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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Report of the Third Committee (Part I)

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## I. INTRODUCTION

1. The General Assembly, at its 2237th plenary meeting on 21 September 1974, allocated to the Third Committee agenda item 53 entitled:

"Elimination of all forms of racial discrimination:

"(a) Decade for Action to Combat Racism and Racial Discrimination;

"(b) Report of the Committee on the Elimination of Racial Discrimination;

"(c) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General."

2. The Third Committee decided, at its 2052nd meeting on 23 September, to consider together subitems 53 (a) and 53 (c).

3. The Committee considered these subitems at its 2053rd to 2062nd meetings, from 30 September to 10 October. The summary records of these meetings (A/C.3/SR.2053-2062) contain the views of representatives of Member States and of the specialized agencies on the subitems.

4. In connexion with subitem 53 (a), the Committee had before it:

"(a) The first annual report of the Secretary-General, prepared and submitted to the Economic and Social Council by the Secretary-General, in accordance with paragraph 18 (f) of the Programme for the Decade, on the basis of information available as at 27 March 1974, on six topics relating to the Decade (E/5474), which the Council, in resolution 1863 (LVI) of 17 May 1974, had requested the Secretary-General to submit to the General Assembly;

"(b) A summary of information concerning activities of Governments and international organizations prepared on the basis of information available as at 4 April 1974 and submitted to the Economic and Social Council by the Secretary-General with a view to assisting the Council in preparing the enumeration of activities undertaken or contemplated to achieve the objectives of the Decade called for in paragraph 18 (b) of the Programme for the Decade (E/5475); which the Council, in the same resolution, had requested the Secretary-General to submit to the General Assembly;

"(c) The summary records of the discussion of the item entitled: 'Decade for Action to Combat Racism and Racial Discrimination' during the fifty-sixth session of the Economic and Social Council (E/AC.7/SR.743-746 and E/SR.1899), which the Council, in the same resolution, had requested the Secretary-General to submit to the General Assembly;

"(d) The relevant part of the report of the Economic and Social Council to the General Assembly; 1/

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1/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 3 (A/9603), chap. V, sect. C.1.

"(e) A note by the Secretary-General on the Decade for Action to Combat Racism and Racial Discrimination (A/9666), to which was annexed a draft resolution on the Decade for Action to Combat Racism and Racial Discrimination recommended by the Economic and Social Council, in resolution 1863 (LVI), for adoption by the General Assembly;

"(f) A note by the Secretary-General (A/9666/Add.1-5), containing information received by him on activities undertaken or contemplated in connexion with the Decade and supplementing the information on the subject which he had submitted to the Economic and Social Council (E/5474 and E/5475)."

5. In connexion with subitem 53 (c), the Committee had before it the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (A/9719). Subitems 53 (a) and 53 (c) were introduced by the Director of the Division of Human Rights at the Committee's 2053rd meeting on 30 September.

## II. CONSIDERATION OF THE DRAFT RESOLUTION RECOMMENDED BY THE ECONOMIC AND SOCIAL COUNCIL

6. The Committee considered the draft resolution on the Decade for Action to Combat Racism and Racial Discrimination recommended by the Economic and Social Council in resolution 1863 (LVI) for adoption by the General Assembly, which read as follows:

### "Decade for Action to Combat Racism and Racial Discrimination

"The General Assembly,

"Recalling its resolution 3057 (XXVIII) of 2 November 1973, in which it reaffirmed its determination to achieve the total and unconditional elimination of racism and racial discrimination, against which the conscience and sense of justice of mankind have long been aroused and which in our time represent serious obstacles to further progress and to the strengthening of international peace and security,

"1. Takes note of Economic and Social Council resolution 1863 (LVI) of 17 May 1974;

"2. Takes note with appreciation of the reports of the Secretary-General 2/ submitted in accordance with paragraph 18 (f) and 18 (h) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination; 3/

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2/ E/5474, E/5475.

3/ Resolution 3057 (XXVIII), annex.

