemplified the way in which Lenin's teachings could be put into effect: after the October Revolution, the exploitation of man by man had been abolished and the Ukrainian people had been granted the rights to equality and self-determination. For the first time in history, workers and peasants had set up their own State. The unification of the States which made up the Soviet Union had come about as a result of the exercise of freedom and self-determination; their union had multiplied their capacity to institute economic, social and cultural change. Since unification, her country's output had tripled.

(Mrs. Trofimyak, Ukrainian SSR)

68. The Ukrainian SSR supported the struggle of peoples for national liberation. In 1945, delegations from the Soviet countries had proposed that endorsement of the right of colonial peoples to self-determination should be incorporated in the Charter, and at the urging of the Soviet Union, the Declaration on the Granting of Independence to Colonial Countries and Peoples had been adopted by the General Assembly at its fifteenth session. The last colonial empires had subsequently disappeared, and new sovereign States had joined the world community, increasing the constructive contributions being made to the search for solutions to world problems.

69. Namibia and South Africa were the last bastions of colonialism and racism. Apartheid and the illegal occupation of Namibia were a crime against humanity. South Africa was attempting through terrorism to crush the indomitable aspirations of the people. But the Pretoria régime could not maintain that attitude without the support of the imperialist forces. Pretoria had even attempted to legalize the apartheid system through its so-called constitutional reform. However, no superficial measure could blind international public opinion to the true nature of apartheid. Apartheid had to be destroyed, not merely modified.

70. The Ukrainian SSR held the view that Namibia was entitled to exercise its right to self-determination and to independent statehood. All power must be transferred to SWAPO, the sole legitimate representative of the Namibian people. Only the concerted action of all States to apply in full sanctions which would isolate the racists from the international community would bring about the destruction of apartheid and force South Africa to comply with United Nations resolutions calling for the independence of Namibia and an end to repression and attacks against neighbouring States. Comprehensive and mandatory sanctions approved under Chapter VII of the Charter should be applied immediately to South Africa.

71. One of the greatest obstacles to universal respect for the right to self-determination was Israel's refusal to accord that right to the Arab people of Palestine. Israel continued to implement its policy of territorial expansion, in open defiance of the inalienable rights of the Palestinian people to self-determination and independent statehood. Its aggression in Lebanon revealed that the activities of the Zionists were becoming increasingly open and challenging. Only an accord which took into consideration the positions of all the parties to the conflict, including the PLO, could produce a solution to the Palestine problem and ensure the development of the peoples in the region.

72. Some Territories had still not been granted independence, on the pretext of their small size. The administering Powers did everything possible to perpetuate their domination over those Territories, which they used as military bases for attacks on national liberation movements. The Ukrainian SSR advocated the granting of independence to Micronesia. It was also concerned at the situation in Grenada, where an attempt to bring about recolonization was being made. Lastly, the Ukrainian SSR condemned the undeclared war being waged by the United States against Nicaragua.

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73. Mr. NGUYEN LUONG (Viet Nam) said that with the accession to independence of hundreds of formerly subjugated nations, the effective enjoyment of human rights and fundamental freedoms had ceased to be the privilege of a minority and become available to all the peoples who were taking their destiny into their own hands. The right to self-determination had taken on new dimensions - those of autonomous development and the choice of a social and economic system which conformed to the development of their national identity.

74. Viet Nam had always condemned the policy of apartheid, which was the ultimate manifestation of racism and a crime against humanity, and rejected all the manoeuvres involving so-called "reforms", a "new constitution" and an "agreed settlement", which did nothing but exacerbate the already explosive situation in South Africa. It unstintingly supported the just struggle of the South African people, under the leadership of their liberation movements, and viewed all military or nuclear co-operation with Pretoria as inimical to the right of peoples to self-determination and independence.

75. Another form of racism which must be eliminated was zionism, whose crimes, such as the massacres at Sabra and Shatila, recalled the monstrous crimes committed by nazism 40 years earlier.

76. Those two racist régimes had managed to survive, in violation of numerous United Nations resolutions, thanks to the multifaceted assistance provided by a number of Western countries, some of them, like the United States, permanent members of the Security Council, which were motivated by their strategic imperialist interests.

77. Irrefutable evidence of the collaboration of the United Kingdom, the United States and other States with South Africa could be found in the updated report of the Special Rapporteur (E/CN.4/Sub.2/1984/8/Add.2). The open acknowledgement by the United States of its "strategic co-operation" with Israel worked to the detriment of the Arab peoples and of peace in the Middle East.

