



Chairman: Mr. Carlos GIAMBRUNO
(Uruguay).

AGENDA ITEM 50

Elimination of all forms of racial discrimination
(continued) (A/8660-S/10528, A/8703, chap. XIV, sect. B; A/8718, A/8767, A/8768 and Add.1, A/8773, A/8779, A/8789, A/8805 and Add.1, A/C.3/629, A/C.3/630, A/C.3/L.1937, A/C.3/L.1939, A/C.3/L.1940 and Corr.1, A/C.3/L.1941, A/C.3/L.1942, E/CN.4/1093 and Add.1-7):

- (a) Reports of the Secretary-General under General Assembly resolutions 2784 (XXVI) and 2785 (XXVI);
- (b) Report of the Committee on the Elimination of Racial Discrimination;
- (c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
- (d) Draft convention on the suppression and punishment of the crime of *apartheid*

GENERAL DEBATE (concluded)

1. Mrs. DIARRA (Guinea) said that on the eve of the twenty-fifth anniversary of the Universal Declaration of Human Rights, it was obvious to everyone that some Member States were failing to comply with the resolutions of the United Nations. Thus, the colonialist Portuguese Government continued to disregard the fundamental principles of the Charter and deny the peoples of Mozambique, Angola, Guinea (Bissau) and the Cape Verde Islands the right to self-determination. In those colonies the indigenous inhabitants were being subjected to every kind of racial discrimination, including discrimination in employment, education and vocational training. A coloured person's life was worth nothing there, and, to protect the racist white minorities, thousands of coloured mercenary soldiers were dying every day in unjust wars imposed by the white colonialists. In Southern Rhodesia, South Africa and Namibia, colonialism was aggravated by the abhorrent system of *apartheid*. Although the population of South Africa included four times as many Africans as whites and five and a half times as many non-whites as whites, more than 80 per cent of the land belonged to people of European origin, to European companies or to the Government, and the Africans were left with only 13 per cent, scattered, sterile and unproductive lands described as "Bantu homelands". Teaching programmes for the Bantu population were deficient and prevented the Africans from playing a useful role

in the life of their communities. Furthermore, black workers were only low-paid labourers, with no right to any kind of social assistance and no right to strike. They held no managerial, supervisory or highly specialized jobs in the country's economy or civil service. The time had surely come for the international community to take effective steps to end the intolerable situation that prevailed in the Portuguese colonies, Southern Rhodesia and South Africa. The United Nations must insist that all Member States should implement the sanctions adopted against those illegal racist and colonialist régimes.

2. Some delegations had suggested that racial discrimination arose out of a problem of civilization and development, but everyone was aware that long before colonization, the African peoples had had their own culture and civilization, which the colonialists had destroyed in their eagerness for domination and exploitation, so that the indigenous peoples had sunk into the abyss of ignorance and loss of human dignity. Despite their false allegations, those delegations knew that the days of colonialism in Africa were numbered and that the African peoples would regain their dignity, their culture and their civilization.

3. The working class of the Republic of Guinea had waged a ceaseless fight against the colonial régime to ensure the implementation of the Universal Declaration of Human Rights. Immediately after independence, the Revolutionary Government had adopted laws and measures against racial discrimination in all its forms and had promulgated a labour code which provided for the right to work, vacations, family services and medical assistance for all workers irrespective of sex, race, colour or religion. Faithful to its policy of opposition to racial discrimination, the Government of the Republic of Guinea would spare no effort to make its contribution to United Nations action aimed at eliminating that scourge, which was the shame of all mankind. Guinea's ratification in March 1966 of the International Convention on the Elimination of All Forms of Racial Discrimination was an example of its unqualified support for the principles of the Charter of the United Nations.

4. Her delegation welcomed the efforts of all United Nations organs concerned with the problem of racial discrimination. In particular, it wished to congratulate the representative of UNESCO for her detailed statement (1916th meeting), supported the programme outlined by the UNESCO representative and endorsed the view that investigations of the causes of racial discrimination should be conducted in the countries in which discrimination was practised.

