



SUMMARY RECORD OF THE 6th MEETING

Chairman: Mr. ZAWAWI (Malaysia)

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The meeting was called to order at 3.20 p.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, A/40/694 and Add.1)

AGENDA ITEM 93: 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: REPORT OF THE SECRETARY-GENERAL (continued) (A/40/308, A/40/331, A/40/465 and Add.1, A/40/672, A/40/678)

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- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL

1. Mr. DUGUAY (Canada) said that on the occasion of the fortieth anniversary of the United Nations it was fitting to take account of one of the more significant achievements of the United Nations: the adoption and promotion of international standards for the defence of human rights, exemplified by the accession by 124 Member States to the International Convention on the Elimination of All Forms of Racial Discrimination.

2. His country was proud of its record in that area. The Canadian Constitution included a Charter of Rights and Freedoms which enshrined equality of treatment for all, regardless of national or ethnic background, colour, religion, sex, age or mental or physical disability. That constitutional guarantee was not a dead letter but was actively applied, not only by elected members of Parliament but by all Canadians, who could challenge through the courts any law or practice which they believed violated their rights, and the Government had for that purpose established an independently administered fund to assist persons who decided to challenge laws which they considered discriminatory.

3. In the same vein, the Canadian Government had recently adopted measures to support equality in employment opportunities and to improve the status of those groups most vulnerable to discrimination, while requiring Canadian enterprises to demonstrate the effective implementation of those measures. Attempts were also being made to ensure that all groups in society were represented on decision-making bodies.

(Mr. Duquay, Canada)

4. His delegation believed that the discussion in the Committee should concentrate on what each individual country did about racism and racial discrimination, while keeping in mind that Governments could not fight racism by themselves, without the support of community organizations, the media and educators. His delegation therefore accorded great importance to those aspects of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination which addressed the role of the community in promoting tolerance and understanding.

5. His delegation considered it a moral obligation to also denounce racism abroad, in particular the apartheid régime, which was totally incompatible with the fundamental values and freedoms that should be defended by every member of the international community. Canada's policy over the past 25 years had been based on consistent opposition to that repugnant form of institutionalized racism. His country had at times taken the lead and had acted in concert with the international community by bringing pressure to bear on the South African Government to abandon its racist policies.

6. However, condemnation was not enough. His country was also seeking the co-operation of the Canadian business community to promote peaceful change in South Africa. Such change should extend common political rights to all South Africans, including full freedom to live, move and work, unimpeded by arbitrary restrictions based on race or colour. His country was seeking the release of political prisoners and detainees, and the pursuit of a process of open consultation involving non-white leaders from outside the homelands. In short, it proposed reform based on consent, not on imposition or coercion.

7. He wished to commend the Committee on the Elimination of Racial Discrimination and noted with disappointment that the list of reports awaiting scrutiny by that Committee continued to grow, although he sympathized with the difficulties encountered in preparing them for a deadline, and hoped therefore that those reports could be made every four rather than every two years. His delegation supported that Committee's request to the Secretary-General to consider ways of providing increased technical assistance and advisory services to assist States in the preparation of their reports.

8. In connection with compliance by States parties with article 4 of the Convention, Canada considered that legislation to control racial propaganda and racist associations should pay due respect to freedom of association. Regarding article 15 of the Convention, he was of the opinion that questions of a strictly political nature, such as had been raised the previous year in connection with the Falklands/Malvinas Islands, fell outside the scope of that article.

9. On the topic of the importance of the universal realization of the right of peoples to self-determination, his delegation supported the efforts of the Secretary-General to find a just and lasting solution to the problems facing the Afghan population, and called on the Soviet Union to withdraw its troops from that country, so that its independence and sovereignty could be restored. The Afghan people had no prospects for enjoying their basic human rights and freedoms under foreign occupation. His delegation also hoped that Viet Nam would withdraw its

(Mr. Duguay, Canada)

troops from Kampuchea in order to facilitate a solution to the problems of that country, while supporting the countries of the Association of South-East Asian Nations in their search for a just and lasting settlement.

