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SUMMARY RECORD OF THE 6th MEETING

Chairman: Mr. SOMAVIA (Chile)
later: Ms. COOMBS (New Zealand)
(Vice-Chairman)

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The meeting was called to order at 10.20 a.m.

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 (continued) (A/45/552)

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AGENDA ITEM 98: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued) (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 (continued) (A/45/488, A/45/500)

1. Mr. KHALIFA (Special Rapporteur, the Sub-Commission on Prevention of Discrimination and Protection of Minorities) introduced the report on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa (A/45/552). Like the communist system that had collapsed in Eastern Europe, the apartheid system in South Africa was nearing its end. Communist dictatorship and apartheid were related since they were both authoritarian, denied basic freedoms and lied to the people. Having seen the downfall of the system in Eastern Europe, South African President de Klerk had set out to create a climate of optimism with his conciliatory tone and emphasis on negotiations to reach a peaceful solution. His flexibility in advocating a dialogue with the African National Congress of South Africa (ANC) should certainly be commended. Nevertheless, it was essential to proceed from promises to performance and undertake negotiations leading to the complete abolition of apartheid. South Africa should not be allowed to win respect through half measures and reversal of sanctions while failing to deliver on its promises.

2. Unfortunately, measures had already been taken to lift or ease sanctions. The United Kingdom had unilaterally announced an end to its ban on new investments in South Africa. Hungary had invited South Africa to open a diplomatic mission in Budapest and other Eastern European States had followed suit in the diplomatic and trade fields. Such regressive measures were counterproductive and did not bring South Africa any closer to the negotiating table. South Africa was faced with a number of problems: the impact of the sanctions, economic decline, resistance by the black population and the question of political power-sharing. Pressure therefore must be increased in order to achieve the right effect. South Africa's current conciliatory attitude was rooted in the realization that there was no future without significant political reform. Economic growth had actually fallen in the past few years to 2 per cent or less. Although the sanctions did not cripple South Africa, they certainly hurt.

(Mr. Khalifa)

3. According to a recent report by the Economic and Social Council, while disinvestment and the trading boycott on South Africa had affected business confidence and morale, the impact on the South African economy was less than desired. Trade, in fact, was the weak link in the chain. While some countries had reduced their trade, others would increase it. Some Far Eastern and Western European States were expanding trade with Pretoria, thus undermining the positive action taken by other States. A recent report by the Special Committee against Apartheid indicated that Hong Kong, Portugal, Spain, Switzerland, Taiwan, Turkey, and the United Kingdom had increased their trade with South Africa. Furthermore, some of South Africa's major trading partners, such as Japan, while prohibiting investments, insisted on trade on the basis of what was called the free-trade principle. The question of incomplete or fictitious disinvestment and the causes of the sanction-evasion were dealt with in chapter II of his report.

4. Chapter III of the report attempted to determine the impact of sanctions on the South African economy. The Centre on Transnational Corporations had found that sanctions were effective, although their impact had been seriously undermined by the fact that they were not comprehensive and, in many crucial areas, were not mandatory. On the other hand, financial sanctions, including restrictions on the availability of trade credits, were considered to have had the greatest impact. The international capital boycott imposed in 1985 had caused serious damage. As a result, real average income today in South Africa was 15 per cent lower than it would have been without sanctions and disinvestment.

5. The world hoped that Mr. de Klerk's initiative would lead to the total abolition of apartheid. The main pillars of the apartheid system, the segregation laws, must be abolished in order to bring about a democratic order in South Africa. In spite of the promises of change, there were still many bridges to be crossed. Even if negotiations were initiated, there could still be years of stalling, manoeuvring and strife. Like Israel, South Africa was known for its tough bargaining tactics and manoeuvres aimed at creating an atmosphere of discouragement and confusion.

