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IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Secretary-General

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I. INTRODUCTION

- 1. Pursuant to paragraphs 18 (e) and 18 (f) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination (General Assembly resolution 3057 (XXVIII), annex), the Secretary-General submitted the following reports to the Economic and Social Council at its first regular session of 1980: E/1980/7 and Add.1 and 2, and E/1980/10 and Add.1-3. These reports were based on information received by the Secretary-General as at 28 February 1980.
- 2. Paragraph 18 (h) of the Programme for the Decade for Action to Combat Racism and Racial Discrimination provides that the General Assembly shall consider annually the item entitled "Decade for Action to Combat Racism and Racial Discrimination" on the basis of the report of the Council and of other relevant reports which it may receive from the Secretary-General.
- 3. The present report has been prepared on the basis of information received after 1 March 1980 from the Governments of Australia, the Byelorussian Soviet Socialist Republic, Cape Verde, Costa Rica, Hungary, Italy, Japan, Kuwait, Mexico, Poland, Tunisia, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Yugoslavia, from the United Nations Educational, Scientific and Cultural Organization and from three non-governmental organizations. 1
 - II. IMFORMATION SUBMITTED BY GOVERNMENTS PURSUANT TO PARAGRAPH 18 (e) OF THE PROGRAMME FOR THE DECADE
 - A. Legislative, judicial, administrative and other measures adopted to prohibit or prevent any manifestations of racism and racial discrimination, regardless of whether or not discriminatory practices prevail
- 4. The Government of Australia reports that it has enacted the Racial Discrimination Act 1975 which prohibits discrimination on the grounds of race, colour, or national or ethnic origin in the creas of access to places and facilities, land, housing and other accommodation. The Act also applies to the provision of goods and services, the right to join trade unions, and employment. The Act makes unlawful acts of racial discrimination as defined in the International Convention on the Elimination of All Forms of Racial Discrimination.
- 5. The Government of the Byelorussian Soviet Socialist Republic states that all manifestations of racism or racial discrimination have been prohibited by law and that equality of citizens of the country is affirmed in article 34 of its

Constitution. Any direct or indirect limitation of the rights of citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt are punishable by law. The Government further states that under article 62 of the Constitution every citizen is required "to respect the national dignity of other citizens, and to strengthen the friendship of the nations and nationalities of the multi-national Soviet State".

- 6. The Government of Cape Verde states that, since racism does not exist in Cape Verde, no legislative, legal or administrative measures to prohibit or prevent manifestations of racism or discriminatory practices have been taken.
- 7. The Government of Costa Rica states that under its Penal Code racial discrimination is a national offence. Particular mention was made of Article 371 of the Penal Code which provides a penalty of 20 to 60 days in prison for anyone who applies any detrimental discriminatory measures based on considerations of race, sex, age, religion, civil status, political opinion, social origin or economic situation.
- 3. The Government of Hungary reports that its legislative enactments and legal institutions have consistently reflected the consitutional principles recognizing the equality of citizens and prohibiting discrimination of any kind.
- 9. The Government of Japan reports that article 14 of its Constitution provides that "there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin". The Government further states that racial discrimination is virtually non-existent in the country.
- 10. The Government of Mexico reports that its Constitution of 1917 guarantees to everyone the rights contained therein without any distinction as to race, sex, belief or religion.
- 11. The Government of Poland states that the equality of rights of all citizens irrespective of birth, nationality, race, religion, social origin and status are safeguarded by its Constitution. Particular mention is made of articles 67, 81, 95 and 96.
- 12. The Government of the Ukrainian Soviet Socialist Republic states that under the Constitution any direct or indirect limitation of the rights of citizens or the establishment of direct or indirect privileges on the grounds of race or nationality and any advocacy of racial or national exclusiveness, hostility or contempt are punishable by law. It is said that the strict and consistent application of this constitutional principle by all State bodies and public or other organizations in their everyday activities over a period of many years has ensured the eradication of racial discrimination and national discord.
- 13. The Government of the Union of Soviet Socialist Republics reports that all manifestations of racism or racial discrimination have been prohibited by law and that the equality of citizens of the USSR is affirmed in its Constitution. Under article 36 of the Constitution any direct or indirect limitation of the rights of

citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt are punishable by law. Such offences are covered by the relevant articles of the criminal codes of the Union Republics.

