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THIRD COMMITTEE
9th meeting

held on

Monday, 14 October 1985
at 10.30 a.m.

New York

SUMMARY RECORD OF THE 9th MEETING

Chairman: Mr. ZADOR (Hungary)

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 88: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORTS OF THE SECRETARY-GENERAL (continued) (E/1985/16 and Add.1; A/40/3, A/40/173, A/40/320, A/40/398, A/40/416 and A/40/694 and Add.1)

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- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued)
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1. Ms. BROŠNAKOVA (Czechoslovakia) said that one of the greatest achievements of the United Nations had been the significant part it had played in the disintegration of colonial rule. Its participation in liberating the oppressed peoples would not have been so effective if the Organization itself had not been founded on the democratic and progressive principles forged in the heroic struggle of the anti-Fascist forces during the Second World War. It was certainly no coincidence that the Soviet Union, which had borne the heaviest burden in the anti-Fascist struggle, had been the first to help give concrete expression to the principle of respect for equality and self-determination of nations in the Declaration on the Granting of Independence to Colonial Countries and Peoples.

2. However, although 25 years had elapsed since the adoption of that Declaration, there were still States which rejected its principles or interpreted it in a manner incompatible with its objectives. The most flagrant violator of human rights, South Africa, also bore primary responsibility for the gross violation of the right of a nation, namely, Namibia, to self-determination. Czechoslovakia felt that the only possible solution to the problem of Namibia lay in the implementation of Security Council resolution 435 (1978).

3. Another obstacle to full realization of the right of nations to self-determination was Israel's denial of that right to the Palestinian people. In the view of her delegation, the way to settle the Middle East conflict was to convene an international conference with the participation of all parties concerned, including the Palestine Liberation Organization as the only legitimate representative of the Palestinian people.

(Ms. Brosnakova, Czechoslovakia)

4. It was equally necessary to put a stop to the untenable situation in the small colonial Territories, such as Puerto Rico, Micronesia and Guam. Certain States were misusing those Territories for military purposes and were exploiting them economically, thereby limiting the economic and social development of their peoples. Moreover, certain imperialist States, in flagrant disregard of the United Nations Charter, had been resorting to dirty methods of State terrorism in such places as Cuba and Nicaragua, with the aim of discouraging nations from exercising their inalienable rights.

5. One of the duties deriving from respect for and implementation of the United Nations Charter was to provide assistance to the sacred struggle of national liberation movements representing the legitimate demands of the oppressed peoples. Czechoslovakia would spare no effort in taking an active part in that noble endeavour.

6. Mr. ZACHMANN (German Democratic Republic) said that the Declaration on the Granting of Independence to Colonial Countries and Peoples had proved to be a key instrument in pursuing the purposes and principles of the Charter. Credit should be given to the Soviet Union for having initiated the Declaration, which marked the beginning of the final phase in the struggle for the political independence of the colonially oppressed peoples. However, despite the disappearance of the old colonial empires, freedom and independence were not yet a reality for all peoples. The peoples of South Africa and Namibia were still suffering under the colonial and racist yoke; the Palestinian people was still denied the right to self-determination; and there were still approximately 20 colonial Territories in the Pacific, Atlantic and Indian Oceans. The German Democratic Republic had been a co-sponsor of several United Nations resolutions, in particular General Assembly resolution 39/17 and Commission on Human Rights resolutions 1985/4, 1985/6 and 1985/7, which had called for immediate and resolute measures to implement the right of those peoples to self-determination. The German Democratic Republic opposed the attempts to keep alive the criminal apartheid régime and resolutely rejected the schemes engineered by Pretoria which were designed to block independence for Namibia. It was imperative to impose comprehensive and mandatory sanctions against South Africa under Chapter VII of the United Nations Charter.

7. As for the situation in the Middle East, the people and Government of the German Democratic Republic most strongly condemned the recent Israeli air raid on the Palestine Liberation Organization headquarters at Tunis; that action had shown once again that the Israeli rulers and their strategic allies continued to resort to the use of force, thereby torpedoing a just and comprehensive settlement of the Middle East conflict and of the question of Palestine. A realistic way of bringing about a fundamental solution to that conflict would be to convene an international conference on the Middle East, with the participation of all interested parties, including the Palestine Liberation Organization.

8. In another region of the world, great dangers had arisen from the undeclared war being waged against the courageous Nicaraguan people with the aim of overthrowing the freely chosen democratic order. The imposition of an economic blockade on Nicaragua by the major imperialist Power had aroused deep indignation

(Mr. Zachmann, German Democratic Republic)

among the people of the German Democratic Republic and had dealt a heavy blow to the efforts of the Contadora Group to ease tensions in the region. The German Democratic Republic would abide by its principled position of supporting all initiatives for a peaceful settlement of the conflicts in Central America as embodied in the efforts made by the Contadora Group.

