

UNITED NATIONS
General Assembly
FORTY-FIFTH SESSION
Official Records

THIRD COMMITTEE
3rd meeting
held on
Monday, 8 October 1990
at 3 p.m.
New York

SUMMARY RECORD OF THE 3rd MEETING

Chairman:

Mr. SOMAVIA

(Chile)

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Distr. GENERAL
A/C.3/45/SR.3
22 October 1990
ENGLISH
ORIGINAL: SPANISH
/...

90-56113 2697S (E)

16p.

The meeting was called to order at 3.20 p.m.

ELECTION OF THE RAPPORTEUR

1. Mr. GROLIG (Germany) nominated Mr. Mario de León (Philippines) for the office of Rapporteur.
2. Mr. de León (Philippines) was elected Rapporteur by acclamation.

STATEMENT BY THE DIRECTOR-GENERAL FOR DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION

3. Mr. BLANCA (Director-General for Development and International Economic Co-operation) said that the issues before the Third Committee touched each and every aspect of the human condition. They included the need for the full and unhindered enjoyment of human rights, the exercise of the right to self-determination, the need to protect and promote the interests of vulnerable social groups, drug abuse control, and crime prevention and criminal justice. The dramatic increase in the awareness of fundamental rights among citizens of all nations had contributed to far-reaching changes in political and economic systems in many parts of the world. At the same time, increases in drug-related offences and in crime in general were eroding social structures and had made civil administration and governance almost impossible in many parts of the world. Those were issues that not only affected life in a direct and personal way, but also determined how societies were organized and how they interacted with each other.
4. The extraordinary political events of 1989 and the process of democratization taking place in several parts of the world were contributing to a new emphasis on those questions. The erosion of ideological differences, the cause of world-wide tension during the past 40 years, would strengthen international co-operation. The issues before the Committee needed to be seen in a new broad perspective, with the full realization that economic development and social progress were a sine qua non for a just and lasting peace.
5. His intention was to focus on two themes: first, on the need to take advantage of recent political developments in order to achieve progress on social-development and human-rights issues; second, on the importance of restoring the link between economic and social questions and human-rights issues.
6. One of the by-products of the political developments had been an improved international atmosphere. The opening up of political processes and economic arrangements, and the resurgence of democratic movements stemmed mainly from mounting internal pressures. Experiences in other countries and the lack of improvement in economic conditions contributed to the pressure for political and economic reforms. The current period of transition was a complex one, but the process that had been set in motion would surely create favourable conditions for the enjoyment of human rights and civil liberties. It was therefore not a time for confrontation, but a period in which it was necessary to consolidate the current trends and encourage the nascent movement towards democratization.

(Mr. Blanca)

7. A better future would not come by itself. In much of the developing world, economic stagnation was impeding social progress and the enjoyment of fundamental human rights. One of the concerns that emerged from the recent political changes was that the safety net provided by socialism in the area of welfare and social services might be lost in the transition towards a free-market economy. While the end of the cold war was a welcome sign, it was important to ensure that social services, the central features of centrally-planned economies, were fully reflected in the economic and political framework that was likely to replace the old order.

8. He reiterated that the close link between economic and social issues had often been ignored. Economic deprivation had often been the root cause of many of the social ills that afflicted the global society. In his capacity as Director-General for Development and International Economic Co-operation, he had an opportunity to witness, at close range, the global economic and social landscape, the requitals of development and the tribulations of underdevelopment, the intransigence of the privileged and the helplessness of the dispossessed. Lasting world-wide peace could be achieved only when economic and social justice was realized not only within nations but also among them. Unfortunately, the gap between the developed and the developing countries was continuing to grow. Often that disparity derived from an unjust trading environment, and from economic and financial systems that favoured the powerful. Those disparities caused political tension and social disorder. One example was the unprecedented level of migration from the developing to the developed countries. That was similar to what was happening within many developing countries, where neglect of the agricultural sector had prompted major population shifts from rural to urban areas, leading to the senseless creation of megalopolises. In that context, the adoption of an international convention on the rights of all migrant workers and their families would help to lessen the possibility of social and cultural dislocation and economic exploitation.