"3. Condemns the intolerable conditions which continue to prevail in the southern part of Africa and elsewhere, including the denial of the right to self-determination and the ruthless application of apartheid and racial discrimination;

"4. Reaffirms its recognition of the legitimacy of the struggle of oppressed peoples to liberate themselves from racism, racial discrimination, apartheid, colonialism and alien domination;

"5. Appeals to all Member States to co-operate fully in fulfilling the goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination by taking action and measures such as:

"(a) Implementing United Nations resolutions bearing on racism, apartheid, racial discrimination and the liberation of peoples under colonial domination and alien subjugation;

"(b) Signing and ratifying the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the International Covenants on Human Rights and all other relevant instruments;

"(c) Formulating and executing plans to realize the policy measures and goals contained in the Programme for the Decade;

"(d) Reviewing internal laws and regulations with a view to identifying and rescinding those which provide for, or give rise to, racial discrimination or apartheid;

"(e) Supplying the Secretary-General with comments and views as to the draft agenda and timing of the world conference referred to in paragraph 13 (a) of the Programme for the Decade, as well as in relation to the implementation of that Programme;

"(f) Calling the attention of national gymnastic federations to the inadmissibility of their participation in competitions at gymnastic championships as well as in any other sports activities together with the representatives of the racist régime of South Africa;

"6. Urges all States, United Nations organs and bodies, the specialized agencies and intergovernmental and non-governmental organizations to ensure, inter alia:

"(a) Immediate termination of all measures and policies as well as activities - military, political, economic and other - which enable racist régimes in the southern part of Africa to continue the repression of the African people;

"(b) Full support and assistance, morally and materially, to the peoples victims of apartheid and racial discrimination, and to the liberation movements;

"7. Calls attention to the vital importance of examining the socio-economic and colonial roots of racism, apartheid and racial discrimination with a view to eliminating them;

"8. Stresses the importance of mobilizing public opinion to support, morally and materially, the peoples victims of racism, apartheid, racial discrimination, colonial and alien domination;

"9. Commends the active involvement of the Committee on the Elimination of Racial Discrimination in the implementation of the Programme for the Decade within its competence under the International Convention on the Elimination of All Forms of Racial Discrimination;

"10. Decides to consider at its thirtieth session, as a matter of high priority, the question entitled "Decade for Action to Combat Racism and Racial Discrimination."

7. At the 2060th meeting on 9 October, Indonesia proposed the following amendments (A/C.3/L.2102) to paragraph 5 of the draft resolution:

(a) In paragraph 5, replace the words "by taking action and measures such as" in the third line with the phrase "by taking such actions and measures as";

(b) In subparagraph 5 (a), after the word "on" in the first line, insert the words "the elimination of";

(c) In subparagraph 5 (d), replace the words "provide for, or give rise to" in the second line with the phrase "provide for, give rise to, or inspire".

8. At the same meeting, the representative of Mauritania introduced the following amendments (A/C.3/L.2103) to the draft resolution on behalf of Chad, Cuba, Gabon, Guinea, Guinea-Bissau, Madagascar, Mauritania, the Niger, Senegal, Togo and Zaire:

(a) Add the following new paragraph as the first paragraph in the preamble:

"1. Recalling its resolution 2919 (XXVII) in which it proclaimed a Decade for Action to Combat Racism and Racial Discrimination."

(b) In operative paragraph 3, replace the word "ruthless" by the words "inhumane and odious";

(c) In operative paragraph 5, amend the first phrase to read: "Urges all Member States to co-operate loyally and fully ...";

(d) Replace subparagraph 5 (f) by a new paragraph, which would become paragraph 6, reading as follows:

"Requests national sports federations of Member States to refuse systematically to participate in all sports or other activities together with the representatives of the racist régime of South Africa";

(e) Renumber the following paragraphs accordingly.

/...

9. At the same meeting, the representative of Sierra Leone introduced the following amendments (A/C.3/L.2104/Rev.1) to the draft resolution:

(a) At the end of operative paragraph 5, add the following subparagraph (g):

"Complying, when due, with the provisions of paragraph 18 (e) of the programme under which the Secretary-General will circulate a questionnaire on the basis of which the Economic and Social Council will consider every two years action undertaken or contemplated by Governments in implementation of their programmes for the decade."

(b) Before paragraph 10, add the following new operative paragraph:

"Expresses the hope that adequate resources should be made available to the Secretary-General to enable him to undertake the activities entrusted to him under the programme for the decade."

10. At the 2061st meeting on 10 October, the amendments (A/C.3/L.2102, L.2103 and L.2104/Rev.1) to the draft resolution recommended by the Economic and Social Council were adopted without a vote.