9. Another danger to peace that should not be underestimated emanated from the increasing military misuse of the colonially dependent Territories. His delegation strongly opposed the flagrant violation of the right of those Territories to self-determination as evidenced in the extension of imperialist military bases to those regions. The United Nations should adopt measures without further delay to ensure that the States concerned respected the obligations arising from international trusteeship agreements.

10. His delegation supported the view that the democratization of international economic relations, the question of economic independence and the right to development must figure among the elements of a draft resolution on self-determination. His delegation was ready to join in any moves that would promote the drafting of a declaration on the right to development.

11. Replying to remarks made by speakers from the Federal Republic of Germany, he noted that as his Minister of Foreign Affairs had stated in the general debate in the plenary Assembly, unqualified recognition of the existence of two sovereign German States independent from each other enjoying normal relations based on international law was a cornerstone of peace in Europe.

12. Mr. FREYBERG (Poland) said that Poland condemned the policy of apartheid in the strongest terms and fully supported the legitimate struggle of the oppressed peoples in southern Africa for respect of their basic human rights. Recent events in southern Africa proved that the system of apartheid was untenable in the long run and that the political, economic and military support provided by certain Western countries to the South African régime could not change that fact. The situation in southern Africa called for prompt action on the part of the United Nations, which should use its full authority to stop the mass killings and repression of the black population. The General Assembly, in its resolution 39/15, had condemned the collaboration of certain Western States, Israel and other States, as well as the transnational corporations which maintained or continued to increase their collaboration with the racist régime of South Africa. Those States could not shirk their responsibility by using the argument that economic and financial assistance to South Africa was being granted by private companies which were beyond their influence. There was a clear-cut record of other instances where the very same countries had been able to apply sanctions quite promptly and had had no difficulty whatsoever in convincing their so-called independent, private companies to implement those sanctions.

13. Recent moves on the part of those Western Governments with regard to the South African régime had been forced by public opinion and did not reflect their real intentions. If those Governments did in fact oppose racial discrimination and apartheid, they would have introduced effective sanctions against South Africa long ago.

(Mr. Freyberg, Poland)

14. Racial discrimination was the product of the system of exploitation, and it was not limited to southern Africa. Indeed, the authorities of certain countries were often quite lenient with regard to persons disseminating and practising neo-Nazi and neo-Fascist ideologies, and such acts were not punishable under their laws. Poland categorically rejected the argument often put forward by those countries that tolerance of the activities of organizations propagating ideologies based on racial superiority was evidence that those States adhered to democratic values.

15. The United Nations could be particularly proud of its record in establishing a legal framework for combating racism, racial discrimination and apartheid, which included, inter alia, 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. In the view of his delegation, universal adherence to the existing instruments of international law could become an effective means of combating racism and apartheid. In that connection, he expressed his delegation's disappointment with the fact that the International Convention on the Suppression and Punishment of the Crime of Apartheid had not so far been ratified by enough Member States to make it an effective international legal instrument.

16. The Polish Government actively participated in all international efforts to combat racism and racial discrimination, and it supported the national liberation movements recognized by the United Nations and other international organizations. The general principle of non-discrimination was reflected in the legislation in force in Poland as well as in the practice of State organs. In future, Poland would work together with the international community to ensure the complete elimination of racism, and he expressed the hope that the Member States which had hitherto demonstrated too much indulgence towards the racist régime in South Africa would actively join in that endeavour.

17. Mr. KITTIKHOUN (Lao People's Democratic Republic) said that self-determination was a prerequisite for the exercise of other human rights. While it was true that more than 100 formerly subjugated nations had acceded to independence since the adoption in 1960 of the Declaration on the Granting of Independence to Colonial Countries and Peoples, it was sad to see that Namibia was still under the colonial yoke and that the black people of South Africa continued to be subjected to apartheid's oppression and exploitation. While that policy was being strongly condemned all over the world, concrete and effective acts, not mere condemnation in words, were required if that abhorrent system was to be eradicated.

18. The South African Government could remain unresponsive and arrogant with respect to United Nations resolutions because of the support and assistance it received in all fields from one imperialist Power and some of its Western allies. The hypocrisy of those who lent unswerving support in all fields to apartheid could be seen from their often repeated arguments in favour of the so-called peaceful approach: "constructive engagement". That approach was nothing but an attempt to help the Pretoria régime to justify the cynical apartheid which the world totally rejected. The most effective strategy for the eradication of the detestable system of apartheid was the total isolation of the Pretoria régime. In other words, apartheid should be abolished, not reformed.