- 14. The Government of Yugoslavia states that the equality of citizens in their rights and duties is provided for in its Constitution. Particular reference is made to article 154. It is also stated that the country's criminal laws contain provisions condemning criminal acts against the freedom and rights of citizens. These laws designate, as a criminal act, the violation of the equality of citizens on the grounds of differences in nationality, race, religion, ethnical origin, sex, language, education or social status.
 - B. Legislative, administrative and other measures which have been, or are being, taken to guarantee the right of everyone to equality before the law without distinction as to race, colour, or national or ethnic origin
- 15. The Government of Australia reports that under its Racial Discrimination Act of 1975 equality before the law is guaranteed. It is indicated that other constituent States have passed similar legislation. The Government further states that particular measures have been taken with respect to the aboriginal population to guarantee them adequate access to legal advice and representation in the courts and also to assure that they are not disadvantaged in the criminal investigation process.
- 16. The Government of the Byelorussian Soviet Socialist Republic reports that article 32 of its Constitution affirms the equality of citizens before the law. It further points out that this constitutional provision is recognized in all legislative branches.
- 17. The Government of Cape Verde states that legislative measures to guarantee the right of everyone to equality before the law without distinction as to race, colour or national or ethnic origin have been taken. These measures were contained in the following decree-laws: (a) Decree-law No. 71/76 on nationality; (b) Decree-law No. 69/76 on marriage; and (c) Decree-law No. 68/76 on education.
- 18. The Government of Costa Rica reports that under article 33 of its Constitution all persons are equal before the law and there can be no discrimination inconsistent with human dignity.
- 19. The Government of Kuwait reports that racial discrimination does not exist in the country and that under article 29 of its Constitution all persons are equal in dignity and before the law and have equal rights and duties without distinction as to race, origin, language or religion.
- 20. The Government of Poland states that equality before the law is ensured by relevant provisions of its civil, penal and administrative laws.

- 21. The Government of the Ukrainian Soviet Socialist Republic states that under the Constitution citizens of the Ukrainian SSR are equal before the law without distinction as to origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile or other status. It is further pointed out that justice in the Ukrainian SSR is based on the equality of citizens before the law and courts, in full conformity with article 5 of the Judicial System Act, article 16 of the Code of Criminal Procedure and article 6 of the Code of Civil Procedure.
- 22. The Government of the Union of Soviet Socialist Republics states that under its Constitution citizens are equal before the law, without distinction or origin, social or property status, race or nationality, sex, education, language, attitude to religion, type or nature of occupation, domicile or other status.
 - C. Legislative, administrative and other measures which have been, or are being taken to guarantee the right of everyone to equality in respect of economic, social and cultural rights without distinction of any kind or on grounds of race, colour, descent or national or ethnic origin
- 23. The Government of the Byelorussian Soviet Socialist Republic states that under the Constitution all citizens, irrespective of race, nationality, or ethnic origin, descent or colour are guaranteed equality in respect of economic, political, social and cultural rights.
- 24. The Government of Hungary reports that its citizens enjoy equality in respect of political, economic and cultural rights.
- 25. The Italian Government states that, although there is no special legal machinery in Italy to prevent and punish acts of racial discrimination at the national or regional level, the Constitution explicitly provides, in articles 3 and 6, for two distinct types of protection for ethnic and linguistic minorities:
- (a) What might be called negative protection (art. 3), which prohibits all discrimination based on race and is designed to ensure respect for the absolute legal equality of all persons.
- (b) What might be termed positive protection (art. 6), which is designed to safeguard the cultural, historical and linguistic heritage of minorities.
- 26. The Government of Mexico states that the right of everyone to equality in respect of economic, social and cultural rights without distinction of any kind on grounds of race, colour, descent or national or ethnic origin is guaranteed in article 1 of its Constitution.
- 27. The Government of Poland states that all citizens, irrespective of nationality, race or religion, enjoy equal rights in all fields of public,

political, economic, social and cultural life. Infringement of this principle by direct or indirect preferences or on account of nationality, race or religion is a punishable offence.