11. The draft resolution recommended by the Economic and Social Council (resolution 1863 (LXI)), as amended, was adopted unanimously (see para. 17 below, draft resolution I).

### III. CONSIDERATION OF DRAFT RESOLUTION A/C.3/L.2101

12. At the 2060th meeting, Mexico introduced a draft resolution on measures to improve the situation of migrant workers (A/C.3/L.2101) in connexion with item 53 (a). In the light of the discussion that followed, the draft resolution was revised by its sponsor (A/C.3/L.2101/Rev.2).

13. At the 2061st meeting, on 10 October, the representative of Italy suggested that the draft resolution be considered under item 12, that is, in connexion with the report of the Economic and Social Council, rather than under item 53. A proposal made at the 2062nd meeting, on 10 October, that a vote should be taken immediately on the revised draft resolution (A/C.3/L.2101/Rev.2) was adopted by 62 votes to 5, with 16 abstentions.

14. At the 2062nd meeting the revised draft resolution (A/C.3/L.2101/Rev.2) as a whole was adopted by 97 votes to none, with 4 abstentions (see para. 17 below, draft resolution II).

### IV. CONSIDERATION OF DRAFT RESOLUTION A/C.3/L.2105

15. At the 2060th meeting, a draft resolution was submitted in connexion with item 53 (c) by Egypt, Germany (Federal Republic of), Ghana, Sierra Leone and Yugoslavia (A/C.3/L.2105), later joined by Cyprus, Czechoslovakia, the German Democratic Republic, Greece, India, Panama, the Philippines, the Syrian Arab Republic, Turkey, the Ukrainian Soviet Socialist Republic and the United Republic of Tanzania.

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16. At the 2061st meeting, the draft resolution was approved without a vote (see para. 17 below, draft resolution III).

#### V. RECOMMENDATIONS OF THE THIRD COMMITTEE

17. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### DRAFT RESOLUTION I

##### Decade for Action to Combat Racism and Racial Discrimination

The General Assembly,

Recalling its resolution 2919 (XXVII) of 15 November 1972, in which it proclaimed a Decade for Action to Combat Racism and Racial Discrimination,

Recalling its resolution 3057 (XXVIII) of 2 November 1973, in which it reaffirmed its determination to achieve the total and unconditional elimination of racism and racial discrimination, against which the conscience and sense of justice of mankind have long been aroused and which in our time represent serious obstacles to further progress and to the strengthening of international peace and security,

1. Takes note of Economic and Social Council resolution 1863 (LVI) of 17 May 1974;

2. Takes note with appreciation of the reports of the Secretary-General 4/ submitted in accordance with paragraphs 18 (f) and 18 (h) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination; 5/

3. Condemns the intolerable conditions which continue to prevail in the southern part of Africa and elsewhere, including the denial of the right to self-determination and the inhumane and odious application of apartheid and racial discrimination;

4. Reaffirms its recognition of the legitimacy of the struggle of oppressed peoples to liberate themselves from racism, racial discrimination, apartheid, colonialism and alien domination;

5. Urges all Member States to co-operate loyally and fully in achieving the goals and objectives of the Decade by taking such actions and measures as:

(a) Implementing United Nations resolutions bearing on the elimination of racism, apartheid, racial discrimination and the liberation of peoples under colonial domination and alien subjugation;

4/ E/5474, E/5475; see also A/9666 and Add.1-5.

5/ Resolution 3057 (XXVIII), annex.

(b) Signing and ratifying the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the International Covenants on Human Rights and all other relevant instruments;

(c) Formulating and executing plans to realize the policy measures and goals contained in the Programme for the Decade;

(d) Reviewing internal laws and regulations with a view to identifying and rescinding those which provide for, give rise to, or inspire racial discrimination or apartheid;

(e) Supplying the Secretary-General with comments and views as to the draft agenda and timing of the world conference referred to in paragraph 13 (a) of the Programme for the Decade, as well as in relation to the implementation of that Programme;

(f) Complying, when due, with the provisions of paragraph 18 (e) of the Programme for the Decade, whereby the Secretary-General will circulate a questionnaire, on the basis of which the Economic and Social Council will consider every two years action undertaken or contemplated by Governments in implementation of their programmes for the Decade;