(Mr. Kittikhoun, Lao People's
Democratic Republic)

19. In the Middle East, the Palestinian people continued to be denied their right to self-determination and were being subjected to oppression, threats, blackmail and attacks from the Israeli authorities which had the full blessing of imperialist forces. In that connection, his delegation strongly condemned the Israeli brutal aggression against Tunisian sovereignty, aimed at liquidating the Palestinians based in Tunisia, an independent country Member of the United Nations and of the Non-Aligned Movement, and appealed to the reason of those who persisted deliberately in helping Israel to violate international law with impunity. Peace and stability must be established in the region so that the Palestinian people could return to their homeland, exercise their right to self-determination and decide their own destiny, including the establishment of a sovereign State in Palestine.

20. With regard to comments made in the Third Committee about the necessity for the Kampuchean people to exercise their right to self-determination, he pointed out that in the past six years, the situation in South-East Asia had undergone changes in favouring peace, stability and co-operation. Since their miraculous recovery in 1979, the Kampuchean people had developed their economy, strengthened their culture and were now in control of all their national territory. The joint announcement by the People's Republic of Kampuchea and the Socialist Republic of Viet Nam on 16 August 1985 that the partial withdrawal of the Vietnamese volunteer forces from Kampuchea would be continued on an annual basis and be completed in 1990 was proof of the solid development of the People's Republic of Kampuchea and testified to the sincerity of Viet Nam. His delegation hoped that those who had good will in the search for peace and stability in the region would actively work towards strengthening and developing the dialogue that had emerged between the States of the region.

21. The detractors of the People's Republic of Kampuchea had also hastened to comment on what they called the situation in Afghanistan. Their hypocrisy in that regard had become obvious when they had failed to speak about the need for the total withdrawal of foreign troops from the small and unfortunate island of Grenada, as called for by the Non-Aligned Movement at its Ministerial Conference held in Luanda in September 1984.

22. As the United Nations began the commemoration of the fortieth anniversary of its founding, resulting from the victory of all mankind over nazism and fascism, the world still witnessed the increasing activities of neo-Nazi and Fascist organizations in some Western countries, organizations which continued blatantly to disseminate Nazi and Fascist ideologies. Those ideologies had been the cause of two world wars and his delegation believed that the United Nations must take the necessary action to eradicate the dangers of revanchism.

23. Mr. HUANG Jiahua (China) said that racism and racial discrimination were the most brutal and abhorrent forms of violations of basic human rights. The South African policy of apartheid and the series of atrocities recently committed by authorities there had aroused strong indignation and unanimous condemnation by the international community. Stronger support should be given to the people of southern Africa, who were in the forefront of the struggle against racism.

(Mr. Huang Jiahua, China)

24. Over the past year, under great international and domestic pressure, the South African racist authorities had been changing their tactics in conducting domestic suppression and foreign aggression in an attempt to deceive world public opinion and to stem the tide against racism. They had been repeatedly advocating "constitutional reforms" and "power-sharing". However, those manoeuvres were designed merely to legalize and perpetuate the apartheid system and had been rightly met with strong opposition on the part of the South African majority.
25. The South African authorities had not only continued to enforce the system of apartheid within the country, but had extended it to Namibia, which they occupied illegally. In order to maintain its colonial and racist rule over Namibia, the South African régime had declared the establishment of a "transitional government", thus attempting to obstruct the independence of Namibia. In addition, South Africa was still carrying out subversion and armed aggression against Angola, Botswana and Mozambique. The régime's acts had destabilized the situation in all of southern Africa and were gravely threatening international peace and security.
26. His delegation believed that all States Members of the United Nations should take strong measures against the South African racist régime and exert greater pressure to force it to terminate its criminal policy of apartheid, its ruthless suppression of the South African people and its intransigence in refusing to implement United Nations resolutions.
27. His delegation fully supported the work of the Committee on the Elimination of Racial Discrimination and the activities of the United Nations with respect to the Second Decade to Combat Racism and Racial Discrimination. Only strong support and effective measures by the international community would further strengthen the determination of South Africa's black majority in its valiant struggle against the apartheid system and ensure the total isolation of the South African régime in the international arena.
28. On the occasion of the fortieth anniversary of the United Nations, his delegation hoped that all peace-loving and countries concerned with justice would unite more closely and take concerted action to eradicate racism and racial discrimination.
29. Mr. OLZVOY (Mongolian People's Republic) said that the newly independent and developing countries were being stymied in their efforts to realize their basic rights and freedoms - including the right of self-determination and freedom from discrimination and from external interference in their affairs - by imperialist forces which sought to subject them to subtle forms of domination as part of a greater scheme of world domination. The policy of the United States was a case in point. Its blatant militarism, intervention against sovereign States and callous disregard for the traditions, values and interests of others ran counter to fundamental principles of international law. The peoples of Asia were particularly concerned over United States' encouragement of Japanese militarism, of which they had themselves been the victims.