9. The disparities at the global level were also being reflected at the national level, where the emergence of parallel societies - one rich and powerful, the other deprived and dispossessed - had led to the creation of distinct and sharply separated economic and social classes. That had contributed to alarming increases in crime at the national and international levels, and had aggravated the problem of drug abuse, illicit production and trafficking. Consequently, there was a need to ensure that national economic and social policies addressed that issue by enabling the society to share the benefits of economic progress and the exercise of political authority, on an equitable and just basis.

10. It was important for the Committee to address the social issues on its agenda in the broader context of human development, which after all was the central focus of concern. It was self-evident that an improvement in economic conditions in the developing countries would promote the full enjoyment of human rights by their citizens. In the developed countries, removal of economic and social disparities would contribute to that process. The importance of the economic dimension of social and humanitarian issues - and of the social dimension of economic issues - must not be underestimated. In that connection, it might be useful to strengthen the link between the work of the Third Committee and that of the Second Committee, through joint informal consultations on specific issues.

(Mr. Blanca)

11. The Third Committee would be considering the report of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, recently held at Havana, Cuba. He had represented the Secretary-General at the Congress. At Havana many Governments had recognized that increased criminality and corruption in public administration were among the factors impeding economic growth and social development, thus underscoring the relationship between economic and social issues. The Third Committee would also be addressing a number of issues concerning United Nations activities in the field of drug abuse control. Drug abuse was a problem gnawing at the very fabric of society. Fortunately, the General Assembly at its special session on that question in February 1990, and the world ministerial summit in London on the illicit demand for drugs and the cocaine threat had demonstrated the strong resolve of the international community to attack all dimensions of the problem in a coherent manner, through multilateral action. The United Nations would need to be fully capable of effectively carrying out new programmes to combat drug abuse. In that context, the Committee would have an opportunity to consider the Secretary-General's proposals on the restructuring of the relevant United Nations units. The Committee's decisions would affect the manner in which the United Nations would carry out its future role and responsibility in that area.

12. In conclusion, he stressed the importance of rationalizing the Committee's programme of work. That had become all the more necessary at a time when the political changes and the disappearance of rhetoric from the Committee's deliberations could pave the way for genuine progress in its work.

AGENDA ITEM 88: 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 (A/45/552)

AGENDA ITEM 91: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (A/45/18, A/45/139, A/45/140, A/45/174, A/45/178, A/45/202, A/45/203, A/45/216, A/45/222, A/45/225, A/45/254, A/45/265, A/45/269, A/45/402, A/45/406, A/45/579)

AGENDA ITEM 98: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (A/45/3, chap. III, sect. A; A/45/174, A/45/443, A/45/525)

AGENDA ITEM 103: 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 (A/45/488, A/45/500)

13. Mr. MARTENSON (Under-Secretary-General for Human Rights) said that human rights might well be the field in which the United Nations had made the most extensive progress. As the Secretary-General had pointed out in his report on the work of the Organization (A/45/1), the past year had seen the conversion of human rights from a subsidiary theme of the international discourse to a dominant concern. Respect for human rights was fundamental if United Nations peace-keeping operations were to be successful. In addition, the relationship between economic

(Mr. Martenson)

and social development and human rights was becoming increasingly evident. The Secretary-General had also spoken in his report of the interdependence of the three major objectives of the United Nations in the following terms: "Resolution of conflicts, observance of human rights and the promotion of development together weave the fabric of peace; if one of these strands is removed, the tissue will unravel." The very grave consequences of the malfunctioning of the international economy, which caused some nations to grow increasingly richer while others become poorer, had also been stressed by the Secretary-General. In that respect, it should be borne in mind that in article 28 of the Universal Declaration of Human Rights, it was affirmed that "everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized".

14. Human rights must also be an important element in economic development, and stress must be laid on the need to measure that development by improvements in human lives and not exclusively in monetary terms. National development policies must ensure that economic and social progress was shared by all. The Declaration on the Right to Development adopted in 1986 had laid a foundation for the integration of human rights concepts into the planning, execution and evaluation of development projects so that respect for human rights and the effectiveness of those projects were strengthened and secured.

