



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.1940-1942, 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*

CONSIDERATION OF DRAFT RESOLUTIONS
(continued) (A/C.3/L.1940-1942)

1. Mr. BOUAKAZ (Algeria) said that Democratic Yemen had joined the sponsors of draft resolution A/C.3/L.1940 and that operative paragraph 3 had been redrafted to read:

"Recommends that the Commission on Human Rights should consider the question of exploitation of labour through illicit trafficking at its next session, as proposed in Economic and Social Council resolution 1706 (LIII), as a matter of priority".

2. The sponsors of the draft resolution were concerned about the discriminatory measures imposed on foreign workers in western Europe and considered that those measures were linked with the racial discrimination to which some workers were subjected. The reference in the preamble to the activities of the International Labour Conference and the Economic and Social Council showed the importance attached to the social and humanitarian aspects of the question and the sponsors urged that the Governments of host countries should respect the international instruments referred to. The draft resolution had been considered by the different regional groups and, in view of its importance, the sponsors hoped that the Committee would approve it without discussion after the Uruguayan representative had introduced draft resolution A/C.3/L.1941.

3. Mr. VAN WALSUM (Netherlands) said that he had no objection to the Committee considering a draft resolution on migrant workers in Europe, but he could not accept the proposal that it should take such a hasty decision without considering the text. Moreover, he had not had time to obtain instructions from his Government. He proposed that the Committee should follow its normal procedure of considering the draft resolution and take its decision within the proper time allowed. Approval of a text without due consideration would set an undesirable precedent.

4. Mrs. WARZAZI (Morocco) said that there was nothing abnormal in the procedure proposed, which was often followed, particularly in the Fourth Committee. The sponsors merely wished to avoid discussion on a familiar topic and on a text which had the agreement of many delegations; but they would not oppose a debate.

5. Mr. BELTRÁN (Uruguay), introducing draft resolution A/C.3/L.1941, said that it was related to subitem (b). His country had ratified the International Convention on the Elimination of All Forms of Racial Discrimination and the report of the Committee on the Elimination of Racial Discrimination (A/8718) was satisfactory, comprehensive and of great value to the Third Committee. The draft resolution was perfectly clear and needed no further explanation.

6. Mrs. BARISH (Costa Rica) said that the Uruguayan draft resolution was very satisfactory and her delegation would like to become a sponsor of it. She was not in a position to vote on draft resolution A/C.3/L.1940, as she had not received instructions from her Government.

7. Mr. DE LATAILLADE (France) said that his delegation would have to abstain in a vote on draft resolution A/C.3/L.1940: it would explain the reasons later as it was not in a position to do so at that stage. His delegation would not, however, be opposed to the draft resolution being put to the vote if that was the Committee's wish.

8. Mr. LÖFGREN (Sweden) said that his Government attached great importance to the question but his delegation was not as yet in a position to vote. He asked for the vote to be postponed to the following day.

9. Lady ELLES (United Kingdom) said that she had no objection to the question of migrant workers being taken up: her Government attached the greatest importance to it; but the draft resolution (A/C.3/L.1940) had

not been studied by the members of the Committee and the arguments advanced were too sketchy. Moreover, she wondered why one particular geographical region was mentioned, when the problem existed in many countries of the world. She asked for the vote to be postponed to the following day, so that delegations would have time to consider the text, if necessary in informal discussions.

10. Mr. ARÍZAGA (Ecuador) said that he found draft resolution A/C.3/L.1941 satisfactory.

11. His delegation approved draft resolution A/C.3/L.1940 on the whole, but was opposed to the words "including European countries" in the fifth preambular paragraph, since the problem was not confined to Europe. The draft resolution was one on which delegations would have to obtain instructions; he therefore supported the proposal to allow them the necessary time to consult their Governments.

12. Mr. BOUAKAZ (Algeria) said that, owing to shortage of time, some delegations had not been consulted. The text of draft resolution A/C.3/L.1940 had, however, been finalized by the African group and European countries had been consulted and the sponsors had tried to take into account the objections made. The reference to European countries was based on Economic and Social Council resolution 1706 (LIII) in which Europe was mentioned. The countries in question had voted in favour of that resolution. He saw no objection, however, to postponing a vote until later.