78. Racial discrimination could also arise from social inequality, exploitation and poverty. In the United States, for example, it was the black population which bore the burden of unemployment, underemployment and insecurity. In some Western countries, neo-Fascist, Nazi and revanchist organizations whose ideology was based on the concept of racial superiority were re-emerging.

79. During the Viet Nam war, the United States had subjected North Viet Nam to massive bombing in an attempt to set it back to the Stone Age; now it was the expansionistic and hegemonistic Chinese who were trying to bleed the country.

80. His delegation welcomed the Secretary-General's revised draft for the plan of activities for the Second Decade to Combat Racism and Racial Discrimination, and believed that it could be completed in the light of the most recent events.

81. With regard to the universal implementation of the right of peoples to self-determination, his delegation supported the full and speedy liberation of



(Mr. Nguyen Luong, Viet Nam)

Africa, rejected any attempt by Washington and Pretoria to link Namibian independence with any extraneous questions, and viewed South Africa as the destabilizing factor in the region, particularly in respect of the front-line States. It firmly supported the just struggle for self-determination and independence of the Namibian people under the leadership of SWAPO, their sole and legitimate representative, and expressed militant solidarity with the front-line African countries, especially Angola.

82. It likewise supported the struggle of the Arab peoples of Palestine which were attempting to recover the occupied Arab territories under the leadership of the PLO, their sole legitimate representative, and the convening as soon as possible of an international conference on peace in the Middle East with the participation of all the parties concerned, including the PLO.

83. Viet Nam supported the exercise of the right to self-determination and national independence by many peoples, which was being obstructed by foreign military interests or annexationist ambitions. Israel must withdraw its troops from Lebanon and Syria. Puerto Rico must win its right to self-determination in spite of the annexationist policy of the United States. Micronesia, which had been transformed into a United States military base and testing ground for nuclear weapons, must also achieve self-determination, and so must Diego Garcia, a particularly serious case of a population uprooted from its habitat, which had been transformed into a strategic military base by the United States. Viet Nam also supported the self-determination of the Malvinas Islands, linked to the sovereignty of Argentina.

84. The right to self-determination and the independence of peoples was endangered by intervention and overt or camouflaged political, economic and military pressure from the forces of imperialism and reaction, as in the case of the brutal invasion of Grenada, a small non-aligned island country. Cuba was being subjected to all kinds of intimidation and subversive acts and part of its territory was still used as a United States military base. The pressure exerted by the United States on Nicaragua called for no comment. The struggle of the Afghan people to safeguard the achievements of their April Revolution was being subjected to all types of pressure by the combined expansionist and reactionary imperialist forces.

85. With regard to the People's Republic of Kampuchea, those who defended the right to self-determination of that population, which had been decimated by the genocidal Pol Pot régime, were in reality attempting to reimpose that régime on the people. The right to self-determination of the Kampuchean people consisted at present, in being able to live in peace and reorganize their normal life with the generous help of friendly countries. Those who were supplying weapons to and training the remnants of the Pol Pot army were not authorized to speak of the right to self-determination of that people.

86. Bequm Afsar QIZILBASH (Pakistan), referring to agenda item 87, said that the right to self-determination was one of the basic purposes and principles enshrined in the Charter of the United Nations in order to establish a stable and humanitarian world order based on peace and justice.

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(Begum Afsar Qizilbash)

87. In accordance with the principle international instruments on decolonization and human rights, Pakistan considered it its sacred duty fully to support all efforts to enable peoples still suffering under colonial or alien domination to exercise their legitimate right to self-determination. Unfortunately, as a result of military intervention and occupation, certain peoples were still denied or deprived of that right, which constituted a grave threat to international peace and security.

88. In spite of the appeals of the international community, Israel continued its illegal occupation of the Arab territories, including Jerusalem, and, in accordance with its Zionist and annexationist policy, refused to recognize the inalienable rights of the Palestinian people. By its occupation of southern Lebanon, Israel had caused another wave of terror and violence in the area and responded to any show of resistance with brutal repression. Nevertheless, Israeli military might could not undermine the firm resolve of the peoples of Palestine and Lebanon to exercise their national rights. Pakistan expressed its total solidarity with the Palestinian people and their legitimate representative, the PLO, and called for the complete withdrawal of Israeli forces from all occupied Arab territories and for the exercise of the right of the Palestinian people to establish an independent State in their homeland, without which there could be no just solution to the problem of the Middle East.