15. A study of the human rights situation in the world today revealed a picture of sharp contrasts. Over the past few years amazing changes had taken place in many parts of the world. In eastern and central Europe, Latin America and Asia, democratic movements had enabled people to control their own destinies; Namibia was now a United Nations Member State, and the prospect of a non-racial democracy in South Africa in the not too distant future was not unrealistic. On the other hand, each day brought reports of torture, killings and arbitrary or summary executions of people; the violent oppression of dissent; discrimination and other violations of human rights. In many places religious and cultural freedom did not exist, and some people were still denied the right to self-determination. A resurgence of expressions of racial hatred, intolerance and discrimination appeared to be taking place. In 1990 special attention had been focused on the rights of the child, which had made it possible, among other things, to acquire full knowledge of the plight of millions of children in developed and developing countries.

16. Consequently, in some parts of the world, although international tension and sterile ideological confrontation had been reduced and international co-operation increased, it should not be forgotten that failure to ensure respect for human rights could well ignite renewed discord and conflict in the future. The objective for the immediate future must be to ensure respect for human rights throughout the world. In order to achieve that objective, the existing international machinery for the protection of human rights must be maintained and reinforced. Efforts in the field of public information must touch every corner of the globe in order to create a true universal culture of human rights.

(Mr. Martenson)

17. With the coming into force of the Convention on the Rights of the Child and the possible adoption of the Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, the United Nations human rights programme would embark on the implementation of a new type of human rights instrument - an instrument which covered practically the whole range of human rights in respect of a particular group of people. In that regard, he said that the Convention on the Elimination of All Forms of Discrimination against Women would provide a valuable precedent.

18. Another important element of the future work of the United Nations would be to enlarge the participation of people in the adoption of decisions affecting their lives. Over the past two or three years, democratic political institutions had been established or restored in a number of countries, and calls were being made to increase the direct participation of people in public affairs. Non-governmental organizations were instrumental in encouraging participation, and ways should be explored of permitting people of regions where non-governmental organizations had been slow in developing to establish non-governmental organizations or to strengthen those which already existed.

19. Another subject of particular concern for the future was that of finding ways of promoting the peaceful and constructive solution of problems affecting minorities. For about 10 years the Commission on Human Rights had been preparing a draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities. In 1990, considerable progress had been made in that respect in that the first reading of the draft declaration had been completed. Everything possible should be done to come to a peaceful and constructive solution of the problems confronting ethnic, religious, national, linguistic and other minorities since those problems could have a destabilizing effect at national and international levels.

20. During recent years, the work-load of the Centre for Human Rights had grown dramatically while its resources had diminished, as described in the Secretary-General's report to the Economic and Social Council on the matter (E/1990/50). As noted by the Secretary-General in that report, the resources available to the Centre for carrying out an expanding programme of work were beginning to prove dangerously insufficient. And in that sphere of United Nations activities, human dignity and individual human lives and well-being were at stake. The human being was at the centre of all United Nations activities in the field of human rights. The budget of the Centre for Human Rights amounted to less than 1 per cent of the regular United Nations budget. Furthermore, a not insignificant part of the Centre's resources (just under 14 per cent) was used to enable representatives of Governments and expert members of Committees and similar organs to take part in meetings of such bodies. Another 5 per cent went towards support activities. The remaining funds must support the basic activities of the human rights programme approved by the General Assembly and other organs. At the session now under way, the Third Committee was beginning to consider four key human rights items on the General Assembly's agenda, three of which concerned United Nations activities against racial discrimination (one of them referring to South Africa in particular) and the fourth dealing with the realization of the fundamental right of people to self-determination.

(Mr. Martenson)

21. The fight against racial discrimination and racism was at the very foundation of the Organization's work in the field of human rights, and since the first session of the General Assembly, the utmost importance had been attached to the issue of discrimination. The abhorrent system of apartheid, the most clearly institutionalized form of racism, had attracted the highest degree of attention from the United Nations over the years. The Charter itself insisted upon "the equal rights of men and women and of nations large or small" and urged respect for human rights "without distinction as to race, sex, language or religion". Racial discrimination gave rise not only to internal tensions but also to conflicts between States which could endanger international stability. Within any society, discrimination prevented the full participation of all groups and all citizens in the economic, political and social processes.