- 28. The Government of the Ukrainian Soviet Socialist Republic reports that under the Constitution (art.32) the equal rights of citizens are guaranteed in all fields of economic, political, social and cultural life. Citizens are guaranteed and assured the right to work (art. 38 of the Constitution), the right to leisure (art. 39), the right to health care (art. 40), the right to material support in old age, in sickness and in the event of complete or partial disability or loss of breadwinner (art. 41), the right to housing (art. 42), the right to education (art. 43) and the right to cultural benefits (art.44), regardless of nationality and race. The Government states that the aforementioned constitutional rights of citizens of the Ukrainian SSR are also duly reflected in the legislation in force in the Republic and are applied consistently; this prevents the emergence of any discrimination against citizens in the field of economic, social and cultural rights.
- 29. The Government of the Union of Soviet Socialist Republics reports that citizens, irrespective of their race, nationality, ethnic origin, descent or colour enjoy all the economic and social rights affirmed and guaranteed in the Constitution.
 - D. Specific machinery and recourse procedures of a judicial and/or administrative character which can be effectively resorted to by individuals complaining of racial discrimination
- 30. The Government of Australia reports that under the provisions of the Racial Discrimination Act 1975 persons who have suffered discrimination can have their complaints investigated by the Commissioner for Community Relations who has the responsibility for investigating and settling complaints made to him. If he is unable to settle a complaint the Commissioner should certify that the complaint cannot be settled which then enables the complainant to apply to a court to have the discrimination stopped.
- 31. The Government of the Byelorussian Soviet Socialist Republic reports that every citizen has the right of recourse to the courts or appropriate administrative bodies in the event that his lawful rights are violated. Mention is made of article 55 of the Constitution. Also under article 56 of the Constitution citizens may lodge a complaint against certain actions of officials, state bodies and public bodies. Furthermore, citizens have the right to compensation for damages resulting from unlawful acts by state organizations, public organizations or officials in the performance of their duties.
- 32. The Government of Costa Rica reports that under the Constitution everyone has the right to the remedy of amparo in such courts as the law may determine. The remedy is available in the Supreme Court of Justice to anyone who feels that his rights have been violated.

- 33. The Italian Government states that Italy has no special machinery or recourse procedures for persons who are victims of acts of racial discrimination. A series of constitutional provisions (arts. 3 and 6) and the Penal Code, however, guarantees effective means of recourse to any person who considers that his rights and freedoms have been violated, even when the violation was committed by persons acting in exercise of their official functions.
- 34. The Government of Mexico states that persons whose rights have been violated have recourse to the remedy of amparo provided for under the Constitution (arts. 103 and 104).
- 35. The Government of the Ukrainian Soviet Socialist Republic states that respect for the individual and the protection of the rights and freedoms of citizens constitute a duty for all State organizations and officials. Should their rights be violated in any way, all citizens can turn to the courts and administrative organs and exercise their right to protection by the courts against encroachments on their honour and reputation, life and health, and personal freedom and property (art. 55 of the Constitution). Under article 56 of the Constitution, citizens have the right to lodge complaints against the actions of officials, State bodies and public bodies. Complaints are examined according to the procedure and within the time-limit established by law. Actions by officials that contravene the law or exceed the officials' powers and infringe upon the rights of citizens may be appealed against in a court in the manner prescribed by law. The Government also states that citizens of the Ukrainian SSR have the right to compensation for damage resulting from unlawful actions by State organizations, public organizations or officials in the performance of their duties.
- 36. The Government of the Union of Soviet Socialist Republics reports that under the Constitution every citizen of the USSR is guaranteed the right of recourse to the courts or administrative bodies in the event of a violation of his lawful rights. This principle also finds expression in the Fundamental Principles of Civil Procedure of the USSR and the Union Republics which states that "any interested person shall have the right, following the procedure laid down by law, to apply to the court for protection if his rights or legally protected interests are infringed or contested ...". Legislation also provides that civil rights are to be protected administratively, as well as by comrades' courts and trade-union and other public organizations. Under the Constitution citizens have the right to lodge a complaint against the actions of officials, State bodies and public bodies. Actions by officials that contravene the law or exceed their powers, and infringe the rights of citizens, may be appealed against in court. In addition, citizens of the USSR have the right to compensation for damages resulting from unlawful actions by State organizations and public organizations, or by officials in the performance of their duties. The criminal codes establish criminal liability of officials for abuse of authority or of official position, for actions exceeding their authority or official powers, and for negligence, particularly if they result in substantial detriment to the legally protected rights and interests of citizens.
- 37. The Government of Yugoslavia reports that, within the normal legal protection of the rights of citizens, the protection against racial discrimination is also provided for. The Government states that there has been no need for the establishment of 'specific machinery" to which a citizen could resort in complaining against racial discrimination, since there have been no such cases to justify the establishment of special courts of a judicial and/or administrative character.