6. It was regrettable to note the recent resumption of activities by forces opposed to change in South Africa. White extremists were carrying out terrorist attacks to undermine the atmosphere of "détente". Black factional violence was spreading and threatening to divide black leaders. The South African police had aggravated that situation through the undisciplined and hostile manner with which they dealt with the recent violence in the townships. That, however, was to be expected since the police functioned as the strong arm of the apartheid system.

7. Sanctions and measures to isolate the South African régime had impeded economic development in that country and had had a major impact on the confidence of the white community in a secure future. The recent thaw in East-West relations had diminished South Africa's geopolitical importance. No one seriously believed that an emerging multi-racial South Africa would ever adopt the discredited communist model. The time had not come to relax pressure on South Africa. The United States of America had been most effective in bringing about a change of

(Mr. Khalifa)

attitude in South Africa and had decided to maintain its sanctions in order to ensure that South Africa negotiated in good faith. The United States was one of the few countries that had enacted a law making it an offence to trade with South Africa. Having passed through a similar process in its history, the United States had a responsibility to help put an end to the apartheid system.

8. Continued unrelenting pressure by the black majority would lead to changes regardless of the Government's wishes. Pretoria would have been fatally weakened years ago if its access to oil and military technology had been cut off. Israel's collaboration with South Africa in the field of military technology was continuing. In November 1989, the United States Justice Department had announced that five people had been indicted in a complex scheme to export sophisticated missile parts to Israel and then ship them secretly to South Africa. The next few months would be a crucial period. The real intentions of South Africa and its allies would become clear; and the international community would be in a better position to decide on the best way to deal the final blow to the inhuman apartheid system.

9. Mr. SIGURDSSON (Iceland), speaking on behalf of Denmark, Finland, Norway, Sweden and Iceland, noted that the United Nations was based on the principles of the dignity and equality of all human beings. Racism and racial discrimination constituted denials of those human rights and had been repeatedly condemned and rejected by the Nordic countries and by the international community, as evidenced by the achievements of the Second Decade to Combat Racism and Racial Discrimination and the implementation of the Programme of Action for the Decade. Success in eliminating racism and racial discrimination depended on effective co-ordination by the international community and on co-operation with non-governmental organizations in their role in the fight against those scourges. He mentioned the need to strengthen public information activities, since all societies were responsible for informing and educating their citizens concerning racism and racial discrimination. The Nordic countries hoped that advantage would be taken of the improving political climate in order to use all possible means to eliminate racism and racial discrimination. They welcomed the recommendations and conclusions contained in the report entitled "Study on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination" (A/45/525) and felt that it deserved careful consideration.

10. Turning to the question of apartheid, he said the Nordic countries had always insisted on the need to put an end to it by peaceful means and to bring about the establishment of a just, non-racial, democratic and egalitarian society in South Africa. The United Nations Declaration on Apartheid and Its Destructive Consequences in Southern Africa adopted by the General Assembly at its sixteenth special session in December 1989 provided an important framework for a negotiated settlement leading to the eradication of the apartheid system. That declaration and the resolution adopted by the General Assembly at its resumed special session on apartheid in September 1990 constituted a unanimous signal from the world community that the abhorrent system of apartheid must be abolished. During the past year, political developments in South Africa had been positive, and the

(Mr. Sigurdsson, Iceland)

agreements between the African National Congress and the South African Government were welcome developments. With fundamental change within reach, it was to be hoped that all parties in South Africa would commit themselves to peaceful change. However, the apartheid system was still firmly in place as was shown by the fact that the vast majority of South Africans did not enjoy the right to vote. In a joint communiqué from their meeting in September 1990, the Nordic Foreign Ministers had stated that, until profound and irreversible changes had been made regarding the abolition of apartheid and the introduction of basic human rights, their countries would continue to exert pressure on the South African authorities.