22. The United Nations had adopted a series of cardinal documents aimed at eliminating racism and apartheid. Moreover, the General Assembly had proclaimed the period 1973-1983 the United Nations Decade for Action to Combat Racism and Racial Discrimination and the period 1983-1993 the "Second Decade to Combat Racism and Racial Discrimination". The basic objectives of those two decades had been to promote human rights and fundamental freedoms for all without distinction as to race, sex, language or religion; to eliminate prejudice and racial discrimination; and to abolish régimes and policies based on racism. With those objectives in view, the Assembly had approved a broad programme of activities for the two decades. The Committee had before it a most valuable report by Mr. Eide on the achievements made and obstacles encountered during the First Decade and the first half of the Second Decade. That report also contained many suggestions worthy of consideration.

23. The activities promoted by the United Nations in that field included the strengthening of national legislation and institutions for the prevention of racism and the promotion of racial harmony. Priority had been given to the preparation of model legislative texts on anti-discrimination. Expert advisory services were also offered to assist Governments in integrating model norms into their specific constitutional and legislative context. The first draft of model legislation against racial discrimination had been prepared, and it was his intention, if resources were available, to organize in 1991 a meeting of experts from human-rights bodies and the academic and legal communities and also those involved directly in the fight against racism in order to critically review the model text.

24. As would be seen from the Secretary-General's report on the Second Decade, the Assembly, in resolution 42/47, had prescribed a number of activities to be implemented during the second half of the Second Decade and had asked that they should be reflected in the proposed budget for each biennium (1990-1991, 1992-1993). Prior to that, the activities of the Second Decade had been funded out of extra-budgetary resources. As requested, the activities for 1990-1991 had been incorporated in the regular work programme of the Centre for Human Rights but, owing to the budgetary restriction prevailing at that time, there had been no increase in regular resources. That was a serious handicap for the activities of the Second Decade.

(Mr. Martenson)

25. Key elements in the efforts to fight racism and racial discrimination were the International Convention on the Elimination of All Forms of Racial Discrimination and the Committee on the Elimination of Racial Discrimination. The Committee's work had, however, been impaired for the fifth consecutive year by its financial difficulties. Owing to the non-payment by several States parties over a number of years of their assessed contributions under the Convention, the spring session of the Committee had had to be cancelled. Fortunately it had been possible to hold a session in August 1990. At that session, the Committee had examined 41 reports submitted by 21 States parties under article 9 of the Convention. He urged States parties which had not yet done so to fulfil their financial obligations in order to allow the Committee to pursue its work.

26. In connection with that item, the Third Committee also had before it information on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid. The fight against apartheid had been a major component of United Nations actions for equality and against discrimination and was a crucial element of the Second Decade. The report of the Special Rapporteur on the adverse consequences for the enjoyment of human rights of assistance to the colonialist and racist régimes of southern Africa was available to the Third Committee in document E/CN.4/Sub.2/1990/13 and Add.1.

27. One of the purposes of the United Nations was "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples". The right to self-determination had been repeatedly qualified by the General Assembly as a prerequisite for the full enjoyment of all fundamental human rights. Self-determination was one of the pillars of the international human-rights order. At the previous session, the General Assembly had adopted three resolutions on the exercise of the right to self-determination, and had requested a report - now before the Committee - on the strengthening of assistance to colonial Territories and peoples by Governments, organizations of the United Nations system and intergovernmental and non-governmental organizations. A report had also been requested on the question of the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination.

28. In the period since the very first session of the General Assembly, the United Nations had put into place a true international code of human rights, of which the Universal Declaration of Human Rights formed the centrepiece. There was also a system of committees of independent experts charged with monitoring State compliance with their international undertakings, encouraging respect for human rights and dealing with individual complaints. Three other methods of implementing United Nations human-rights norms had evolved over the years: the consideration by the Commission on Human Rights through special rapporteurs or a working group of individual reports on particularly serious violations of human rights, the study by the Commission and the General Assembly of the human-rights situation in specific countries or territories, and the consideration by the human-rights organs of petitions from individuals and organizations which tended to show patterns of serious violations of human rights. In each of those areas, a major objective was to establish dialogue with the Governments concerned.