- E. Measures which have been, or are being, taken to include in school curricula questions relating to racism and racial discrimination
- 38. The Government of Australia reports that it is issuing an Education and Discussion Kit based on the Universal Declaration of Human Rights which is expected to be circulated in high schools throughout Australia. Part of the Kit relates to questions of racism and racial discrimination. The Government further reports that in September 1979, at a national meeting of Federal and State Education Departments' representatives it was agreed that a national studies programme handbook would be developed to assist in teacher education including issues such as racial discrimination. In addition, the Department of Aboriginal Affairs is supporting the introduction of studies in Aboriginal history and culture into the education programmes available to all Australians from primary school onwards.
- 39. The Government of the Byelorussian Soviet Socialist Republic reports that questions concerning the prevention of racism and racial discrimination are included in both the curricula of secondary schools, in connexion with courses in social sciences and on fundamental principles of the State and the law, and in the curricula of higher educational establishments in conjunction with courses on scientific communism, public law and international law.
- 40. The Italian Government states that measures directed towards teaching personnel in all schools of all types and levels is being developed in two forms: by the Ministry of Public Education, on an ongoing basis, as part of the training of future teachers in constitutional principles, human rights and civics; and by ad hoc initiatives coinciding with the main stages of the work of the United Nations and, at the regional level, of the Council of Europe in the field of the struggle against racial discrimination.
- 41. The Government of Poland states that within the school system efforts are made to prevent phenomena likely to lead to an emergence and growth of racial prejudice among youth. One of the special forms of such preventive action in Poland since 1955 has been the UNESCO's associated schools programme. At present, the UNESCO educational programme is being carried by 76 schools, including 64 general education secondary schools. Moreover, curricula of all levels and schools in Poland, within the present system of primary and scondary education, cover extensively questions of racism and racial discrimination. The Government further states that the system of values, through which the Polish youth views the economic and political questions, also in a historical context, underlines, above all, high appreciation of human dignity, ideals of social equality and justice, sympathy for the peoples fighting for social and political liberation, and includes also condemnation of manifestations of chauvinism, racism and all anti-humanitarian attitudes.
- 42. The Government of the Ukrainian Soviet Socialist Republic reports that constant efforts are made in the Ukrainian SSR to teach the various segments of the population, particularly the younger generation, not to tolerate prejudices based on race or nationality. Questions related to the international struggle against racism and racial discrimination are included in the curricula of Ukrainian secondary schools and higher educational institutions. These questions are covered adequately

within the framework of school courses entitled "Social Sciences" and "Foundations of State and Law". In higher educational institutions, the courses entitled "Scientific Communism", "State Law" and "International Law" also allow students to study the struggle against racism, apartheid and racial discrimination and to become acquainted with the basic problems facing the national liberation movements.

- 43. The Government of the Union of Soviet Socialist Republics states that questions relating to the prevention of racism and racial discrimination are included in the curricula of secondary schools and higher educational establishments throughout the country. Pupils in secondary schools study these questions in courses on social science and on "Fundamentals of the State and the Law". Students in higher educational establishments study questions relating to the prevention of racism and racial discrimination in courses on scientific communism, State law and international law.
- 44. The Government of Yugoslavia states that the purposes and principles of the Charter of the United Nations are taught in its schools. The school curricula contain lectures on the problems of racial discrimination. Special celebrations of United Nations Day and the Day of the Struggle against Racial Discrimination are held in schools. Theme papers on this subject are presented and the best ones are awarded prizes. Associations of the United Nations exist in many schools and universities in the country.
 - F. Legislative, administrative and other measures which have been, or are being, taken to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred and to prohibit the establishment of organizations based on racial prejudice
- 45. The Government of Australia indicates that it is not at present in a position to treat as offences all the acts mentioned in article 4 (a) of the International Convention on the Elimination of All Forms of Racial Discrimination. The Government states that such acts are punishable only to the extent provided by the existing criminal law dealing with such matters as the maintenance of public order, public mischief, assault, riot, criminal libel, conspiracy and attempts. The Government informs that it is its intention at the first suitable moment, to seek from Parliament legislation specifically implementing the terms of article 4 (a) of the Convention.
- 46. The Government further states that the Racial Discrimination Act 1975 makes illegal acts of incitement and assisting or promoting racial discrimination, whether by financial assistance or otherwise, and provides a comprehensive range of civil remedies. However, the Government states that it has not legislated to ban racist organizations. It is said that to declare an organization illegal would present difficulties to the Government in relation to the guarantees of other rights provided for in other United Nations human rights instruments, such as the Universal Declaration of Human Rights. It has therefore, proscribed activities that promote or incite racial discrimination but has preserved the general right of freedom of association.