10. Mr. SCHWANDT (Federal Republic of Germany) expressed the support of his delegation for the statement by the representative of Luxembourg, which currently held the presidency of the European Community, concerning the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

11. On the topic of the universal realization of the right of peoples to self-determination, he said that one of the greatest achievements of the United Nations during its 40 years of existence had been its role in the granting of independence and freedom to the vast majority of the peoples of the world. It was not by accident that the founding fathers of the United Nations had included the right to self-determination among the basic principles of the Organization stated in Article 1 of the Charter. History had proved their foresight to have been correct. That right, which had become a principle of international law, was defined both in the International Covenant on Civil and Political Rights and in the International Covenant on Economic, Social and Cultural Rights as the right of all peoples freely to determine their political status and freely to pursue their economic, social and cultural development. That definition made it clear that the right to self-determination had much larger implications than mere freedom from colonial rule and foreign domination. The exercise of the right to self-determination, which was a dynamic and living process, was the true source of all national and human development. It was therefore indivisible from the right of the individual to take part in the conduct of public affairs, the right to vote and to be elected at periodic elections held in a manner guaranteeing the free expression of the will of the people, the right to freedom of thought, conscience and religion, the right to freedom of expression, the right of peaceful assembly and association, the right to take part in cultural life, the right to liberty and security of the person and the right to move freely within and outside one's own country. To deny any of those rights was to deny the right to self-determination.

12. He regretted that democracy, which was the essential prerequisite for the exercise of the right to self-determination, was being undermined, perverted and even abolished in many countries in the name of various totalitarian ideologies. That was how the German people had lost its right to self-determination in 1933. As a result the German people remained divided, against its will, since the end of the Second World War, a war that had resulted from the totalitarian pretensions of the National Socialist ideology. It was the declared political aim of the Federal Republic of Germany to work for a state of peace in Europe, in which the German nation could regain its unity through free self-determination.

13. The fate of the German people was an example of the fragility of that right, but it was not the only case. The international community continued to be faced by numerous instances in which the right to self-determination was denied or abused. Only scrupulous respect for that right could guarantee the solution of the problems of southern Africa, the Middle East, Afghanistan, Kampuchea and many other parts of

(Mr. Schwandt, Federal Republic
of Germany)

the world. The illegal occupation of Namibia by South Africa must be brought to an end at once and the people of Namibia must finally gain their independence on the basis of Security Council resolution 435 (1978). The right to self-determination of the Palestinian people must be realized, no less than the right of all States of the region, including Israel, to exist within recognized and safe borders. The occupation of Afghanistan by Soviet troops and the Vietnamese intervention in Kampuchea must be ended. There must be an end to the situation of millions of people who were deprived of their basic human rights or forced to flee their countries.

14. He recalled that one of the guiding principles 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 considerable progress that had been made should not hide the fact that there was still a long way to go.

15. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that of all the questions which the Third Committee had to address in connection with agenda item 94 the question of the apartheid régime had priority. He was pleased that condemnation of that régime was finally unanimous in the Committee.

16. The South African racists were exceeding all limits in their systematic violation of the fundamental human rights of the indigenous population of South Africa. The army and police were attacking and using firearms against defenceless crowds demonstrating to demand their most basic rights. That was the inevitable consequence of the fury inherent in ideologies based on the supremacy of one race over another.

17. There were unmistakable indications in the situation of South Africa foretelling the end of the hateful régime of apartheid. The current crisis in South Africa's economy which was based on exploitation of the labour force by methods redolent of slave régimes, was contributing in large measure to those indications. It could be said even now that the South African régime was an evil-smelling corpse contaminating the atmosphere of southern Africa. It was a sinking ship which certain firms and financial circles were already beginning to abandon like rats sensing the imminence of a shipwreck.

18. The indigenous South African population, the 28 million people who were being exploited and oppressed by the white minority, was no longer prepared to tolerate the survival of a system which had been condemned by the United Nations as a crime against humanity. Those millions of oppressed people were simply asking to be considered as human beings in their own country and pleading for a democratic and free society and State from which all social, economic and political discrimination would be banished forever.

19. The peoples of the world had learnt the lesson of nazism and knew how to apply it to the racist régime of South Africa. Violence alone sustained such régimes. Empty speeches on so-called "reforms" of apartheid were therefore without

(Mr. Yakovlev, USSR)