11. With regard to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), he said that although it was the most comprehensive United Nations instrument in the field of racial discrimination, the committee which monitored its implementation was still confronted with financial difficulties. The Nordic countries felt that States Parties to the Convention were responsible for ensuring solid financial backing for its implementation and interpreted the failure of some States Parties to meet their financial obligations as a lack of political commitment to the Convention and to the standards it embodied. They welcomed resolution 1990/25 adopted by the Commission on Human Rights on the effective functioning of bodies established pursuant to United Nations human rights instruments. With regard to the contingency reserve fund recommended in that resolution, he said the countries he represented felt that all the States Parties should share the responsibility for the financing of CERD. He also stressed the importance of providing it with timely, comprehensive and accurate reports.

12. Ms. ILIC (Yugoslavia), noted the historic changes which had occurred in many countries at all levels over the past year. They opened prospects for building a more democratic system of international relations and were responsible for the United Nations becoming a forum of truly universal co-operation. Recent landmarks in the struggle by the United Nations against racism, racial discrimination and apartheid included the independence of Namibia and the adoption of the Declaration on Apartheid in December 1989. Various forms of discrimination still, however, existed in many parts of the world and represented a potential cause of national, and even international, conflict. Apartheid, which was the most clearly institutionalized form of racism, still constituted a tremendous challenge to mankind and was unfortunately a fact of everyday life for the majority of South Africa's population. The recent violence in that country constituted yet another proof that peace would come to South Africa only when apartheid was completely dismantled. Her delegation firmly believed that concerted international action was needed for the full and successful eradication of racism, racial discrimination and apartheid.

13. During the 20 years of its existence, the Committee on the Elimination of Racial Discrimination had played a highly important role, and her delegation fully supported its activities, including the meeting proposed for August 1991 between the members of the Committee and those of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Her delegation viewed with concern

(Ms. Ilic, Yugoslavia)

the Committee's critical financial situation arising from the failure of certain States Parties to fulfil their financial obligations under the Convention and urged that full attention should be given to the recommendation made by the Commission on Human Rights in its resolution 1990/25 to the Secretary-General concerning the establishment of a contingency reserve fund. Other ways and means of financing the Committee should also be explored. Despite its support for the Committee and its activities, her delegation was regretfully forced to express its dissatisfaction over errors and omissions in that part of the report contained in document A/45/18, which referred to the ninth and tenth periodic reports submitted by Yugoslavia.

14. Yugoslavia fully supported the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and subscribed to many of the proposals contained in the "Study on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination" (A/45/525). She expressed her delegation's satisfaction that the Working Group established by General Assembly resolution 34/172 had completed its work on the elaboration of a draft convention on the rights of all migrant workers and their families. She hoped it would be adopted at the current session.

15. Yugoslavia, as a multinational State with many national minorities within its territory and many of its own people living in neighbouring countries, attached particular importance to the promotion of the status of national minorities and the protection of their rights. Yugoslavia had taken an active part, within the United Nations system and the Conference on Security and Co-operation in Europe, in the elaboration of basic principles in that regard. One of the results of those efforts had been the completion at the forty-sixth session of the Commission on Human Rights of the first reading of a draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, which his delegation trusted would be finalized at the Commission's next session.

16. The latest bloodshed in Jerusalem had focused attention once again on the Middle East crisis, at the core of which was the question of the full realization of the right of the Palestinian people to self-determination, including the right to a State of its own. She affirmed her country's active support of the cause of peoples under colonial and foreign occupation in their struggle to realize their rights to self-determination and independence.

17. Mr. BAMSEY (Australia) said the commitment to racial equality was one of the moral and political corner-stones of the United Nations and that the challenge to eliminate racial prejudice and discrimination should be confronted by States collectively as well as individually. Australia had fully shared the commitment of the United Nations to combat racism and racial discrimination and had taken a prominent stand in that connection, including in the imposition of sanctions along with its Commonwealth partners. As the Second Decade against Racial Discrimination entered its last few years, it was clear that the time for the international community to diminish its efforts had not yet come as every day brought incidents of racial tension and violence throughout the world. Education was crucial for ensuring that future generations were more tolerant of racial differences.