89. Pakistan also reaffirmed its solidarity with the people of Namibia and SWAPO in their struggle for liberation against the illegal occupation of their country by the racist régime of South Africa and rejected any linkage between the independence of Namibia and the presence of Cuban troops in Angola. The international community should exert maximum pressure on the Pretoria régime and force it to put an end to its illegal occupation and recognize Namibia's right to self-determination.

90. Military intervention and occupation by a foreign State had also deprived the peoples of Afghanistan and Kampuchea of the exercise of the right to self-determination and had forced them to seek asylum in neighbouring countries, including Pakistan. The problem of Afghanistan could be solved on the basis of the relevant General Assembly resolutions and within the framework of the Islamic Conference and the non-aligned movement. Pakistan urged the international community to adopt measures to ensure the exercise by the Afghan people of their right to self-determination and the return of the refugees to their homeland in safety and honour.

91. Her delegation drew attention to the unresolved question of Jammu and Kashmir and pointed out that the universal realization of the right to self-determination was the essential prerequisite for international peace and security and the welfare of mankind.

92. Mr. SUFOTT (Israel), speaking in exercise of the right of reply, said that it could be assumed that the unfounded and scurrilous accusations made by the representative of Iraq did not refer to Israel, because that country had not been mentioned by name. But the representative of Iraq had made no mention of the

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(Mr. Sufott, Israel)

butchering of Kurds and other Iraqi minorities or of the hangings of Jews that had taken place in the streets of Baghdad some ten years earlier, or of the mass hysteria which had accompanied those acts.

93. He wondered whether that should be described as racism or genocide or whether it was simply the national law and international behaviour of Iraq.

94. Mr. RATHORE (India), speaking in exercise of the right of reply, pointed out, with regard to the statement made by the representative of Pakistan, that Jammu and Kashmir were an integral part of India and that the principle of self-determination therefore could not be applied to them.

95. Mr. PIN (Democratic Kampuchea), speaking in exercise of the right of reply, said that Viet Nam's aggression against Kampuchea with Soviet support and the Soviet Union's aggression against Afghanistan were crimes which would continue to be condemned until Vietnamese and Soviet troops withdrew from those two countries. The solution to the problem of Kampuchea lay in the solution to the problem of Afghanistan. It was time that Viet Nam and the Soviet Union realized that nothing could be gained by force and, for the good of their peoples and the peoples of the region, they should respect the principles of the Charter and those of the non-aligned-countries and implement the relevant United Nations resolutions.

96. Mrs. MOIZ (Pakistan), exercising her right of reply, said that the representative of India was entitled to express an opinion on Jammu and Kashmir, just as Pakistan was.

97. Mrs. JONES (United States of America), speaking in exercise of the right of reply, wished to place on record the fact that the charges made by the representative of Viet Nam against the United States were completely false. She reserved the right to reply at greater length at a later date.

98. Mrs. AL-TURAIHI (Iraq), speaking in exercise of the right of reply, said that there was documentary evidence of the close ties between the Zionist régime and the Pretoria régime, since both had similar systems. Apparently, the representative of the Zionist entity was ignoring the views of groups which did not recognize Israel and Zionism. Zionism was contrary to Judaism. If Israel was anything more than an entity, what were its frontiers? Did Israel extend from the Euphrates to the Nile? The wars waged by that entity, the occupation of Lebanon, and the attack on the Iraqi nuclear reactor were questions which called for an answer. Iraq had opposed racism and racial discrimination and had always respected the Kurdish minority.

99. Mr. SUFOTT (Israel), speaking in exercise of the right of reply, said that it was surprising that a country like Iraq, with a history of persecution and extermination of minorities, should make statements of the kind heard in the Committee.

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100. Mrs. AL-TURAIHI (Iraq), speaking in exercise of the right of reply, said that facts were facts and the Zionist representative had not provided an adequate response to any of her delegation's earlier statements.

#### ORGANIZATION OF WORK

101. The CHAIRMAN reminded delegations that the time-limit for the submission of draft proposals on agenda items 84, 86, 87 and 88 was 6 p.m. on Wednesday, 17 October 1984, and that the list of speakers for the general debate on agenda items 85, 89, 90 and 91 would be closed at 6 p.m. on Monday, 22 October 1984.

The meeting rose at 6.40 p.m.