5. In conclusion, she said that her delegation remained optimistic and believed that the voice of the majority would prevail and that the scourge of racial discrimination and *apartheid* would disappear.

6. Mr. PAPADEMAS (Cyprus) said that it was obviously the general consensus that racial discrimination and *apartheid* constituted a scourge. Beyond that, however, it was important to differentiate between the various degrees of racial discrimination that existed in today's world. In the first rank was *apartheid*, under which racial discrimination was an official institution. The practice of *apartheid* in South Africa made possible the exploitation of the African people and constituted a threat to international peace and security. Every country denounced *apartheid* with greater or lesser vehemence, but some condoned it or supported it covertly or openly, which constituted a criminal act. In the second rank was colonialism, which was being practised in the Portuguese and other colonies. Colonialism was steeped in discrimination against the colonized peoples, but the colonial age was nearing its end. The colonial Territories would sooner or later achieve independence, thanks to the valour of the freedom fighters, and the disappearance of the colonial régimes would be as beneficial to the oppressors as to the oppressed. In the third rank were wars of every kind, which were the result of racial discrimination, or gave rise to it, since subjugated peoples were always victims of discrimination. In addition, there was racial discrimination between nations or between races, which was rooted in historical realities.

7. At the international level, the United Nations had tried to root out racial discrimination through international instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination and the Declaration on the Granting of Independence to Colonial Countries and Peoples. Credit was also due to the ILO for the Discrimination (Employment and Occupation) Convention, adopted in 1958, and to UNESCO for its Convention against Discrimination in Education, adopted in 1960. At the national level, there was racial discrimination in countries whose populations were not homogeneous. Traditions, conventions and educational systems had given some groups a feeling of superiority which could not be eradicated in a short time.

8. He commended the Committee on the Elimination of Racial Discrimination for its excellent work and for the quality of its report (A/8718). His delegation hoped that all Member States that had ratified the Convention would comply with the Netherlands recommendation made at the 1924th meeting to accept article 14 of the Convention, although it understood that the realities existing in each country must be taken into consideration. The draft programme (A/8805, annex) which the Sub-Commission on Prevention of Discrimination and Protection of Minorities had prepared for the Decade for Action to Combat Racism and Racial Discrimination was excellent, but his delegation hoped that it would be regarded as a preliminary draft, subject to examination by the Commission on Human Rights and the Economic and Social Council. He had no

specific observation to make in that connexion and wished merely to suggest, by way of general comment, that the programme should concentrate more on action in specific fields. If the Decade was to produce tangible results, the first step must be taken in the education of children. UNESCO could prepare model textbooks for every country, with a view to bringing up future generations free from any kind of hatred or prejudice. At the same time, racial equality could be imposed through the adoption of conventions and the promulgation of national legislation. Similarly, it was essential that all Member States, the United Nations Secretariat and the specialized agencies should take an active part in the programme for the Decade and that the Third Committee and other United Nations organs should adopt practical measures for eradicating *apartheid* and racial discrimination. His delegation also hoped that all Member States would some day agree on a general code of criminal offences, and it was prepared to support any initiative or convention of that kind.

9. His country had given and would continue to give material and moral support to the peoples of southern Africa in their struggle to eliminate racial discrimination. In the opinion of Cyprus, a satisfactory solution to the problems of racial discrimination, *apartheid* and colonialism and the problem of war and peace would become possible when the international community saw them in their true light and, using a pragmatic approach, tackled and remedied each problem individually.