(Mr. Olzvoy, Mongolian People's Republic)

30. His country, a staunch advocate of self-determination, condemned the United Nations policy of State terrorism against independent and sovereign countries as manifested, in such acts as the invasion of Grenada and undeclared wars against peoples that had chosen the path of social and economic progress. Racism and racial discrimination inevitably thrived where there was inequality, lawlessness, exploitation, neo-fascism, revanchism and militarism, and could be combated only through national as well as international measures.

31. Zionism was a particularly dangerous form of racism. It exacerbated international tension and was the principle underlying Israel's policy of State terrorism aimed at denying the Palestinian people its most fundamental rights. The peoples of southern Africa too were being denied their fundamental rights because international imperialism supported a racist régime which not only practised terror against the indigenous population but also served as a base for imperialism in its struggle against sovereign and independent States. The widening struggle against apartheid, however, had forced even the Western Powers to limit their economic co-operation with South Africa, which had responded by making insignificant cosmetic changes in apartheid, which could not disguise the fact that those changes were designed to make apartheid more palatable rather than to eliminate it. The so-called "sanctions" recently imposed by Washington, for example, which did not affect the activities of the transnational corporations that provided South Africa with its economic and military potential, were a sham designed to prevent the adoption of real sanctions.

32. His own country had long ago eliminated the social, economic and political bases for racism and racial discrimination and its citizens were fully equal before the law. It was a party to the international conventions relating to racial discrimination and apartheid and urged all States which had not done so to ratify them and scrupulously to implement their provisions.

33. Mr. ZURITA (Spain) said that the adoption, by consensus, of General Assembly resolution 38/14 proclaiming the Second Decade to Combat Racism and Racial Discrimination recognized not only the continued existence of racism and its universal character, but also the strong will of the international community to spare no effort to eliminate it. His Government had repeatedly manifested its support for the Programme of Action and was convinced that continued work on the basis of consensus would be a major contribution towards the effectiveness of the activities of the Second Decade.

34. His Government condemned and repudiated the system of apartheid as the most shameful and detestable form of racism. Its institutionalization by South Africa had always been unequivocally rejected in Spain. The latest developments in South Africa, which had led to the current situation of intolerable violence, had aroused the strong indignation of the Spanish Government and people, who believed that the system of apartheid must be abolished, not merely reformed.

(Mr. Zurita, Spain)

35. His Government, which had participated in financing the round table held at The Hague in September 1984 on the international legal questions of apartheid, racism and racial discrimination, had joined Portugal, in endorsing the recent initiatives taken by the European Economic Community - of which Spain would soon be a member - with respect to the segregationist régime of South Africa. Consistent with that position, his delegation wished to associate itself with the statement made at the 3rd meeting of the Third Committee on 7 October 1985 by the representative of Luxembourg on behalf of the members of the European Economic Community.
36. The strong condemnation of apartheid should not blind the international community to the existence in most societies around the world of other discriminatory practices for racial reasons which were equally reprehensible and should be eradicated. The efforts of each country to combat those practices were certainly necessary, but the universality of the problem required concerted action by the international community.
37. The very broad acceptance of the International Convention on the Elimination of All Forms of Racial Discrimination endowed it with great moral force. Nevertheless, the true strength of that Convention as an international legal instrument had to come from its real effectiveness. To that end, States parties must fulfil their obligations by adapting its provisions to their respective jurisdictions.
38. His delegation understood that the fulfilment of some of those obligations could sometimes be complicated, especially with respect to the submission of reports. Nevertheless, it was concerned about the delay in submitting those reports required under article 9 of the Convention. The backlog of some 95 reports greatly impeded the work of CERD. It was therefore highly important to continue to study the possibility, on the one hand, of expanding the current bi-annual periodicity for the submission of reports and, on the other hand, of providing States parties with adequate technical assistance services for the preparation of those reports.
39. His Government attached great importance to the work of the Committee on the Elimination of Racial Discrimination and again wished to express its full support and co-operation. However, his delegation noted that the report of CERD (A/40/18) again contained elements with which it could not fully agree. It believed that CERD must confine itself to strict compliance with its mandate without dealing with or permitting itself to comment on matters unrelated to that mandate.
40. Mr. S'AIDU (Nigeria) said that the recent escalation of violence in South Africa should continue to be of serious concern to the international community and he urged those countries which had applied limited sanctions against the racist régime to apply the comprehensive and mandatory sanctions demanded by the desperate victims of apartheid. He regretted that certain Member States had instead chosen to appease and reinforce the inhuman apartheid system by openly collaborating with it.
41. Racism and racial discrimination existed in many countries, including parts of the so-called free world, and, particularly in the form of apartheid, were