13. Mr. MOUSSA (Egypt) and Mrs. WARZAZI (Morocco) requested that, if the vote on draft resolution A/C.3/L.1940 were deferred, the vote on draft resolution A/C.3/L.1941 should also be deferred.

14. Miss CAO-PINNA (Italy) said that if there were no other matters to be considered, she could explain her vote on draft resolution A/C.3/L.1940 in order to save the Committee's time.

15. Her country was grateful to the sponsors of the draft resolution for drawing the attention of the General Assembly to one of the most important questions of the day and one which was causing a great many problems in both emigrant and immigrant countries. The Italian delegation would therefore vote in favour of the draft resolution. The fact that the United Nations had not hitherto been greatly concerned with the question of migrants was not due to lack of interest: it was because of the ILO's special competence in the matter. It was therefore appropriate that reference was made in the fourth preambular paragraph of the draft resolution to resolution IV of 27 June 1972, adopted at the fifty-seventh session of the International Labour Conference, which dealt in greater detail with equality of treatment for migrant workers. In her opinion, the members of the Committee would do well to study that resolution. Draft resolution A/C.3/L.1940 was submitted under agenda item 50 which embraced many problems, but as far as Italian workers at least were concerned, the discrimination to which they were subjected was based on nationality or social consider-

ations, and not on race. Regarding the European countries mentioned in the draft resolution, the problem was not new to them since the question of migration had been debated at length in August 1972 at the Hague at the International Conference of Ministers Responsible for Social Welfare organized under the auspices of the United Nations. The conclusions and recommendations of the Conference opened the way to consideration of that important matter by the Organization.

16. Mr. LEHTIHET (Algeria) drew attention to an error in translation in the English version of the fifth preambular paragraph: the word "*notamment*" should be translated as "in particular", not as "including".*

17. The CHAIRMAN said that, since the vote on the two draft resolutions had been postponed, he would invite the representative of Israel to speak in the exercise of his right of reply.

18. Mr. LOSHCININ (Byelorussian Soviet Socialist Republic), speaking on a point of order, said that at the preceding meeting the Committee had concluded the general debate and moved to consideration of draft resolutions; he wondered therefore if it would be possible for a representative to exercise his right of reply.

19. Mr. ALLAGANY (Saudi Arabia) said that, whenever there was agreement in the Committee, Israel asked to exercise its right of reply, which led to the exercise by others of their rights of reply.

20. The CHAIRMAN recalled that the representative of Israel had said that he intended to reply, and that in accordance with usual practice which applied to all members of the Committee, he was giving him the floor.

21. Mr. LOSHCININ (Byelorussian Soviet Socialist Republic) said that, according to rule 117 of the rules of procedure regarding the closing of the list of speakers and the right to reply, a representative who wished to exercise his right of reply had to be placed on the list of speakers during the debate. Under that rule, it was thus too late for any speaker to exercise the right of reply.

22. Miss WILLIAMS (New Zealand) said that she was not opposed to the representative of Israel exercising his right of reply, but she recalled the recommendations of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly to the effect that representatives should use the right of reply moderately and should try to be brief.

23. The CHAIRMAN said that the Special Committee had indeed made such recommendations and he would ask the representative of Israel to take that into account during his reply.

24. Mr. EILAN (Israel), exercising his right of reply, said that he preferred to let an Arab voice answer the accusations made against Israel by representatives of

* Correction subsequently circulated as document A/C.3/L.1940/Corr.1.

Arab countries. He then read out extracts from an article written by Mr. Nabil Khury and published in the Beirut Newspaper *Al-Hawadess* on 23 April 1971. The author, an Arab journalist who had just visited Israel, recalled the miserable living conditions of the workers of the West Bank under the Jordanian Government and he described the improvements in their condition made by the Israeli authorities. The small shop-owners, to whom the Bank of Israel had offered long-term loans, and the professionals had not been affected by conquest. Accordingly, the Arabs in the area, aware that they were finally able to live as human beings, felt that the final solution was never to return to Jordanian rule.