(Mr. Martenson)

29. The work of the United Nations, in setting human rights standards had served to encourage the adoption of national legislative norms which benefited millions of people. However, it was not at the international level, but rather at the national and local levels, that the enjoyment of human rights must be realized. Recent years had seen an expansion of the human rights programme aimed at fostering conditions for the enjoyment of human rights. The first requirement for effective national protection was widespread knowledge among a country's citizens of their basic human rights and the procedures available to ensure that such rights were respected. In that connection, the General Assembly had launched the World Public Information Campaign on Human Rights in 1988. The second requirement was the existence of adequate national laws and institutions. The United Nations programme of advisory services and technical assistance in the field of human rights provided the services of experts in legislation and constitutional law so that countries could revise their legislation and establish national institutions. As a result, national human rights commissions had been established and the penal code and other laws had been revised.

30. The conceptual foundation of the United Nations human rights programme was the relationship between legislation, implementation and information/education, which had made it possible to determine the programmes underlying priorities and ensure the maximum and most effective possible use of the insufficient resources available to it. The programme focused on the information/education element, for in order to know one's rights, one must be aware of them. Accordingly, an effort was being made to spread the human rights message to all regions and all communities, and to respond effectively and efficiently to the growing need for information expressed by Governments, groups and individuals in all Member States. Indeed, the greater the awareness, the greater the number of ratifications, requests and actions in the human rights field.

31. In the past 45 years, the United Nations had achieved real progress in the legal definition of basic human rights requirements, the creation of an ever more effective system of implementing international human rights standards, and, most recently, in the elaboration of programmes designed to strengthen national institutions and mechanisms to protect human rights. At the conceptual level, a better understanding had been achieved of the reciprocal relationship among the various human rights and the role they played in promoting the other objectives of the United Nations.

32. However, much remained to be done and it was essential to ensure that human rights became a reality and were implemented so as to secure peace and universal well-being. It was time to review the progress achieved, assess the work being done and attempt to chart the future path of human rights efforts. In that regard, the report on the proposed world conference on human rights demonstrated the general convergence of views which prevailed among Governments, specialized agencies, United Nations organs and non-governmental organizations on the desirability of organizing such a Conference.

33. Mr. BERNALES BALLESTEROS (Special Rapporteur) introduced the report on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination (A/45/488). The report took up, in particular, mercenary activities in Africa, the attack on Maldives and developments in the Central American conflict.

34. In the chapter on Africa, the report covered the coup d'état in the Comoros in November 1989; the current situation in Angola regarding the military activities of UNITA and developments in South Africa in connection with reports of mercenary activities in which the South African Government appeared to be directly or indirectly involved. It also drew attention to encouraging signs of a possible change in the policy of apartheid.

35. The mercenary attack on Maldives had been aimed at a legally constituted Government. At issue was the use of an internal conflict in a third country. The sovereignty of Maldives had been seriously affected when it gave up territory to mercenaries of that third country. Hostile, illegal activities had been fomented against a third country and had sparked dangerous tension, in view of the illegal arms and drug trafficking in the Indian Ocean and the potential militarization of that region.

36. Lastly, he referred to the détente in Central America, particularly the end of the conflict in Nicaragua, the process of ratification of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, together with its conclusions and recommendations, and the solution of various protracted regional conflicts. In order to make way for a climate of détente and peace, the international community would have to remain vigilant and demonstrate that it was prepared to impose sanctions in order to help eliminate any type of mercenary activity detrimental to the self-determination and human rights of peoples.

37. Mr. TRAXLER (Italy), speaking on behalf of the European Community and its 12 member States, said that the Community had repeatedly condemned all forms of racism and racial discrimination, in particular in the Declaration of the European Council on Anti-Semitism, Racism and Xenophobia, drawn up at Dublin on 25 and 26 June 1990. The European Community considered any form of discrimination as an offence to human rights and fundamental freedoms and a denial of the principle of equality, justice and liberty for all.

38. No society was immune to that shameful practice, but it was incumbent on all Governments to pursue policies which tackled the problem, taking an approach which combined legislation with education, in order to eradicate prejudices and hostility based on ignorance and fear. In that connection, the European Community attached great importance to the promotion of understanding and tolerance among all races.