substance. In the strange logic of those "reforms" it was claimed that the vast majority of the people were peacefully putting up with the endless stream of violence perpetrated against them by the régime. In the face of such unacceptable logic, the African National Congress (ANC), which for decades had used exclusively non-violent methods to secure recognition of the fundamental rights of the indigenous population, had for some time now been resorting to the armed struggle advocated by the armed group "Umkhonto we Sizwe" ("Spear of the Nation") so as to respond with the violence of liberation to the violence of oppression used by the régime. For a quarter of a century ANC had been tirelessly pursuing that struggle, despite the repression of its members, as evidenced by the sentence imposed on its heroic leader Nelson Mandela, who had been in prison for over 20 years. ANC was not being taken in by the latest diversionary manoeuvres of the Botha Government with its so-called "reforms". At its second congress, held in June 1985, ANC reached the conclusion that the character of the régime had not changed. As a result the programme and political strategy of the organization was still being implemented; they were based on the Freedom Charter, which considered all the inhabitants of South Africa, without distinction as to race or nationality, to be brothers and compatriots with absolute equality of rights. In 1983 ANC had helped to establish the United Democratic Front, which had adopted the Freedom Charter as its own and which grouped together some 700 organizations made up of more than 2 million people. The Communist Party of South Africa also supported the principles of the Freedom Charter and was aiding the struggle for the liberation of the indigenous population of South Africa. The evolution of that struggle refuted the racists' theory that the liquidation of apartheid would be tantamount to the liquidation of South African national identity.

20. In fact, while influential business circles were beginning openly to criticize the Pretoria Government, the national liberation movement sought to establish a new democratic society in the country based on equality before the law and full respect for human rights.

21. The racists must be given no respite; they must not be permitted to regroup their forces or they would intensify repression and acts of aggression. Verbal condemnation or exhortation to implement weak and hypocritical partial reforms was not enough. All political, military and economic aid to the racist régime of Pretoria must be stopped and freedom of action for ANC and for all the organizations calling for the establishment of a united and democratic society in South Africa must be guaranteed.

22. To achieve that end, it was necessary scrupulously to implement General Assembly resolutions demanding an end to the policy and system of apartheid, the colonial occupation of Namibia and acts of aggression against neighbouring African States. It was also essential for the Security Council to adopt sanctions against South Africa under Chapter VII of the United Nations, notwithstanding the opposition of imperialist countries which considered the racist régime a strategic ally and therefore did not want to impose effective sanctions or really put an end to it.

23. Even though, under the impact of recent events, certain Western countries that were co-operating with South Africa had announced economic sanctions, implementation

(Mr. Yakovlev, USSR)

of those sanctions was subject to so many conditions that in the final analysis they only served to strengthen the Pretoria régime. For example, official bodies in South Africa were continuing to receive loans which in theory had been denied them, and the prohibition on supplying nuclear technology to that country was hedged by so many exceptions and reservations that it actually had no value. To sum up, so-called "constructive engagement" had not only not been modified or reduced: it was becoming more and more political and active, as its proponents acknowledged.

24. At the public hearings on the activities of transnational corporations in South Africa and Namibia held in September 1985, specific facts had been examined and it had become apparent that certain well-known Western Powers were in fact providing assistance to the racist system in Pretoria and co-operating with it. It had become obvious during the hearings that the survival of the racist system and policy was assured by an "alliance" between apartheid and imperialist circles in Western countries. That alliance must be broken once and for all. Any aid to apartheid entailed complicity with its criminal policies and constituted an incitement to racial violence. In that respect he wished to recall paragraph 4 of General Assembly resolution 39/15 which was very relevant today. The total isolation of the Pretoria régime would facilitate the struggle of the South African people, reduce the number of victims of racist terror and contribute to the establishment in South Africa of a just and democratic society based on equality of rights.

25. The Government and the people of the Soviet Union, like all who truly defended the cause of peace, freedom, independence and social progress, demanded an end to the arbitrary rule being imposed upon the indigenous African people and the release of Nelson Mandela and the thousands of political prisoners being held in dungeons. They also strongly condemned the policy of co-operation with the Pretoria authorities pursued by the imperialist circles, a policy which could not be justified in the United Nations.

26. The Soviet Union urged all Governments to adopt effective measures to make the Pretoria régime comply with the demands of international public opinion and end its campaign of repression and violence against the African people because apartheid was a first step towards genocide, a cause of dangerous tension in southern Africa and a serious complicating factor in international relations.

27. In conclusion, he refuted the views expressed by the previous speakers, the representatives of Canada and the Federal Republic of Germany. Efforts to raise the question of Afghanistan were a futile attempt to deflect the discussion from the real question of substance, which was the assistance given to the Pretoria régime by the transnational corporations in establishing a horrible network of repression in South Africa, as demonstrated at the hearings in September 1985.

28. The representative of Canada should try to stop the activities of Canadian transnational corporations in the region. He should try to improve the situation of the Eskimos and other ethnic minority groups living in his country and he should realize that the struggle of peoples for self-determination and against any kind of discrimination was incompatible with a policy of encouraging and promoting fascism and of protecting Nazi war criminals under the pretext of tolerance.