(Mr. Bamsey, Australia)

18. Another area of practical action was government legislation and the establishment of machinery to enforce its provisions. In that connection he mentioned United Nations efforts to develop model laws for the prevention of racial discrimination and said that in Australia an official inquiry was currently being conducted into racially motivated violence. Member States could also strengthen their collective efforts by ensuring that the provisions of the Convention on the Elimination of All Forms of Racial Discrimination were fully implemented. The States Parties to the Convention must fully accept the principle of accountability inherent in it and meet their reporting and financial obligations in a full and timely way. Australia took the view that all Governments were accountable for protecting human rights in the territories they governed and fully accepted that its own record should be open to scrutiny. It also attached great importance to the United Nations Working Group on Indigenous Populations.

19. A major development in his country during the past year had been the establishment of the Aboriginal and Torres Strait Islander Commission, which would provide Australia's indigenous people with an unprecedented opportunity to determine and shape policy. The Commission marked a turning-point in which decision-making power in aboriginal affairs was vested in elected representatives accountable to regional councillors and local communities of indigenous peoples. In addition, a royal Commission had been examining the causes of deaths of aboriginal people in police and prison custody from 1980 until June 1989. The final report of that Commission was expected to influence Australian policy for many years, and the implementation of the recommendations it contained would be monitored by the United Nations, Amnesty International and other international bodies.

20. The right to self-determination, had always been a basic preoccupation of the United Nations and Iraq's brutal actions in Kuwait represented a violation of it through foreign invasion and occupation, which his Government unreservedly condemned. Australia joined the world-wide appeal to the Government of Iraq to withdraw its military forces from Kuwait in accordance with United Nations Security Council resolutions. The right to self-determination included the continuing right of all peoples to participate fully in the political process by which they were governed. Australia welcomed the exercise of the right to vote in the elections held in Myanmar in May 1990, the results of which indicated the clear desire of the people of Myanmar for a democratic system of government. The Government of Australia had accordingly called on the present rulers of Myanmar to make possible the transfer of power to a civilian Government chosen by the elected Parliament. Finally, in connection with the Palestinian issue, he said his country had consistently expressed support for a solution to the dispute based on Security Council resolutions 242 (1967) and 338 (1973). While asserting the right of Israelis to live within secure and recognized borders, it also acknowledged that of the Palestinian people to self-determination and to an independent State.

21. Miss JUNEJO (Pakistan) said that faith in fundamental human rights and in the dignity and worth of the human person were reaffirmed in the Charter of the United Nations. It was obvious that elimination of racism and racial discrimination, particularly in the form of apartheid, should constitute a fundamental objective of the United Nations. That concern was also reflected in the adoption by the General Assembly of the Declaration on Apartheid and Its Destructive Consequences in Southern Africa. So far, however, there had been no evidence of profound and irreversible changes which could provide any justification for relaxing international pressure against South Africa, and it was imperative that Security Council resolution 418 (1977) on a mandatory arms embargo against South Africa should be strictly enforced, as should all General Assembly resolutions aimed at the elimination of apartheid.

22. In Pakistan, the evil of racism and racial discrimination did not exist. Pakistan had been one of the first countries to sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination and was also a Party to the Convention on suppression and punishment of the Crime of Apartheid. It had scrupulously avoided all economic, political, military, cultural and athletic contact with South Africa and would continue to do so until the odious system of apartheid was dismantled and a Government based on the will of the majority was established.

23. Her delegation felt that the elimination of apartheid should be given the highest priority during the remaining years in the Second Decade to Combat Racism and Racial Discrimination. She hoped that the financial constraints that had arisen in the implementation of the objectives of the Decade would soon be overcome.

24. The Convention on the Elimination of All Forms of Racial Discrimination was the first United Nations human rights instrument containing machinery for its implementation. It was a matter of concern that the Committee on the Elimination of Racial Discrimination, which was called upon to examine the measures adopted by the 129 States Parties to the Convention to give effect to its provisions, had not yet emerged from the financial doldrums of 1986. Her delegation urged all States Parties to honour their financial obligations so as to enable the Committee to perform its important and valuable work.