39. The year 1990 marked the observance of the twenty-fifth anniversary of the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination. With 130 States parties, it had the greatest number of ratifications or accessions ever attained by any human rights instrument. Now the

(Mr. Traxler, Italy)

less, the Committee on the Elimination of Racial Discrimination, the body responsible for monitoring the implementation of the Convention, faced serious financial difficulties because some States parties had not met their obligations. Therefore, the Twelve reaffirmed their readiness to study all proposals in that regard, including those contained in resolution 1990/25 of the Commission on Human Rights, so that CERD and other human rights supervisory bodies could fulfil their mandates.

40. The commitment of the international community to fighting against racism had been manifested in 1983, in the proclamation of the Second Decade to Combat Racism and Racial Discrimination. The Twelve hoped that the consensus approach would be resumed and continued so that the objectives of the Decade could be achieved, and they commended the Secretary-General for his report on the implementation of the Programme of Action for the Decade. In 1989, the Twelve had continued to support the activities of the Programme, contributed to the trust fund for the Programme and participated in meetings convened under it.

41. Apartheid was the most abhorrent form of racial discrimination and an immoral system of institutionalized State racism. The objective of the European Community was the complete eradication of the apartheid system by peaceful means and without delay and its replacement by a united, non-racial and democratic State, which guaranteed equal citizenship for all and respect for human rights. Noteworthy among the recent developments in South Africa were the commitments by the Government to abolish the system of apartheid and to set in motion a process of dialogue. The Twelve endorsed that political process; welcomed the outcome of the pre-negotiations between the South African Government and the African National Congress (ANC) - in particular, the suspension of the armed struggle proclaimed by ANC and the decisions regarding the release of political prisoners and amnesty for exiles; and hoped for a speedy start to negotiations on the new constitution. Although aware that the road ahead was long and difficult, the European Community was concerned that violence had risen to unprecedented levels. Accordingly, it hoped that the South African Government would stop the violence in an impartial manner and urge the parties concerned to resolve their differences by means of dialogue.

42. All human beings were entitled to exercise the right of self-determination, in any place and under any conditions. Self-determination was a right of peoples, not of States. The Twelve fully supported that fundamental right and were striving for its universal respect and implementation. They therefore condemned the brutal invasion, occupation and annexation of Kuwait by Iraq, which constituted a flagrant violation of the Charter of the United Nations. The international community had denounced that violation of the fundamental principles and norms of international law. The Twelve recalled the obligation of all States to implement the relevant Security Council resolutions and called for the immediate and unconditional withdrawal of foreign troops from Kuwait and the restoration of Kuwait's territorial integrity and sovereignty, under the authority of its legitimate Government. The Iraqi Government must respect its obligations and allow all foreign nationals who so desired to leave Iraq and Kuwait. Its decision to use foreign nationals as a human shield was illegal and morally repugnant.

(Mr. Traxler, Italy)

43. More than two years after the Geneva agreements and 18 months after the withdrawal of Soviet troops, the Twelve continued to be concerned about the protracted conflict in Afghanistan and stressed the need for an intra-Afghan dialogue, in which all sectors of the population would take part, with a view to establishing a fully representative government. Accordingly, they supported the Secretary-General in his efforts to facilitate a settlement based on the right to self-determination of the Afghan people.

44. The European Community was in favour of seeking a comprehensive political settlement in Cambodia which would ensure the independence, sovereignty, territorial integrity and neutrality of that country, as well as the right of the people to choose their own government in free and fair elections organized by the United Nations, in accordance with Security Council resolution 668. In that connection, the Community welcomed the framework agreed upon by the five permanent members of the Security Council and its adoption by the Cambodian factions in Jakarta on 10 September 1990 and supported the agreement regarding the establishment of the Supreme National Council.

45. The Twelve stressed the urgent need for Israel to begin a political dialogue with the Palestinian people which could lead to a comprehensive, just and lasting settlement, based on Security Council resolutions 242 and 338. They considered that the settlement policies of Israel in the occupied territories constituted an obstacle to achieving peace in the region and, consequently, reiterated that such settlements were illegal under international law.