(Mr. Yakovlev, USSR)

29. It was not by interference in the internal affairs of sovereign States and by sermonizing newly independent States that the Committee should deal with the basic question of apartheid.

30. Mr. SON (Democratic Kampuchea) said that his Government supported without reservation the adoption of any measure the international community deemed useful to combat apartheid, racism and all forms of racial discrimination. Recalling the speech made by the President of Democratic Kampuchea, Samdech Norodom Sihanouk, before the General Assembly of the United Nations on 2 October 1985, he said that only the outright elimination of apartheid would permit the establishment of a free, united and democratic society in South Africa. Kampuchea supported the sanctions adopted by the developing countries against the Pretoria régime but regretted that they were not stronger and did not include greater moral, material and diplomatic assistance to the peoples of the region in their liberation struggle. It was essential to eliminate completely and permanently all forms of racism and racial discrimination, which were the cause of conflict and instability in the world.

31. The machinery which served to subject an entire people, invented and used by the white minority of Pretoria, inspired the colonialist and imperialist régime of Hanoi, which had been occupying Kampuchea since 1979 with an army of 180,000, heavily armed by the Soviet Union. The 700,000 Vietnamese settlers established in Kampuchea controlled such vital sectors of the country's economy as trade, fishing in the great lake of Tonlé Sap, the rubber plantations, the high-grade wood industry and the fertile lands along the banks of the Mekong and Tonlé Sap. The fisheries of the great lake of Tonlé Sap and the Mekong were being plundered by Vietnamese settlers while the Khmer had to pay a tax in order to fish along the adjacent bank. The occupation troops consumed all the rice produced in Kampuchea, which had been an exporter of rice until 1970, now had a rice deficit of 300,000 to 400,000 tons.

32. The occupying authorities had reduced the country's real inhabitants, the indigenous Khmer, to the status of minorities controlled and manipulated by the Vietnamese colonial Power. Under the pretext of community "socialist labour", the occupying authorities had compelled the Khmer of all social classes to do forced labour, such as felling trees and clearing minefields to support Vietnamese military operations or to benefit Viet Nam and the occupation troops. That forced labour, carried out under unhealthy and very dangerous conditions, was paralysing the country's vital forces and discouraging any inclination to resist the occupying forces.

33. The demography was being changed and Khmer culture and civilization were being destroyed by systematic marriages between Khmer women and Vietnamese soldiers and settlers and between Khmer men and Vietnamese women. Transculturation began with the children by teaching them the Vietnamese language and the glorified history of Viet Nam, and ended with real indoctrination in Viet Nam itself. Vietnamese domination was also ensured through advisers who controlled the entire Khmer administration. The acts of racism and racial discrimination committed by the Vietnamese colonialists against the Kampuchean people were identical with those perpetrated by the apartheid régime of Pretoria.

(Mr. Son, Democratic Kampuchea)

34. According to the well-known French ethnologist, M. A. Martin, the international community could not ignore the recent misfortunes of the Khmer people, which had been fighting for 16 years for survival and for the preservation of its national identity. The evidence was visible; it had undoubtedly been photographed by American satellites. By removing the political and ideological barriers, a nation could be rescued from extinction and the life of a people could be salvaged.

35. He called upon the peoples and Governments that loved justice, peace and liberty to reflect and appealed to their conscience lest it be said at the end of the twentieth century that the whole world had watched the genocide of the Kampuchean people without lifting a finger.

36. Mr. TANASA (Romania) said that racism and racial discrimination, and particularly the practice of apartheid in South Africa, had been denounced and rejected again and again in the United Nations as a crime against the human conscience and human dignity. With its apartheid policy the racist régime of South Africa was openly violating the basic principles of the United Nations Charter, the Universal Declaration of Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

37. The racist régime of South Africa had so far disregarded the repeated condemnations of its apartheid policy and practices and the appeals made by the United Nations and the African countries for a constructive dialogue designed to eliminate the policy of racial discrimination. It had instead intensified its brutal oppression of the vast majority of the population of South Africa by imposing emergency laws and similar measures, which constituted an integral part of the discriminatory system of apartheid. The so-called "constitutional proposals" or reforms, unanimously rejected and condemned by the General Assembly and the Security Council, did not really bring about any change in the very nature of apartheid. In fact those measures were part of the apartheid policy and were designed to neutralize the resistance of the people and the opponents of the system.

38. Moreover, apartheid had extended beyond the borders of South Africa. It had found expression in the ever more dangerous expansionist drive of the racist régime over the entire southern part of the continent. South Africa had constantly refused to respect the inalienable rights of the people of Namibia and had extended apartheid rule to that Territory, brutally repressing the struggle for national liberation. The régime had also created obstacles to the implementation of Security Council resolution 435 (1978), and was trying to impose a neo-colonialist solution in Namibia which would secure its hegemony in the area.