25. The discriminatory treatment meted out to migrant workers and their families was often due to traditional prejudices and ethnic, religious or economic factors. Care must be taken to ensure that measures to preserve the linguistic and cultural identities of migrant workers were not used to isolate and alienate them from the mainstream of national life.

26. Her delegation hoped that the profound global, political and economic changes now taking place might signal the complete, final and unambiguous eradication of racism, racial discrimination and apartheid and usher in a world where the dignity and worth of human beings were recognized in their true meaning.

27. Mr. KRENKEL (Austria) said that States were obliged under the relevant international legal instruments to combat racial discrimination, which ran counter not only to basic principles of humanity but also to freedom and democracy. His own country had always attached the greatest importance to promoting tolerance and combating prejudice and to protecting the rights of minorities. Austria regretted the failure of 67 of the 130 States that had ratified or acceded to the Convention on the Elimination of All Forms of Racial Discrimination to fulfil their financial obligations under it, thereby preventing its supervisory body from performing its task. It also deplored the fact that reports under the Convention were often not submitted or submitted only with considerable delay. His delegation therefore supported the recommendation for the establishment of a contingency reserve fund for that body and urged all States to pay their outstanding assessments and arrears.

28. His country fully supported the objectives of the Second Decade to Combat Racism and Racial Discrimination and its Programme of Action and strongly condemned apartheid as the only institutionalized form of racism. Apartheid must be dismantled as soon as possible, and Austria therefore welcomed recent developments in South Africa and the readiness of the Government and the representatives of the black majority to enter into negotiations. Austria also urged all the parties to renounce violence and to resolve their differences through frank dialogue and co-operation.

29. All peoples had the right to self-determination. He welcomed Namibia's recent accession to independence and the fundamental changes in the direction of democracy and the rule of law that had taken place in Eastern Europe. Such changes were positive models for a peaceful political solution of the Cambodian problem through a United Nations-monitored peace plan. He deplored, however, Iraq's illegal aggression against, and annexation of, Kuwait. He appealed to Iraq to withdraw its forces immediately and unconditionally, to release all foreigners and to restore that country's sovereignty and territorial integrity. The exercise of the right of self-determination also prevented such human rights violations as mercenary activities and he supported the view that specific international and domestic legal measures were needed to prevent such activities. The United Nations role in promoting self-determination through free and genuine elections should also be strengthened.

30. Mr. BOUTET (France) said that there could be no justification for racial discrimination and that his Government had recently strengthened legal and administrative measures to combat it, including steps on behalf of the most vulnerable population groups, such as migrant workers. The war against racism must remain an international one and be conducted through dialogue and consensus. France supported the activities carried out within the framework of the Second Decade to Combat Racism and Racial Discrimination, and particularly the development of legal and educational tools to fight racism and to ensure the participation of private individuals and associations in the anti-racist efforts of States and intergovernmental organizations. One of the most effective instruments available to the international community for fighting racism was the Committee on the Elimination of Racial Discrimination. He regretted the fact that its operation was being impeded by lack of resources owing to the failure of too many States parties

(Mr. Boutet, France)

to pay their arrears, and he urged them to do so as soon as possible. He also supported the proposal for the establishment of a contingency reserve fund as a matter of priority in order to enable that committee to perform effectively.

31. One of the most flagrant human rights violations was apartheid and its immediate and unconditional abolition was an urgent priority. He therefore welcomed the recent courageous initiatives taken by the President of South Africa. Peaceful dialogue between the South African authorities and the representatives of all the communities in the country was the only way to make it a non-racial democracy. It was unfortunate that, despite those positive developments, the country was undergoing a period of inter-community violence and he urged all parties to end useless bloodshed, which could only delay and compromise reform. Hatred and violence were the product of apartheid itself, but no group or individual could escape the responsibility of working to break the vicious circle.