46. The people of Namibia had exercised their right to self-determination, in a free expression of their will. The Twelve rejoiced that Namibia had taken its place in the United Nations as a free, sovereign and independent State.

47. The Twelve continued to support fully the efforts of the Secretary-General to set up a referendum on self-determination for the people of Western Sahara. They were fully convinced that if the parties concerned continued to follow a constructive approach a referendum would be held at an early date.

48. The European Community welcomed that fact that the people of Myanmar had exercised its right to vote in the elections, the outcome of which indicated a clear desire on the part of the people to have a democratic, multi-party system of government; to transfer power to a civilian government chosen by the elected Parliament; and to release political prisoners in order to allow them to participate in the democratic process.

49. The Twelve wished to express their profound satisfaction at the progress made towards overcoming the divisions of Europe and restoring the unity of the continent. Given the legitimate aspirations of the Baltic peoples, the Twelve continued to support the dialogue which had been initiated between the representatives of the three Baltic Republics and the Government of the Soviet Union, with a view to a political settlement.

(Mr. Traxler, Italy)

50. The exercise of the right of self-determination was a continuous process, not a single event. Peoples must have the opportunity to choose their governments and social systems freely and to change them if they so desired, without the threat of foreign intervention, coup d'état or state of emergency. Each individual had the inherent right to exercise the other rights set out in the International Covenants. The United Nations had a very important role to play in that connection. Wherever the right to self-determination was violated, it was natural that the matter should be dealt with by the United Nations, since denial of that right was the concern of people everywhere.

51. Mrs. EKONG (Nigeria) said that all human beings were born equal in dignity and rights. Nevertheless, racism and racial discrimination had caused crises, conflicts and wars, to the detriment of world peace and security. While such practices existed in many parts of the world, South Africa represented the only case of institutionalized discrimination. Apartheid was not only an affront to the conscience and dignity of mankind but had also for many years been a grave threat to international peace and security. However, significant changes were taking place which had the potential to resolve the conflict in South Africa and the region as a whole. Nigeria welcomed the dialogue between ANC and the Government of South Africa as well as the meetings among representatives of other political groups in South Africa. It had commended the opening of membership of the National Party to all races. Despite those changes, the core of apartheid remained intact: the racist Constitution was still the basic law and hundreds of discriminatory statutes governed the lives of the indigenous majority of the South African population. Her delegation believed that the combination of sanctions and pressure had, in part, led to the progress achieved thus far in the struggle to eliminate apartheid; it supported the maintenance of the sanctions until apartheid was eliminated and a free, non-racial, democratic and undivided South Africa was established.

52. Advances in the struggle against racism, racial discrimination and apartheid could not have been made without the standards established by 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, which had provided the basis for effective and concerted international action. Nigeria noted with satisfaction that the number of States parties to the former convention was the highest for any human rights instrument, which demonstrated clearly the international consensus against racism.

53. Her delegation had read with interest the report of the Committee on the Elimination of Racial Discrimination (A/45/18) and commended the members of the Committee for their continuing efforts to prevent discrimination and to promote racial equality. While it supported the conclusions and recommendations contained in the report, Nigeria regretted the fact that the work of the Committee remained severely hampered by late submission of country reports and insufficient funding resulting from the failure of States parties to fulfil their financial obligations.

(Mrs. Ekong, Nigeria)

54. The Programme of Action for the Second Decade to Combat Racism and Racial Discrimination was an effective strategy since it had enabled co-ordination of the efforts by States and international organizations in that field. Yet, nearly 20 years after the proclamation of the First Decade, the scourge of racism still remained. At its latest meeting, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had expressed its deep concern regarding recent signs of an upsurge of racism, prejudice, discrimination and intolerance.

55. Her delegation supported the activities relating to the Decade as reported by the Secretary-General in documents A/45/443 and E/1990/20/Add.1-3. It believed, however, that more seminars and workshops should be organized to deal with the growing problem of racism and that the human rights fellowship programme should be considerably expanded. It was also important to strengthen national legislations, especially in societies with acute racial divisions and a high incidence of racism. Her delegation urged the Secretariat to expedite action on the draft model legislation and wished to know when they would be circulated to Governments. It also urged that more resources be allocated to the activities of non-governmental organizations, given their influence on national as well as international public opinion.