39. Romania firmly condemned the latest repressive measures the régime had taken against the black population, its insolent interference in the internal affairs of other States, and its armed intervention and aggression against Angola and other neighbouring States. Such acts, an expression of the aggressive nature of the Pretoria régime, heightened conflict in the region and were a serious threat to international peace and security.

(Mr. Tanasa, Romania)

40. Romania supported the proposals put forward by the African countries for the adoption by the United Nations of effective measures to do away with the racist policy of apartheid. It also supported the struggle of the peoples of Africa against imperialism, colonialism and neo-colonialism and their efforts to achieve greater national independence, the immediate independence of Namibia and the elimination of the Pretoria régime's policy of apartheid and racial discrimination, and to secure the rights of the South African majority to freedom, equality and social and economic progress. In that spirit, Romania was actively supporting the national liberation movements in southern Africa.

41. Romania believed that abolishing apartheid and creating conditions enabling the peoples of southern Africa to participate freely in shaping their own future were imperatives that had to be translated into effective measures by the United Nations and the entire international community. In that connection, it was important to redouble efforts to implement the objectives of the Second Decade to Combat Racism and Racial Discrimination.

42. Mrs. COLL (Ireland) said that the Declaration on the Granting of Independence to Colonial Countries and Peoples proclaimed explicitly that all peoples had the right to self-determination, and defined it as that right by virtue of which they freely determined their political status and freely pursued their economic, social and cultural development. That principle was, of course, also set forth in the United Nations Charter. Although the Universal Declaration of Human Rights did not mention self-determination specifically, both the International Covenants on Human Rights, adopted in 1966, enunciated that right of peoples in the same terms as those used in the Declaration. Her delegation regretted that for several years Ireland had been unable to support the main resolution under item 93, to which it had always attached great importance. It would be gratifying if, in the current anniversary year, an approach conducive to wider support for the resolution were adopted.

43. A study prepared for the Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1980 had concluded that the right to self-determination had become one of the most important and dynamic concepts in contemporary international life, and that it exercised a profound influence on the political, legal, economic, social and cultural planes, in the matter of fundamental human rights and on the life and fate of peoples and individuals. Thus, while the exercise of the right to self-determination created the context in which the other human rights were to be respected and enjoyed, it was itself bolstered by respect for those other individual human rights. In that sense, the degree of a people's achievement of self-determination could be measured by the degree to which human rights and fundamental freedoms were enjoyed. The price of freedom was, indeed, eternal vigilance.

44. Although the United Nations had been successful in guiding many countries towards independence and self-determination, it had failed to effect a solution in a number of cases where those rights continued to be denied or had recently been violated. The United Nations had direct responsibility for Namibia until independence. Security Council resolution 435 (1978) was a universally accepted

(Mrs. Coll, Ireland)

framework for the peaceful transition of Namibia to independence. South Africa continued, none the less, to challenge the authority of the United Nations, rejecting international law by its occupation of Namibia and compounding the evil by aggressive and destabilizing activities against neighbouring States. The latest in a series of ploys apparently designed to complicate Namibia's transition to independence was the setting up of an unrepresentative internal administration in the Territory. The Security Council had condemned that action as it had the recent South African raids into Botswana and Angola. Her delegation also unreservedly condemned them and insisted that the right to self-determination and the opportunity to enjoy human rights and fundamental freedoms should no longer be withheld from the people of Namibia.

45. No case of the denial of the right to self-determination was so intrinsically destructive of the enjoyment of human rights and fundamental freedoms as that inherent in the apartheid system. In the course of 1985, the aspirations of the South African people to full and equal involvement in determining the destiny of their country had been frustrated by a range of repressive and brutal measures which had sparked an explosion of political violence in which human rights were being flagrantly violated. A clear and unequivocal commitment by the South African Government to abandon apartheid and to enter into a serious political dialogue with leaders of the black community was not yet forthcoming. Measures had been taken by many Governments to increase pressure on the South African Government for change. Her Government believed that only collective action by the international community would be decisive. It therefore favoured the imposition by the Security Council of graduated and mandatory sanctions against South Africa, to be fully implemented by all.