32. Ms. Coombs (New Zealand) took the Chair.

33. Prince Mansour bin Khalid Al-Farhan AL-SAUD (Saudi Arabia) said that the cluster of agenda items relating to the elimination of racial discrimination and the right of peoples to self-determination had acquired particular importance in light of the grave situation created by the invasion and annexation of the State of Kuwait by the Iraqi régime. There had been no precedent in modern Arab and Islamic history for an act of aggression in which one Arab Muslim country had devoured another Arab Muslim country. The occupation of an independent sovereign State and a Member of the United Nations was a flagrant violation of the Charter and of international law and custom. Its perpetuation would defy the will of the international community as expressed in successive Security Council resolutions condemning Iraq, calling for the withdrawal of its forces and insisting on the restoration of the legitimate Government of Kuwait. That the forces of the Iraqi régime continued to deprive the Kuwaiti people of all its rights and to threaten the security of Saudi Arabia and of the region as a whole revealed the intention of further aggression.

34. His delegation hoped that the Committee would adopt a decisive stance and would reject and condemn the savage and inhuman practices engaged in by the forces of the Iraqi régime against nationals and residents of Kuwait. The holding of thousands of innocent foreign hostages as a human shield for the Iraqi armed forces clearly revealed the uncivilized conduct of the Iraqi régime, which was incompatible with all religious, moral and human values. His delegation re-emphasized its firm stand, together with the entire international community, in rejecting the occupation and condemning all of the practices to which it gave rise, and it insisted once again on the full, immediate and unconditional withdrawal of Iraqi forces from Kuwait and on the restoration of the legitimate Government.

35. Since the natural human rights to safety, security, justice and stability were basic to human order, the Committee must adopt a decisive position both on the acts perpetrated by Iraq in Kuwait and those perpetrated by Israel in the occupied Palestinian territory.

(Prince Mansour bin Khalid Al-Farhan
Al-Saud, Saudi Arabia)

36. A treacherous act of aggression had taken place at a stage in contemporary history where the signs of a new international order had begun to emerge, the cold war had come to an end and there was an international trend towards the realization of the purposes and principles of the Charter of the United Nations. The international stand against that act of aggression and the firm resolve to prevent the aggressor from reaping its fruits gave hope and confidence for a future in which justice, security and peace prevailed.

37. The Israeli occupation authorities had carried out a fresh massacre of Palestinian Arabs in the vicinity of the Holy Al-Aqsa Mosque, and the Palestinian people continued to pay with its blood for the sake of its historic intifadah against the occupation forces, against oppression and against racial discrimination in all its forms. The Committee must also adopt a decisive stance with regard to that racist massacre, in which more than 20 Palestinians had been killed and hundreds wounded.

38. Mr. AYALA (Ecuador) said that his country's categorical rejection of racial and all other forms of discrimination was reflected domestically in its legal system and internationally in its condemnation of apartheid, as the most blatant form of discrimination. Apartheid could not be reformed. It must be completely eradicated. His country had been firm in maintaining no relations with the South African Government and felt that the failure to comply with the relevant United Nations resolutions was a very serious matter, and one that must be analysed. Less visible, but equally reprehensible, forms of discrimination were xenophobia; extreme nationalism; and the mistreatment of migrant workers, displaced families, ethnic minorities and indigenous populations. Ecuador therefore renewed its appeal to States Members that had not yet done so to accede to and ratify the Convention on the Elimination of All Forms of Racial Discrimination and urged the adoption of the Convention on the Protection of the Rights of All Migrant Workers and Their Families as well as the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities. His country also urged Member States to pay the contributions that would permit the Committee on the Elimination of Racial Discrimination to carry out its important work. His country had made the declaration referred to in article 14, paragraph 1 of the Convention and he drew attention to the report in document A/45/18 in order to stress his country's growing awareness of the problems of indigenous populations and its increased determination to deal with them. His Government was increasingly sensitive to the needs of aboriginal cultures and determined to respect their individual identities. A presidential commission had been established in Ecuador to maintain a permanent dialogue with indigenous organizations in order to serve their interests.