56. One aim of any efficient strategy must be the mobilization of system-wide resources within the United Nations. In that regard, her delegation considered the inter-agency consultation held in May 1990 to have been very useful and fully endorsed the suggestions made at that meeting.

57. Regarding the implementation of the Programme of Action, there were two problems which might cancel out some of the gains made. The first was the non-implementation of some programmes and activities planned for the first half of the Second Decade. Her delegation would appreciate information from the Secretariat on any action undertaken to implement those programmes. The second problem was more serious. In resolution 42/47, the General Assembly had transferred responsibility for activities under the second half of the Second Decade, 1990-1993, to the Centre for Human Rights. Many delegations, including her own, had subsequently argued the need for the necessary additional resources to be made available to the Centre. In response to that concern, the General Assembly, in paragraph 18 of resolution 44/52, had requested that sufficient additional resources be included in the proposed programme budgets for the bienniums 1990-1991 and 1992-1993. Her delegation would like to know what action had been taken to strengthen the Centre and provide for additional resources as requested by the Assembly.

58. Her delegation agreed with the conclusions and recommendations of the comprehensive and important study contained in document A/45/525, particularly those that were consistent with the established goals of the Decade. It shared the view that apartheid continued to be the most serious problem, to which priority attention should be given. It therefore urged that the United Nations should start immediately to draft a plan for concerted action to implement the specific measures recommended in the course of the Decade.

(Mrs. Fkong, Nigeria)

59. The right to self-determination was fundamental and inalienable. Its violation adversely affected both the full realization of the rights of the individual and the character of inter-State relations. Instances of aggression, occupation by foreign forces, colonial domination and mercenary subversion and intervention were some of the most serious factors impeding the exercise of the right of self-determination. South Africa and Palestine, among others, were areas where the international community must act resolutely to permit the exercise of the right to self-determination.

60. The crisis in the Gulf was currently the gravest threat to international peace and security. Acts of aggression were unacceptable and her delegation called on all the parties concerned to resolve the crisis by peaceful means. It urged Iraq to withdraw all its forces unconditionally from Kuwait, a sovereign and independent nation, so that the people of Kuwait could again enjoy their right to self-determination.

61. It was clear that, despite its achievements, the United Nations could do better in implementing the measures adopted to combat racism and racial discrimination. It was time to reaffirm the Organization's commitment to the prevention and elimination of discrimination, for two different but related reasons. First, because of the new threats, risks and challenges to the gains made; and secondly, to take advantage of the current move in international politics towards democracy, human rights and co-operation.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (A/45/3)

62. The CHAIRMAN said that he wished to refer to a question arising under agenda item 12, namely, the appearance before the General Assembly of the Chairman of the Ad Hoc Working Group of Experts on southern Africa to present the Working Group's interim report. He recalled that the Commission on Human Rights, in its resolution 1989/5 on the situation of human rights in South Africa, had requested the Ad Hoc Working Group of Experts to submit its interim report to the Commission at its forty-sixth session and to the General Assembly at its forty-fifth session, and its final report to the Commission at its forty-seventh session. The relevant financial implications were set forth in the report on the forty-fifth session of the Commission on Human Rights (E/1989/20). If he heard no objection, he would take it that the Committee agreed that the Chairman of the Ad Hoc Working Group of Experts on southern Africa should appear before the General Assembly.

63. It was so decided.

ORGANIZATION OF WORK (A/C.3/45/L.1)

64. The CHAIRMAN, referring to the Committee's programme of work as contained in document A/C.3/45/L.1, announced that, as a result of unforeseen circumstances, the documents on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders had yet to be published.

(The Chairman)

65. He therefore proposed that consideration of item 100 (crime prevention and criminal justice) should be postponed and that the item should be placed in the fourth cluster of items on the Committee's agenda. Accordingly, the second cluster of items would be considered from 17 to 23 October, the third cluster from 24 to 26 October and the fourth cluster, including item 100, from 29 to 31 October. The deadlines for the submission of draft resolutions on the various clusters of items would also have to be changed.

66. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee agreed to the changes.

67. It was so decided.

The meeting rose at 5.40 p.m.