10. Mr. EVDOKEEV (Union of Soviet Socialist Republics), referring to subitem (d) of the agenda item under discussion, recalled that the General Assembly and the Security Council had adopted numerous resolutions condemning *apartheid* as a crime against humanity which threatened international peace and security. Those resolutions had not, however, yielded positive results, since the system of *apartheid* continued to be enforced and the racist régimes were becoming steadily stronger. Notwithstanding the condemnation of world public opinion, those régimes continued to enjoy the political, economic, military and other support of the imperialist Powers that were protecting them. For those reasons, the delegations of Guinea and the Soviet Union had prepared a draft convention on the suppression and punishment of the crime of *apartheid* (A/8768, annex I) and believed that its adoption would do much to help put an end to that criminal system and punish those who practised or supported it. Most States recognized the need for an international legal instrument of that kind, and the delegations of Nigeria, Pakistan and the United Republic of Tanzania had submitted the draft of a separate protocol on the suppression and punishment of the crime of *apartheid* (A/8768, annex II), to be annexed to the International Convention on the Elimination of All Forms of Racial Discrimination; the fundamental objectives of that draft protocol were identical with those of the draft convention submitted by his delegation.

11. In its resolution 1696 (LII), the Economic and Social Council had emphasized the great importance of the preparation and adoption of an international

instrument for the suppression and punishment of the crime of *apartheid*, considered it essential to complete at the earliest possible date the preparation of a draft international instrument for that purpose and requested the General Assembly to consider the question as a matter of priority at its twenty-seventh session. In the draft prepared by his delegation, *apartheid* was defined as a crime against humanity which violated the purposes and principles of the Charter of the United Nations and the universally recognized principles of international law and which constituted a serious threat to international peace and security. The States parties to the convention would therefore undertake to brand as criminal organizations, institutions and individuals which pursued a policy of *apartheid*.

12. The sponsors of the draft convention had carefully examined the draft protocol, as well as the replies received from Governments (see A/8768 and Add.1), and were prepared to accept most of the constructive proposals made by Kenya, Liberia and the Libyan Arab Republic and some of the provisions of the draft of a separate protocol that were designed to reinforce the principle of international responsibility for the crime of *apartheid*. Specifically, they were prepared to include in the text of the convention articles III, IV, V, VI and VIII of the draft protocol and other provisions that amplified or clarified the text. With respect to article VI, however, the delegations of Guinea and the Soviet Union were of the opinion that, in view of the independent nature of the proposed convention, the information-gathering duties referred to in that article should be entrusted to the Commission on Human Rights. They were also prepared to accept the amendment submitted by the Byelorussian SSR (A/8768, annex IV).

13. Some States had doubted whether it was necessary or useful to approve a convention for the suppression and punishment of the crime of *apartheid* and had pointed out that there already existed a Convention on the Elimination of All Forms of Racial Discrimination in which the practice of *apartheid* was expressly prohibited. They had further observed that the International Covenants on Human Rights also condemned all forms of discrimination based on colour, so that a new international legal instrument would contribute nothing of significance. *Apartheid*, however, was a particularly serious crime, and the proposed convention would be the first instrument concerned specifically with *apartheid* as an especially grave form of discrimination in a legal sense.

14. The sponsors of the draft convention had prepared a revised text (A/C.3/L.1942) that took into account those opinions of other delegations which he had mentioned. They were convinced that it should be possible to complete the work on the draft convention during the current session, thereby making a contribution of the first importance to the struggle against the shameful policy of *apartheid*. They trusted that the new draft would meet with the approval of all members of the Committee.