6. Requests national sports federations of Member States to refuse systematically to participate in all sports or other activities together with the representatives of the racist régime of South Africa;

7. Urges all States, United Nations organs and bodies, the specialized agencies and intergovernmental and non-governmental organizations to ensure, inter alia:

(a) Immediate termination of all measures and policies, as well as military, political, economic and other activities, which enable racist régimes in the southern part of Africa to continue the repression of the African people;

(b) Full support and assistance, morally and materially, to the peoples which are victims of apartheid and racial discrimination and to the liberation movements;

8. Calls attention to the vital importance of examining the socio-economic and colonial roots of racism, apartheid and racial discrimination with a view to eliminating them;

9. Stresses the importance of mobilizing public opinion in support, morally and materially, of the peoples which are victims of racism, apartheid, racial discrimination and colonial and alien domination;



10. Commends the active involvement of the Committee on the Elimination of Racial Discrimination in the implementation of the Programme for the Decade within its competence under the International Convention on the Elimination of All Forms of Racial Discrimination;

11. Expresses the hope that adequate resources will be made available to the Secretary-General to enable him to undertake the activities entrusted to him under the Programme for the Decade;

12. Decides to consider at its thirtieth session, as a matter of high priority, the question entitled "Decade for Action to Combat Racism and Racial Discrimination".

## DRAFT RESOLUTION II

### Measures to improve the situation of migrant workers

The General Assembly,

Recalling General Assembly resolution 2920 (XXVII) of 15 November 1972,

Bearing in mind Economic and Social Council resolutions 1706 (LIII) of 28 July 1972, 1749 (LIV) of 16 May 1973 and 1789 (LIV) of 18 May 1973,

Also recalling Commission on Human Rights resolution 3 (XXIX) of 13 March 1973 6/ and resolution 6 (XXVI) of 19 September 1973 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 7/

Aware that the problem of migrant workers continues to be of major importance to certain countries,

Considering that this problem, far from diminishing, is growing worse, especially in certain regions,

Considering that greater publicity should be given to the study on the exploitation of labour through illicit and clandestine trafficking, 8/

1. Notes with satisfaction that the Sub-Commission on Prevention of Discrimination and Protection of Minorities has decided to continue and complete this study and, for this purpose, has received the co-operation of Member States and specialized agencies, especially the International Labour Organisation.

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6/ See Official Records of the Economic and Social Council, Fifty-fourth Session, Supplement No. 6 (E/5265), chap. XX.

7/ See E/CN.4/1128, part B.

8/ See E/CN.4/Sub.2/351, E/CN.4/Sub.2/351/Add.1 and E/CN.4/Sub.2/352.

2. Requests States which have not yet done so to provide the fullest possible information to the Special Rapporteur responsible for continuing the above-mentioned study in co-operation with the Secretariat;

3. Requests the Secretary-General to inform the General Assembly in due course of the contents of the complete study;

4. Invites all States, inasmuch as the more detailed criteria necessary for formulating explicit recommendations do not yet exist:

(a) To extend to all migrant workers who enter their countries legally treatment equal to that provided for their own nationals with regard to human rights and to the provisions of their labour legislation applicable to such migrant workers;

(b) To promote and facilitate by all means in their power the adoption of bilateral agreements which would help to reduce the illicit traffic in alien workers;

(c) Pending the conclusion of such agreements, to adopt the appropriate measures to ensure that the human rights of migrant workers who enter their territory surreptitiously are fully respected.

DRAFT RESOLUTION III

Status of the International Convention on the Elimination of  
All Forms of Racial Discrimination

The General Assembly,

Recalling its resolutions 3057 (XXVIII) of 2 November 1973 and 3134 (XXVIII) and 3135 (XXVIII) of 14 December 1973,

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination; 9/

2. Expresses its satisfaction with the increase in the number of countries which have ratified the Convention;

3. Reaffirms its conviction that ratification or accession to the International Convention on the Elimination of All Forms of Racial Discrimination on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Decade for Action to Combat Racism and Racial Discrimination;

4. Appeals to States which have not yet become parties to the Convention to accede thereto;

5. Requests the Secretary-General to continue to submit to the General Assembly annual reports concerning the state of ratification of the Convention in accordance with its resolution 2106 A (XX) of 21 December 1965.