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- 47. The Government of the Byelorussian Soviet Socialist Republic states that under article 34 of its Constitution, any advocacy of racial discrimination is punishable by law. Reference is also made to the Act concerning Criminal Liability against the State which provides for penalties that may include deprivation of liberty for propaganda or agitation designed to incite racial or national hatred or discord.
- 48. The Italian Government states that the illegal and criminal character of any form of incitement to racial discrimination and of any organization which has such a purpose is the subject of the specific legislative measures taken in the context of the Act ratifying the International Convention on the Elimination of All Forms of Racial Discrimination (Act no. 654 of 13 October 1975). Article 3 of that Act imposes a penalty of imprisonment for one to four years on:
- (a) Any person who disseminates in any way ideas based on racial superiority or hatred;
- (b) Any person who incites in any way to discrimination or who incites to the commission or commits acts of violence or provocation to violence against persons because they belong to a national, ethnic or racial group.
- 49. The same article prohibits any organization or association which has as its purpose incitation to racial hatred or discrimination. It provides further that:

"any person who participates in organizations and associations of this kind, or who assists their activites, shall be punished for the sole act of participation and assistance by imprisonment for one to five years. These penalties shall be increased in the case of leaders and instigators of such organizations or associations".

- 50. The Government of Poland reports that its Penal Code provides for penalties for acts of public encouragement to disputes related to national, ethnic and racial differences or approval of such disputes in public. More severe penalties (prison confinement up to 10 years) are provided for such acts committed in print or by means of any other mass media. Also subject to punishment are: preparation, storage, carriage or shipment for dissemination of written and printed matter or other objects containing substance meant to encourage such disputes, insult, ridicule and humiliate groups of population or individual persons on account of their national, ethnic or racial origin, as well as an assault against a person for the aforementioned reasons.
- 51. Establishment of organizations and holding of assemblies, the purpose of which might be dissemination of views based on the concept of racial superiority are prevented under relevant regulations governing the establishment of associations and holding of assemblies.
- 52. The Government of the Ukrainian Soviet Socialist Republic states that, according to its Criminal Code, activities which may result in violations of the legally sanctioned rights and interests of citizens are punishable offences. In particular, according to article 66 of the Criminal Code, "propaganda or agitation designed to arouse racial or national enmity and dissension, and any direct or

indirect limitation of rights or the establishment of direct or indirect privileges for citizens on grounds of race or nationality, are punishable by imprisonment for a period ranging from six months to three years or exile for a period ranging from two to five years".

- 53. The Government further states that the Constitution and legislation in force prohibit all activities inconsistent with the principle of the equality of citizens of different races and nationalities. Article 34 of the Constitution provides that "any advocacy of racial or national exclusiveness, hostility or contempt is punishable by law".
- 54. The Government of the Union of Soviet Socialist Republics reports that its law on "Criminal Liability for Crimes against the State" provides that propaganda or agitation designed to incite racial or national hatred or discord is punishable by deprivation of liberty for a period of six months to three years or by exile for a period of two to five years. Similar provisions are contained in its criminal codes.
- 55. The Government of Yugoslavia reports that Article 134 of its Criminal Law contains a provision whereby anyone who through propaganda or otherwise incites or foments national, racial, religious hatred, dissension among the nations and nationalities living in the country or insults a citizen or in any other way incites national, racial, religious intolerance, shall be liable to punishment of up to ten years' imprisonment. Anyone systematically committing any of the aforementioned acts through the abuse of position or authority is also subject to punishment. Acts committed by a group which give rise to disorders, violence or other serious consequences are punishable by up to 15 years' imprisonment.
 - G. Initiating or participating in regional and international activities in line with the goals and objectives of the Programme for the Decade, such as international and regional seminars, conferences and other similar activities
- 56. The Government of Australia states that, while it takes an active part in international Human Rights Programmes, no regional activities have been initiated with specific regard to the Programme for the Decade. The Government reports that its Prime Minister participated in discussions with other Commonwealth Heads of Government on human rights matters, culminating in the Lusaka Declaration of the Commonwealth on Racism and Racial Prejudice, proclaimed at Lusaka in August 1979.
- 57. The Government of the Byelorussian Soviet Socialist Republic reports that it takes an active part in international forums whose purpose is the elimination of racism and racial discrimination. Reference is made to the Government's participation at the World Conference to Combat Racism and Racial Discrimination held at Geneva in 1978.
- 58. The Government of Hungary reports that the implementation of the Programme for the Decade is entrusted to the Hungarian Solidarity Committee, which mobilizes