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.3/L.1939, A/C.3/L.1940 AND CORR.1, A/C.3/L.1941, A/C.3/L.1942)

15. Mr. MOUSSA (Egypt) stressed the importance and necessity of vigorously combating racial discrimination in all its forms. In its resolution 2784 (XXVI), the General Assembly had expressed its conviction that the primary aim of the United Nations in the sphere of human rights was the achievement by each individual of the maximum freedom and dignity and that, for the realization of that objective, the laws of every country should grant each individual, irrespective of race, sex, language, religion or political belief, all the rights inherent in all human beings on the basis of equality, and that the people of every country must be made fully aware of the evils of the policies of racial discrimination and of the ideologies based on racial supremacy and must join in condemning, resisting and combating them. The Assembly had also declared its conviction that the continuation of racism and colonialism could not but seriously hamper the efforts of the international community to achieve peace, justice and progress, and for all those reasons it had invited the Economic and Social Council to request the Commission on Human Rights to submit suggestions with a view to launching continued international action to combat racism on the basis of a "Decade for vigorous and continued mobilization against racism and racial discrimination in all its forms". In its resolution I (XXVIII)¹ the Commission on Human Rights had adopted a set of guidelines for the programme, and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had approved the draft programme, which was reproduced in the annex to document A/8805. That draft programme had still to be submitted to the Commission on Human Rights and thereafter to the General Assembly for consideration.

16. The activities proposed for the Decade were basically educational and informational; their objective was to ensure that future generations would be free from the evils of racism. It must, however, be clearly stated that the work to be carried out under the programme should not conflict with the struggle of the peoples under racist domination to win the dignity and equality to which they were entitled. Those peoples had a duty to fight for their rights, and the United Nations had an obligation to educate children and young people in a spirit of non-discrimination.

17. The representative of Cyprus had said that the programme for the Decade should be action-oriented, but that was already the case, inasmuch as the draft programme laid down specific objectives and goals.

18. He then introduced draft resolution A/C.3/L.1939, providing for the official launching of the Decade for Action to Combat Racism and Racial Discrimination. The decision to launch the Decade would not conflict with the fact that the programme for it still needed further elaboration by the Commission on Human Rights. The delegations of Algeria,

¹ See *Official Records of the Economic and Social Council, Fifty-second Session, Supplement No. 7, chap. XIII.*

Austria, Cyprus, the Gambia, Greece, Jamaica, Sierra Leone, Spain, Turkey, Uganda and Zaire had joined the sponsors of the draft resolution. He drew attention to the fact that, in the second preambular paragraph the word "regional" should be inserted after "national", and the word "cardinal" replaced by "vital". He suggested that the draft resolution should be put to the vote and hoped that it would command the unanimous support of the Third Committee, with which the idea of launching a Decade for Action to Combat Racism and Racial Discrimination had originated.

19. Mr. UTHEIM (Norway) announced that the delegations of Denmark, Finland, Iceland, Sweden and Norway had joined the sponsors of draft resolution A/C.3/L.1939. However, they hoped that there would be an opportunity to review the draft programme for the Decade when it was submitted to the Commission on Human Rights and the General Assembly at their next sessions.

20. Miss LAPOINTE (Canada) said that her delegation would also join the sponsors of draft resolution A/C.3/L.1939; that action was, however, simply an indication of its interest in the draft programme for the Decade.

21. Mr. SEKYIAMAH (Ghana) welcomed the fact that the draft programme for the Decade was supported by the majority of members of the Committee; that gave reason for confidence in the success of the Decade. However, before approving the idea, it would be well to determine what had been achieved during the discussion of the draft programme. His delegation had hoped that the programme would be subjected to a more exhaustive analysis in the Third Committee; some members of that body were also members of the Commission on Human Rights and of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, but others were not, and they might have had more detailed comments and observations to make. Nevertheless, there had been four specific and very important suggestions to which the Commission on Human Rights should pay special attention.

22. First, it had been suggested that the seminars and the world conference which were envisaged in the draft programme should be action-oriented and should have a practical objective; for instance, that the conference should place emphasis on measures to ensure the implementation of General Assembly resolutions. Secondly, several representatives had commented on those parts of the draft programme which concerned the need to increase funds for southern Africa; in that connexion, it had been suggested that the Commission on Human Rights should study the possibility of giving material and financial assistance to liberation movements struggling against discrimination. Thirdly, it had been stressed that the programme should have a wide scope and that all the organs in the United Nations system, non-governmental organizations and other institutions concerned, should participate in it. The Rapporteur, for instance, had mentioned the role which

could be played by the World Peace Council. Lastly, it had been emphasized that there should be machinery to co-ordinate all the activities undertaken during the Decade. Needless to say, without such co-ordination the Decade might well prove a failure.