39. The rights of Ecuador's different races and cultures were fully guaranteed not only its domestic legislation but through the country's faithful compliance with the relevant international instruments. The Ecuadorian Constitution had established a special court to which any natural or legal person might turn

(Mr. Ayala, Ecuador)

whenever its rights and freedoms under the Constitution or under the Convention were violated.

40. His delegation welcomed the achievements of the Second Decade to Combat Racism and Racial Discrimination and hoped that they would herald the complete removal of that blotch on the escutcheon of mankind. Ecuador also condemned colonialism, neo-colonialism, military intervention, aggression and foreign occupation in its support of the right of self-determination.

41. Miss BACH-TOEJI (Tunisia) said that the most pernicious form of racism was the apartheid system practised in South Africa. The fact that in recent months some signs of change had begun to appear in South Africa in no way altered the fundamental problem. The apartheid régime was based on racism, exploitation, repression and total contempt for international law. It could not be changed: it must be dismantled, and global mandatory sanctions were the only effective means.

42. Another form of racism was that suffered by vulnerable groups such as migrant workers. Tunisia noted with concern the recent resurgence of racism and xenophobia against migrant workers and supported resolution 1990/2 adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its session in August.

43. Her delegation appreciated the persistent efforts of the United Nations system in implementing the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and supported the conclusions and recommendations in the study by the Special Rapporteur, Mr. Eide, in document A/45/525. Her delegation also agreed that greater co-ordination was needed between the various United Nations bodies dealing with racism, in particular through joint meetings, as proposed by the Committee on the Elimination of Racial Discrimination at its August 1990 session, as well as a concerted plan to ensure the follow-up of the Programme of Action when the Decade ended in 1993. Tunisia also supported the idea of compiling model legislation to assist countries in drafting further legislation against racism.

44. The Tunisian delegation noted with concern that in the programme of activities so far, not enough attention had been paid to the use of education and cultural means, as well as the media, in eradicating racism. There were many activities planned for the last part of the current Decade, such as a study on the children of migrant workers, an international campaign on the main obstacles to the full eradication of racism and apartheid, and an effort to secure universal accession to the International Convention on the Elimination of All Forms of Racial Discrimination. That gave some idea of the scope and importance of the tasks for the coming three years. Fulfilment of the action planned since 1983 depended on resources, however, and the continued inadequacy of funds was a serious setback to the operation of the competent bodies, such as the Committee on the Elimination of Racial Discrimination, which had once again had to cancel one of its sessions. It was vital for States parties to shoulder their financial responsibilities. The situation of the Trust Fund for the Programme for the Decade of Action, maintained

(Miss Bach-Tobji, Tunisia)

by voluntary contributions, was little better. She was happy to announce that the Government of Tunisia had recently contributed to the Fund and she now made a friendly appeal to all States to play their part.

45. The right to self-determination, a vital aspect in combating racism, continued to be violated. The international community welcomed the independence of Namibia, whose people had regained their right to self-determination, but in the Arab territories of Palestine the repressive Israeli practices continued and intensified, as could be seen from the barbaric massacres at Gaza and Jerusalem, in violation of human rights. The heroic intifadah was a daily reminder that only a just and global settlement of the Palestinian question could end the threat to peace and security in that part of the world.

46. The Gulf crisis was also a matter for concern. In a statement to the General Assembly on 25 September, the Minister for Foreign Affairs of her country had stated Tunisia's position, namely that all civilians detained in Iraq and Kuwait must be freed and the Iraqi forces withdrawn from Kuwait. Tunisia favoured a peaceful and negotiated solution to the crisis and was confident that the United Nations could fulfil its task of preserving peace, as it had done in other situations.