the broadest segments of the country for action against all forms of racial discrimination within the context of the Decade. Its activities include, among other things, awarding scholarships to students from southern Africa, holding of mass meetings, solidarity festivals and commemorative events. It is further pointed out that the HSC representing all segments of Hungarian society carries out a wide range of international activities towards the full elimination of policies of apartheid and all forms and manifestations of racial discrimination. It was represented at the anti-apartheid meetings and conferences in Basel, Geneva, New Delhi, Berlin, Hanoi and Lusaka. It is now building wider contacts with anti-apartheid committees in Europe.

- 59. The Government of Poland reports that its representatives have participated in numerous conferences held in the context of the Programme for the Decade.
- 60. The Government of the Ukrainian Soviet Socialist Republic states that it takes an active part in the international struggle against racism and racial discrimination and has on several occasions been among the sponsors of a number of important documents prepared in the United Nations and specialized agencies with a view to eradicating the crime of apartheid and seeking new ways and means of combating racism and racial discrimination. As a member of the United Nations Special Committee against Apartheid, the Ukrainian SSR supports the efforts of that Committee to mobilize the world community for the struggle against apartheid.
- 61. The Government of the Union of Soviet Socialist Republics states that it takes an active part in international forums aimed at the elimination of racism and racial discrimination.
- 62. The Government of Yugoslavia states that it takes an active part at various conferences and other meetings devoted to the struggle against racism, racial discrimination and apartheid.
 - H. Steps taken with a view to ensuring the prohibition of any kind of racial discrimination in laws and in administrative and other measures regulating immigration
- 63. The Government of Australia indicates that its Minister for Immigration and Ethnic Affairs, when announcing the new immigration policy, stressed that it would be applied consistently to all applicants regardless of their race, colour, nationality, descent, national or ethnic origin or sex. In regard to matters affecting immigrant minorities, the Australian Ethnic Affairs Council reviews policies and advises the Australian Government. Advice from the Council is being sought by the Government, particularly in regard to more recent immigrants, on matters such as health, welfare, housing, education, employment, communications, the law and other measures that affect their well being.
- 64. The Government of the Byelorussian Soviet Socialist Republic states that there are no legal, administrative or other restrictions on immigration on grounds of racial, national or ethnic origin.

- 65. With regard to measures regulating immigration, the Government of Cape Verde states that as a country of emigration, Cape Verde has no legislation on the subject.
- 66. The Government of Costa Rica reports that its Labour Code has been enforced by a Decree-Law 5360 which prohibits all restrictions on immigration based on racial considerations.
- 67. The Government of the Union of Soviet Socialist Republics states that in the country there are no legal, administrative or other restrictions on immigrations on grounds of race, nationality or ethnic origin.
 - I. Steps taken to ensure that migrant workers and their families are given treatment which is no less favourable than that accorded to nationals of the host country in matters such as education, employment, the acquisition of property, health and housing facilities, travel within and outside the country, etc.
- 68. The Government of Australia states that most migrants in the country come as permanent residents and eventually become citizens. While they are not, therefore, "migrant workers", in the sense used in the questionnaire, it may be noted that special efforts have been made to ensure that they are not the victims of discrimination.
- 69. The Government of the Byelorussian Soviet Socialist Republic states that since there are no migrant workers in the country, the question of the status of such workers does not arise.
- 70. The Italian Government states that, in addition to provisions of a general character prohibiting all discrimination based on race, specific legal provisions guarantee foreign workers in Italy equal rights with their Italian colleagues with regard to wages, social benefits and appeals to labour courts.
- 71. The Government of Poland reports that its labour legislation applies to all workers alike irrespective of their race and nationality. There is no discrimination in employment. Any violations of the right to work are punishable offences. There are no large-scale immigration problems in the country.
- 72. The Government of the Union of Soviet Socialist Republics states that it was one of the first States to sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination, and that it is acting entirely in accordance with its provisions. In accordance with article 9 of the Convention the Government has submitted, for consideration by the Committee on the Elimination of Racial Discrimination, five periodic reports on legislative, judicial, administrative or other measures taken to give effect to the provisions of this Convention.