23. In addition to those four suggestions there had been others, which should also be reflected in the report of the Third Committee, in order that the Commission on Human Rights could take them into account.

24. Mr. SCHREIBER (Director, Division of Human Rights) said that draft resolution A/C.3/L.1939 had no financial implications for the time being, since it dealt with the draft programme for the Decade for Action to Combat Racism and Racial Discrimination, which still had to be submitted to other United Nations organs for consideration.

25. However, as he had already pointed out to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, if the draft programme was approved in its existing form, it would in fact have financial implications. It was extremely difficult to be more specific at that stage because the draft programme did not give sufficient details on the activities envisaged. For instance, the duration and programme of the proposed world conference had not been specified. Furthermore, the nature of the studies to be undertaken would depend on approval by the competent United Nations organs. Similarly, consultations would have to be held in order to decide what co-ordination work would be done by the United Nations, the specialized agencies and other international institutions. After those activities had been decided upon and had been studied by the competent organs, the Secretary-General would be able to state with the necessary precision the financial implications of each of the activities envisaged.

26. The CHAIRMAN said that if there was no objection, he would take it that the Committee had decided to adopt unanimously draft resolution A/C.3/L.1939, as orally revised by the representative of Egypt.

Draft resolution A/C.3/L.1939, as orally revised, was adopted unanimously.

27. Mr. ELEIH ELLÉ (Cameroon), speaking in exercise of the right of reply, said that at the previous meeting the delegation of Portugal had once again overtaxed the patience of the international community and wasted its valuable time. The Portuguese representative had gone so far as to say that his country did not practise colonialism. He had repeated the nonsensical statement that the Portuguese colonies in Africa were overseas portions of Portuguese territory. Sad to say, Portugal still imagined that it had an empire extending from the Iberian Peninsula to the Indian Ocean. There was only one Portugal in the world, and that was in Europe. Mozambique, Angola and Guinea (Bissau) were African countries, each with an identity of its own, and they would soon gain their independence.

28. Portugal claimed that a social problem—that of discrimination—could not be solved by political means; it forgot that it was itself trying to solve such a problem by using force. In the face of armed uprising by oppressed peoples seeking their freedom, Portugal talked of building a new social order. Was it in order to build that new society that increasing numbers of Portuguese were being settled in the African Territories?

29. Perhaps the Committee was not yet weary of hearing Portugal repeat the same old story year after year, but the Africans certainly were; convinced that the cause of those who fought for freedom, justice and independence was a legitimate one, they would not slacken their efforts.

30. Miss MARQUES PINTO (Portugal) stated that although her delegation had supported draft resolution A/C.3/L.1939, it did not agree with the references that had been made in connexion with it. The statements during the general debate had been marked by political and demagogic intentions. Steps must be taken to keep the Third Committee from turning into a political body.

Her delegation wished to protest against the insulting and slanderous statements which had been made.

31. Miss GENDRON (Canada) welcomed the unanimous adoption of draft resolution A/C.3/L.1939. At the same time, she suggested that the Committee's report should include a paragraph to the effect that Member States could transmit their comments on the programme for the Decade for Action to Combat Racism and Racial Discrimination to the Secretary-General, who would make them available to the Commission on Human Rights and the Economic and Social Council when they considered the programme. In that way, the opinions of Governments would be reflected in the final programme before it was submitted to the General Assembly for approval.

32. The CHAIRMAN said that if there was no objection, he would take it that the suggestion by the representative of Canada was accepted and would be reflected in the report.

It was so decided.

The meeting rose at 5.05 p.m.