(Mr. S'Aidu, Nigeria)

jeopardizing world peace and security. His country therefore appealed to all States that had not yet done so to ratify the International Convention on the Suppression and Punishment of the Crime of Apartheid. It also appealed to Member States, and to the mass media in particular, to devote greater effort to publicizing the atrocities being committed daily by the apartheid régime with a view to mobilizing world opinion against it. The media should also help educate the peoples of the world about the implementation of the international instruments relating to racial discrimination and apartheid and convince them of the need for peaceful coexistence among all races.

42. While welcoming the intensification of the struggle of the people of South Africa itself against the racist régime, his delegation also urged international action against the transnational corporations operating in that country and the imposition of comprehensive and mandatory sanctions. Apartheid could not be reformed; it must be eliminated. His delegation called for solidarity with and support for the liberation movements which were sharply escalating their resistance, including armed struggle, to achieve that end.

43. Mr. QASIM AMED (Afghanistan) said that southern Africa was the last bulwark of those detested anachronisms, colonialism and racism. The racist régime used State terrorism to perpetuate an apartheid system aimed at favouring monopoly capital and the white landed gentry so that they could exploit the disenfranchised black majority. The policy of bantustanization, involving mass expulsions, was part of that policy and was aimed essentially at perpetuating oppression, ensuring the steady influx of cheap labour into the industrial areas and leaving the best land in the hands of a small white minority.

44. The racist régime was waging undeclared war against other States in the region and continued to flout United Nations resolutions, conventions and appeals because it had the backing of imperialist circles, particularly the United States. Israel too continued to flout all international decisions in its mistreatment of the Palestinians and the Arab people.

45. In some Western countries, racist and militarist organizations operated freely and contributed to a climate of heightened international tension that fostered the establishment of repressive régimes and the suppression of progressive movements. All States must therefore adopt urgent measures to combat the existence, revival and spread of such organizations and their ideologies and practices and to make the dissemination of ideas of racial superiority or hatred and war propaganda punishable by law.

46. His delegation resolutely supported the Declaration and Programme of Action adopted by the Second World Conference to Combat Racism and Racial Discrimination. His country had acceded to the United Nations instruments relating to racism and apartheid and would do its utmost to implement them and other international instruments aimed at eradicating racism, including zionism, racial discrimination and apartheid, abominations which had been totally eliminated in his own country.

47. Mrs. MOIZ (Pakistan) said that the most serious threat to international efforts to combat racism and racial discrimination came from the racist régime of South Africa, which, despite international condemnation, was pursuing a policy of brutal repression against those fighting to eliminate apartheid. The international community must assist the victims of racism, especially in southern Africa. Her country condemned the apartheid régime, demanded the unconditional release of all political prisoners and reaffirmed its continued support for SWAPO as the sole representative of the Namibian people.

48. Her delegation welcomed the Secretary-General's efforts to implement General Assembly resolution 39/16 and noted with satisfaction the activities undertaken by United Nations bodies, specialized agencies and non-governmental organizations to achieve the objectives of the Second Decade to Combat Racism and Racial Discrimination.

49. Her country had been one of the first to ratify the International Convention on the Elimination of All Forms of Racial Discrimination and felt that the Committee on the Elimination of Racial Discrimination, which had done excellent work, should be strengthened and given a broader mandate so that it might examine the problem of racial discrimination in all signatory States, particularly in South Africa. It also urged Member States which had not done so to accede to the Convention and make it universal. Her delegation also attached considerable importance to the completion and adoption of a convention on the rights of migrant workers and their families and wished to reiterate its whole-hearted support for the objectives of the International Convention on the Suppression and Punishment of the Crime of Apartheid. Apartheid could not be reformed; it could only be eliminated.

50. Miss Lee HAN YIN (Singapore) said that the representative of the Lao People's Democratic Republic had made certain statements regarding the situation in South-East Asia which did not reflect the real situation in that region and that she would exercise her right of reply at a later date.

The meeting rose at 12.55 p.m.