- J. Co-operation of parties to the International Convention on the Elimination of All Forms of Racial Discrimination with the Committee operating under the Convention, in particular in the preparation of full and comprehensive reports under article 9 of the Convention; consideration of the possibility of making the declaration envisaged in article 14, paragraph 1, of that Convention, by which a State party to the Convention recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of violations by the State party of any of the rights set forth in the Convention
- 73. The Government of Australia reports that is is a party to the International Convention on the Elimination of All Forms of Racial Discrimination and has submitted the two reports so far required of it under article 9. In relation to the making of a declaration under article 14, the Government states that under section 6 of the Racial Discrimination Act, the Act is binding on the Federal Government as well as the Governments of each of the constituent States. Accordingly, the machinery provided for the investigation and settlement of complaints by one individual against another individual and the means of redress available under the Act in respect of such complaints apply equally to complaints by individuals against the Federal Government. These recourse procedures are considered adequate. The Government states that it does not intend at present to make a declaration under article 14 but will keep the matter under review.
- 74. The Government of the Byelorussian Soviet Socialist Republic states that it was one of the first States to sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination, and that it is complying strictly with its provisions. In accordance with article 9 of the Convention, the Government has submitted, for consideration by the Committee on the Elimination of Racial Discrimination, five periodic reports on legislative, judicial, administrative or other measures taken to give effect to the provisions of this Convention.
- 75. The Government of Hungary states that it was among the first to accede to the Convention on the Elimination of All Forms of Racial Discrimination and is consistently giving effect to its provisions.
- 76. The Italian Government states that on 5 January 1976 it ratified the International Convention on the Elimination of All Forms of Racial Discrimination and that it made the optional declaration provided for in article 14 of the Convention on 5 May 1978.
- 77. The Government of Poland states that it is party to the International Convention on the Elimination of All Forms of Racial Discrimination and, pursuant to article 9 of the Convention, submits every two years full and comprehensive reports on its implementation.

- 78. The Government of the Ukrainian Soviet Socialist Republic states that it is a party to the International Convention on the Elimination of All Forms of Racial Discrimination and, in accordance with article 9 of that Convention, has submitted five periodic reports on the legislative, judicial, administrative and other measures adopted to give effect to the provisions of the Convention.
- 79. The Government of Yugoslavia states that it is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, and regularly submits its reports to the Committee under article 9 of the Convention.

- K. States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid
- 80. The Government of Australia states that it is not a party to the International Convention on the Suppression and Punishment of the Crime of Apartheid.
- 81. The Byelorussian Soviet Socialist Republic states that it has ratified this Convention on 16 October 1975, and is acting in complete conformity with its provisions.
- 82. The Government of Hungary reports that it was among the first to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid.
- 83. The Government of Poland reports that it has ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid.
- 84. The Government of the Ukrainian Soviet Socialist Republic states that it was among the first to sign and ratify the International Convention on the Suppression and Punishment of the Crime of Apartheid. In 1978, in accordance with article 7 of the Convention, the Ukrainian SSR prepared and submitted for consideration to the group of three members of the Commission on Human Rights, established in pursuance to article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid, its first periodic report on the legislative, judicial, administrative or other measures adopted to give effect to the provisions of the Convention.
- 85. The Government of the Union of Soviet Socialist Republics states that it was one of the first States to sign and ratify the International Convention on the Suppression and Punishment of the Crime of Apartheid. In 1978, in accordance with article VII of the Convention, it submitted, for consideration by the abovementioned group of members of the Commission on Human Rights, a report on legislative, judicial, administrative or other measures taken to comply with the provisions of this instrument.
- 86. The Government of Yugoslavia states that it is a party to the International Convention on the Suppression and Punishment of the Crime of Apartheid and has submitted its first report on the implementation of the Convention.

- L. Countries not yet parties to the International Convention on the Elimination of All Forms of Racial Discrimination and/or the International Convention on the Suppression and Punishment of the Crime of Apartheid:
 - (a) Considerations that may have prevented ratification of or accession to the Conventions;
 - (b) Steps that have been taken with a view to ratifying or acceding to the Conventions, such as bringing them before the authority or authorities within whose competence the matter lies for the enactment of legislation or other action.
- 87. The Government of Australia states that, while it continues to condemn all forms of racism and remains committed to the eradication of <u>apartheid</u> as a cruel and degrading practice, the Anti-Apartheid Convention presents certain legal problems which have prevented Australia's ratification. The Government has serious reservations about the enactment of legislation required to make <u>apartheid</u> a crime as defined by the Convention. There are substantial problems of jurisdiction raised by the Convention's requirement that States adopt legislative, judicial and administrative measures to prosecute and punish persons accused of a wide variety of crimes related to <u>apartheid</u>. In particular, the Government envisages serious difficulties in the extraterritorial application of such measures. Consequently, while confirming its support for the principles underlying the formulation of the Convention, the Government remains unable to ratify it. The Government does, however, accept that <u>apartheid</u> constitutes a crime against the conscience and dignity of mankind.