46. For almost 18 years, the human rights of the inhabitants of the occupied Arab territories had been violated by such practices as arbitrary arrest, restrictions on freedom of movement, interference with family rights and customs, the dismantling of municipal services and restrictions on academic freedom. Those violations proceeded directly from the basic denial of the right of the Palestinian people to self-determination. Moreover, prospects for the Palestinian people's exercise of that right in the future were being undermined by the continued and gradual de facto absorption by Israel of the West Bank and Gaza. Ireland, believing that that constituted a growing obstacle in the search for a just solution which would permit the Palestinian people to exercise their right to self-determination, appealed to Israel to abandon the policy of creating and expanding settlements and extending infrastructural links with the occupied territories. That policy, if unchecked, could become practically irreversible, making the whole question of self-determination for the Palestinians an academic one. Recent promising initiatives for peace in the Arab-Israeli conflict must not be jeopardized. To reach a comprehensive solution based on Security Council resolutions 242 (1967) and 338 (1973), one must respect the right of all the States of the region, including Israel, to exist in peace and security as well as the right of all the peoples of the region to justice. The latter included, virtually, the right of the Palestinian people to self-determination, with all that that implied.

47. The Soviet occupation of Afghanistan had continued for almost six years. The

(Mrs. Coll, Ireland)

armed intervention in Afghanistan violated the principle of the Charter whereby States were obliged to refrain from the use of force against the territorial integrity and political independence of other States. That intervention continued to deprive the Afghan people of their inalienable right to determine their own form of government and choose their own economic, political and social system, free from any outside interference, subversion, coercion or constraint. The occupation had caused a mass exodus of refugees, creating formidable social, economic and security problems for Pakistan and Iran. That situation had resulted in another military conflict in which the rules of international humanitarian law were not observed, the civilian population was subjected to military repression and violations of the fundamental right to life, liberty and personal security were widespread.

48. In Kampuchea, the presence of foreign forces was a fundamental violation of the right of peoples to determine their own way of life. The abuses were similar to those which had occurred in the case of Afghanistan and their adverse consequences for the effective enjoyment of human rights and fundamental freedoms were similarly grave. The fact that such was the fate of Kampuchea, which had introduced the draft of General Assembly resolution 1514 (XV) in 1960, and of Afghanistan, which had sponsored that resolution, was a sad reminder that the enjoyment of the right to self-determination was precarious. It also illustrated the need for the United Nations to give constant attention to violations of the right to self-determination resulting from foreign military intervention, aggression and occupation. In both cases, the relevant United Nations resolutions contained the basis for lasting solutions, the indispensable elements of which included the immediate withdrawal of foreign troops, full respect for independence, sovereignty and territorial integrity, recognition of the right of peoples to self-determination, observance of the principles of non-interference and respect for the right of refugees to return in safety and honour.

49. Mr. LY (Senegal) said that his country attached particular importance to the agenda items concerning self-determination, racism, racial discrimination and apartheid within the framework of the fundamental objectives set forth by the international community in the Charter of the United Nations, which were particularly significant during the commemoration of the fortieth anniversary of the United Nations. His delegation had explained on several occasions in the Third Committee Senegal's policy and position with regard to the Second Decade to Combat Racism and Racial Discrimination and, at the current session, during the observance of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, he reaffirmed Senegal's respect for the inalienable right of peoples to self-determination and independence.

50. In that connection, he reaffirmed his country's active solidarity with and support for the struggle of the Namibian people under the leadership of the South West Africa People's Organization (SWAPO), their sole and authentic representative. His country would maintain that position as long as the South African régime refused to implement Security Council resolution 435 (1978), the only valid basis for a peaceful settlement of the Namibian problem. His Government rejected any internal solution to the problem, particularly the establishment of a so-called "interim

(Mr. Ly, Senegal)

government", which the Security Council and the international community had considered null and void.

51. Furthermore, Senegal reiterated its unequivocal support for the Palestinian cause and reaffirmed the right of the Palestinian people to fulfil their legitimate aspirations. In view of the recent Israeli aggression against Tunisia, his country reiterated its belief that the convening of an international peace conference on the Middle East, with the full participation of the Palestine Liberation Organization, could lead to a definitive solution of the Palestinian problem, which was at the core of the more general conflict in the Middle East.

52. South Africa, under the state of emergency decreed on 21 July 1985 and condemned by the Security Council in resolution 569 (1985), continued to strengthen apartheid, which was directed against the black majority in that country. In its relations with neighbouring countries, the régime violated the principle of sovereignty and territorial integrity of States by resorting to acts of destabilization, aggression and invasion. South Africa had also chosen to defy the international community through its stubborn refusal to respect fundamental human rights and the opinion of the majority of the population. That obstinacy demonstrated the need to intensify the concerted efforts of the international community to eradicate apartheid through comprehensive and mandatory economic sanctions, which alone would make the Pretoria régime listen to reason before it was too late. Furthermore, the international community had the duty to provide assistance to the combatants of SWAPO, the African National Congress (ANC), the Pan Africanist Congress of Azania (PAC) and the front-line States.