47. Miss BOTERO (Colombia) said that the total unconditional eradication of racism and all forms of racial discrimination, in particular apartheid, was a matter of priority for her country, which supported sanctions against the Pretoria Government. Her delegation urged Member States to meet their financial commitments so that the Committee on the Elimination of Racial Discrimination would have the means to carry out its task.

48. Colombia was preoccupied with the problems of indigenous people and migrant workers and was ready to play its part in the International Year of the World's Indigenous Peoples in 1993. In particular Colombia would like to make available its experience in dealing with those communities, having an indigenous population of nearly half a million, for whose protection it had provided extensive legislation, based on the principle of strengthening their cultural identity and preserving their political, economic and social values. The Government believed that indigenous people should enjoy the same rights and opportunities as other citizens and in Colombia they had their own land, where they could pursue their own cultural, social and other activities. They had a measure of autonomy, having the right to set up their own organizations, elect their own authorities and establish their own regulations in accordance with their traditional customs. Their authorities were competent to deal with minor disputes and to negotiate with State representatives on education, health and other services.

49. Her delegation hoped that during the current session the Committee would be able to recommend the draft International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families to the General Assembly for adoption by consensus. Migration involved millions of people and affected a large number of States in the international community.

(Miss Botero, Colombia)

50. Colombia was also concerned about the question of the self-determination of peoples and welcomed the independence of Namibia. It supported the Security Council resolutions on the current situation in the Gulf. On the question of Palestine, Colombia supported Security Council resolutions 242 (1967), 338 (1973) and 465 (1980) and was in favour of an international Middle East peace conference under United Nations auspices, in which Palestine would participate on an equal footing with the other parties. Colombia also supported United Nations efforts to solve the conflict in Cambodia.

51. Her delegation welcomed the report on mercenaries by the Special Rapporteur, Mr. Ballesteros. The International Convention against the Recruitment, Use, Financing and Training of Mercenaries was an important step forward. Colombia was particularly concerned about the involvement of mercenaries in drug trafficking and in acts against the constitutional stability of States. It hoped that the Convention would also take other mercenary activities into account and include the element of nationality in typifying mercenary activities.

52. Mr. PEREIRA (Panama) said that his country had always opposed apartheid. As a cosmopolitan country, open to all races and cultures, and by reason of its geographical and historical circumstances, sectarianism was alien to its national interest and policy.

53. The recent changes in the policy of the South African Government were largely the result of concerted world action, within and outside the United Nations, but also the result of the interdependence of a multiracial, multicultural world and the admirable fight of the black South African people. His Government believed in the sincerity of the South African Government, but good intentions were not enough. His Government would therefore maintain its commitment to sanctions against South Africa until apartheid had been completely eliminated.

54. The United Nations action on apartheid marked a new departure in its competence. It had overridden the traditional barriers of national sovereignty and no one had objected. Even South Africa had not abandoned the United Nations, and that was a positive attitude.

55. The path set by the United Nations action in the case of apartheid was relevant also to the Cambodian problem which was a matter of the peace of the whole of South-East Asia. There was also the problem of a just solution to the problem of Palestine and the Palestinians. His Government was in favour of a Middle East peace conference and supported the Security Council and General Assembly resolutions on the need for a peaceful solution for the whole region.

56. At the present historic juncture in world affairs, he wished to emphasize two points. In the first place, condemnation of military assistance to countries which rejected the fundamental principles of the United Nations should not be limited to South Africa. Wherever military power was increased to sustain political power, the United Nations must be on the watch against other forms of internal apartheid, contrary to the popular will. The traditional notion of disarmament must be

(Mr. Pereira, Panama)

brought up to date to include control of the manufacture, export and marketing of weapons. Secondly, all intolerance, whether racial, political or religious was unacceptable to the international community. Co-existence in a tolerant and pluralist society was the only way to ensure the enjoyment of human rights, guaranteed by the United Nations. His Government was committed to respect for those basic rules without which there would never be stable peace nor internal or external security in South Africa or anywhere else.

The meeting rose at 12.55 p.m.