25. Nevertheless, Israel was not satisfied with the economic progress made and was constantly searching for solutions that would extend self-government: recently, free municipal elections had been held on the West Bank. It was that constant improvement in relations between Arabs and Jews which caused unhappiness among the 18 Arab States represented in the United Nations.

26. The representative of Egypt had accused Israel of introducing an element of acrimony into the debates; yet, it was the representatives of Arab countries who had first made allegations and accusations against Israel. It was they who, each year, introduced into the debates a subject which was purely political and which was the result of a war begun in 1948.

27. The representative of the Syrian Arab Republic had left unanswered questions which Israel had drawn to the attention of the Committee and which directly referred to human rights: the Jewish cemetery and Jewish schools in the Syrian Arab Republic had been closed; Jews were barred from selling their homes or real estate; travel restrictions had been imposed on Jews. He also wished to know why Jews had been subjected to curfew, why Jewish stores were marked with red paint, why Jewish residents had to report daily to the authorities, why the synagogues were under surveillance and why only Jews had special identity cards stamped "Jew" in red letters and with the word "Jew" diagonally inscribed across the entire page.

28. The Syrian representative had mentioned (1925th meeting) criticism made both by the Israelis and other nationals regarding living conditions in Israel and in the territories administered by the Israeli Government. Israel was a democratic State where freedom of speech was exercised. The absence of criticism in the Syrian Arab Republic did not mean the absence of oppression and discrimination; it meant only that the Syrian authorities did not allow their nationals the right of freedom of expression, which was a fundamental right of the human person. The Syrian representative had cited Mr. Abdul Aziz Zuabi, an Arab, without mentioning that he was a member of the Israeli Parliament and the Deputy Minister of Health. On the day when a free Syrian press could criticize the Syrian Government and when a Syrian Jew could speak as a member of the Syrian Government, Israel would be inclined

to give more credence to the protestations of the Syrian representative regarding the status of Jews in that country.

29. He proposed to return to the question of discrimination against Jews wherever they might be, without descending to the level of the vituperations which had marked the statement by the representative of the Byelorussian Soviet Socialist Republic.

30. Mr. JOUEJATI (Syrian Arab Republic) said that the sources quoted in his statement were authentic and that he would place the texts at the disposal of members of the Committee so that they could judge the truthfulness of the article quoted by the representative of Israel. As to the participation by Arabs in the Israeli Government, the position occupied by Mr. Zuabi was unimportant and his presence in the Government served only to mask the practices of racial discrimination in the occupied territories. The representative of Israel had made allegations with regard to Jews living in the Syrian Arab Republic; he would place before the Committee testimony and proof of the real situation. Israel was trying to hide its expansionist tendencies by diverting the Committee's attention.

31. Mr. MASRI (Jordan) said that his delegation reserved the right to reply to the statements made by the representative of Israel on the condition of the Arabs living on the West Bank of the Jordan.

32. Mr. MOUSSA (Egypt), speaking in exercise of the right of reply, said that the representative of Israel had given a warped description of the situation in the occupied territories and he called the Committee's attention to the facts mentioned in the 1971 annual report of the International Committee of the Red Cross. That report stated, *inter alia*, that the Israeli Government's policy was to eliminate all vestiges of the Palestinian presence in the occupied territories; the Israeli authorities were mistreating the population and were conducting mass arrests; they were destroying villages and homes and were evicting the Palestinians from the occupied territories and transporting them to concentration camps in the Sinai. They were expropriating property and establishing Jewish colonies in the occupied territories. The truth regarding the working conditions of the Arab population living on the West Bank of the Jordan was that the Arabs were condemned to starvation and had to accept any type of work offered. That was forced labour, as in South Africa, and the argument regarding work was a colonial argument. The representative of Israel had said that the Arabs on the West Bank were finally living as human beings. Was that possible under foreign racist occupation? As to Gaza, that was a city in revolt and it was revolting against Israel. The Israeli Government claimed that it spoke for Jews throughout the world; therefore it was to be hoped that it heard the voice of oriental Jews who, like the oppressed Arab Jews were, in Israel, considered second-class citizens.

The meeting rose at 12.30 p.m.