53. All the other forms of racism and racial discrimination should also be confronted resolutely. Although the first Decade for Action to Combat Racism and Racial Discrimination had increased public awareness of the evils of racism and racial segregation and had encouraged the holding of various activities and meetings, it had yielded limited results and had not fully achieved its objectives. In various parts of the world, migrant workers and ethnic minorities were being increasingly subjected to racism and racial discrimination. For that reason, during the Second Decade, the United Nations should redouble its efforts in the struggle against those grave violations of human rights. In that connection, Senegal welcomed the fact that the Secretary-General had begun to implement the plan of activities for the period 1985-1989 in accordance with General Assembly resolution 39/16. Among the activities carried out, the media round-table on international legal issues relating to apartheid, racism and racial discrimination, held in The Hague, and the seminar on community relations commissions and their functions, held in Geneva, were worthy of note. With regard to the future activities, Senegal attached particular importance to the organization in 1986 in Africa of an international seminar on international assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and apartheid. He stressed the urgent need to conduct a study of the effects of racial discrimination on the children of migrant workers in the field of education, vocational training and employment and a study on the achievements and shortcomings of the first Decade. Furthermore, the new activities should be co-ordinated in a more efficient manner.

(Mr. Ly, Senegal)

54. He emphasized the importance which Senegal attached to the universal ratification and acceptance of 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, and to recognition of the competence of the Committee on the Elimination of Racial Discrimination and the need to give greater publicity to the work of that Committee, one of whose main tasks should be that of publicizing the articles of the corresponding Convention. In September 1985, Senegal had submitted its reports for the periods 1981-1983 and 1983-1985 in accordance with article 9 of that Convention.

55. It was hoped that at the current session there would be an even greater spirit of unity and solidarity than in the past with regard to the implementation of the Programme of Action for the Second Decade. Senegal was prepared to join in all efforts to reach a consensus reflecting the firm determination of the international community effectively to combat racism, racial discrimination and apartheid.

56. Mr. LINDGREN (Brazil) said it seemed that the international community had never been as alarmed at the evils of apartheid as at the current session of the General Assembly. On the whole, the work of the United Nations to bring about the independence of colonial peoples was considered the most successful achievement of the Organization. Its efforts to eliminate racism and racial discrimination were equally important. Although colonialism and racial discrimination were usually related phenomena, the elimination of one did not automatically lead to the disappearance of the other.

57. While no one seemed to doubt that the Pretoria régime would be brought to an end by the antagonistic forces that its existence generated, or that the initiative for dismantling it lay with the South African people, it was also true that the United Nations was playing a prominent role in the international mobilization against apartheid. Clearly, the sanctions adopted by many countries thus far still lacked sufficient strength to curb South Africa's arrogance or to put an end to that country's aggressive policies. Yet, the idea of sanctions, which some countries had rejected not long before, was beginning to be accepted, even by those very countries.

58. Because its main concerns were related to social matters and human rights, the Third Committee could not avoid strongly condemning the brutal acts of aggression - internal and external - generated by racism, especially when they were translated into State policy. The same kind of racism which oppressed the black majority in South Africa was evident in the illegal occupation of Namibia and in South Africa's violence against neighbouring States. Likewise, military aggression against countries whose only offence was to have sheltered brothers who had been deprived of their fundamental rights in their own land, and against refugees settled in other countries with the help of the United Nations must also be condemned. To consider such attacks as justifiable pre-emptive or retaliatory measures was to condone barbarism in disguise. The Third Committee must express solidarity with the Angolans, the Namibians, the Tunisians and the Palestinians in the face of the acts of violence perpetrated against them.

(Mr. Lindgren, Brazil)

59. More than ever before, the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and United Nations resolutions which posited self-determination as a basis for the enjoyment of human rights, such as General Assembly resolution 39/17, must be universally implemented.

60. In 1951, long before the United Nations had proclaimed the first Decade for Action to Combat Racism and Racial Discrimination, Brazil had qualified racial discrimination as a crime punishable by law. Brazil, which was proud of the mix of races which lived in the country, had welcomed all initiatives intended to eliminate racism. Brazilian representatives had taken part in all major events to improve race relations sponsored by the United Nations. Brazil had scrupulously abided by the mandatory resolutions of the United Nations regarding apartheid. On 9 August 1985, bearing in mind the pertinent resolutions of the United Nations and the spirit of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, the Brazilian Government had promulgated a decree reaffirming the ban on exports of oil and its by-products, arms and ammunition, and licenses and patents to South Africa. The decree also prohibited any kind of cultural, artistic or sports activities with South Africa. Likewise in the spirit of General Assembly resolutions, particularly resolution 39/17, new forms of assistance to the national liberation movements of occupied Territories in southern Africa had been initiated. At the end of 1984, Brazil, together with the United Nations Centre on Transnational Corporations, had conducted a seminar at Rio de Janeiro designed to acquaint SWAPO with the Brazilian experience in dealing with transnational enterprises and in organizing State enterprises in the fields of mining, energy, agriculture and fisheries. In 1985, with the joint sponsorship of the United Nations Council for Namibia, a programme had been initiated to send Namibian members of SWAPO to study at Brazilian universities. In addition, Brazil was engaged in co-operation with the front-line States that took both bilateral and, through the Southern African Development Co-ordination Conference, multilateral forms.

61. It was not enough to pledge at the United Nations to combat racism and racial discrimination; the necessary measures for exerting pressure at the international level must be adopted and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination must be implemented.

62. Mr. CARRIER (Canada), speaking in exercise of the right of reply, said that the representative of the Union of Soviet Socialist Republics had questioned Canada's commitment to the struggle against apartheid. However, Canada had taken a clear stand with regard to apartheid. On 6 June 1985, the Canadian Secretary of State for External Affairs had announced new measures for combating apartheid. On 16 September 1985, he had stated before the House of Commons that Canada was prepared to consider the adoption of general sanctions and the severance of diplomatic relations with South Africa, if necessary. He (Mr. Carrier) had with him a copy of that statement by the Secretary of State, and was making it available to the Soviet delegation. As for the Canadian Government's relations with the country's indigenous peoples, they were excellent, having their basis in an ongoing dialogue designed to enable those peoples to achieve self-government. With regard

(Mr. Carrier, Canada)

to the problem of Afghanistan, it was not a purely internal issue; it was a problem before which the international community could not remain silent. The delegation of the Soviet Union had passed up an excellent opportunity to provide the Committee with the reasons for its presence in Afghanistan.

63. Mr. YAKOVLEV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, observed that his delegation had not started the argument; that had been done by the delegations of certain Western countries, who had raised questions unrelated to the subject under discussion, a state of affairs made worse by the fact that those same countries continued to collaborate with the South African Government in a number of areas. In the specific case of Canada, 21 Canadian transnational corporations were collaborating with the Pretoria régime. For example, during the public hearings on the activities of transnational corporations held in September 1985 (documents E/C.10/AC.4/1985/3 and 4), reference had been made to such corporations as the Qitfer corporation of Canada, a subsidiary of Standard Oil, which was collaborating in a titanium mining and smelting project in South Africa, as well as to Perkins Engines, a Canadian company which was working with the Pretoria Government in the automotive sector. His delegation looked forward to hearing a positive response from the Canadian delegation to the question of whether the Canadian Government intended to take effective measures, rather than merely rhetorical ones, to prevent such collaboration with the South African régime.

64. Mr. CARRIER (Canada), speaking in exercise of the right of reply, listed a number of measures adopted by his Government which could in no way be considered as constituting support for apartheid. A voluntary ban on any type of loan to the South African Government had just been introduced; a code of conduct for Canadian corporations had been in effect for years and was to be applied more stringently as a result of the appointment of a special administrator; oil sales to South Africa had just been prohibited and there were plans to establish an air-transport embargo in the near future. Moreover, the problem of arms and munitions had long been settled. The arms embargo was being fully enforced.

65. Mr. YAKOVLEV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said he was pleased to hear that Canada had finally, after many years, adopted measures to eliminate the apartheid system. However, the measures referred to by the representative of Canada were subject to one condition. The representative of Canada had said that measures would be taken "if necessary". One must ask what was considered "necessary". The representative of Canada had also spoken of voluntary prohibitions. He himself wondered what a voluntary prohibition was, and whether a voluntary prohibition constituted a genuine sanction. The representative of Canada had also referred to the oil embargo, but the report which had been mentioned stated that Canada had continued to sell oil to South Africa, and not only oil, but also spare parts for strategic nuclear weapons. Moreover, many Canadian transnational corporations were operating in South Africa. It was to be hoped that the representative of Canada could refute the information contained in the report.