M. Assistance provided to peoples who are victims of racial discrimination

- 88. The Government of Australia reports that it supports United Nations funds which provide educational and humanitarian assistance to refugees from southern Africa and to the victims of apartheid. This includes contributions to such funds as the United Nations Trust Fund for South Africa, the United Nations Fund for Namibia and the United Nations Educational and Training Programme for southern Africa.
- 89. The Government of the Byelorussian Soviet Socialist Republic reports that it provides extensive assistance to peoples who are victims of racial discrimination. It consistently advocates recognition of the right of peoples to self-determination and supports in every possible way their struggle for national liberation and their fight against colonialism, racism and racial discrimination. It is further reported that students from many Asian and African countries, including activists in the national liberation movements of southern Africa, are studying in the country on scholarships.

- 90. The Italian Government states that in 1979 it contributed to the financing of a UNICEF programme concerning southern Africa. A global contribution of \$30,000 was also allocated by the Italian Government in 1979 for the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme and the United Nations Fund for Namibia (including the United Nations Institute for Namibia).
- 91. The Government of Kuwait reports that it extends assistance to peoples who are victims of racial discrimination.
- 92. The Government of Poland reports that between 1978 and 1979 the number of scholarships granted to liberation movements in southern Africa has increased. The scholarship holders are looked after by the Polish Committee for Solidarity with the Peoples of Asia and Africa, which supplies them with clothing, teaching aids and money allowances.
- 93. The Government of the Ukrainian Soviet Socialist Republic states that while trying, along with other countries, to find ways and means of further expanding the international struggle against racism, it also provides financial assistance through the Collins Fund to those combating racial discrimination in southern Africa. It further states that one way of assisting the national liberation organizations struggling for the elimination of the racial discrimination affecting their peoples is to grant scholarships to citizens from Asian and African countries who are active in national liberation movements.
- 94. The Union of Soviet Socialist Republics states that it provides extensive moral and material assistance to peoples who are victims of racial discrimination and that it consistently advocates recognition of the right of peoples to self-determination and supports in every possible way their struggle for national liberation and against colonialism, racism and racial discrimination.
- 95. The Government further states that its position of solidarity with the oppressed peoples has been repeatedly proclaimed in declarations by the Government, in statements by USSR representatives in the United Nations and other international bodies and in reports and communications sent by the Government to the United Nations Secretariat. The Government also reports that direct material assistance is given to national liberation organizations fighting for the elimination of racial discrimination practised against their peoples. These organizations are supplied with food-stuffs, medicaments, clothing, transport vehicles etc. In addition, students from countries of Asia and Africa and, in particular, a large number of activists of the national liberation movement of southern Africa, are studying in educational institutions of the USSR with scholarships granted by Soviet public organizations.
- 96. The Government of Yugoslavia has been extending its moral, material and political support to the victims of racism, racial discrimination and <u>apartheid</u> and will continue to do so, depending upon its possibilities. It makes regular financial contributions to the international funds aimed at combating <u>apartheid</u>.

- N. Denial of support to Governments or régimes which practise racial discrimination, with a view to isolating them and preventing them from perpetuating racist policies and practices
- 97. The Government of Australia states that it does not provide support to Governments or régimes which practise racial discrimination and indicated a number of measures taken in the field of commercial relations and sporting contacts to show its opposition to racial discrimination and apartheid.
- 98. The Government of the Byelorussian Soviet Socialist Republic states that it maintains no relations with racist régimes. It has always strictly complied, and is still complying, with the decisions and recommendations of the United Nations and other international bodies on economic, diplomatic and other sanctions aimed at the international isolation of racist régimes.
- 99. The Government of Hungary reports that it gives political, material and moral support to peoples and liberation movements struggling against racism and racial discrimination.
- 100. The Government of Kuwait states that it denies support to Governments and régimes which pursue racist policies. It has implemented the various General Assembly resolutions calling for the imposition of economic, cultural and political boycott of South Africa.
- 101. The Government of Poland reports that by way of implementing the decisions of the General Assembly and Security Council, aimed at isolating racist régimes, it does not maintain any political, commercial or economic relations with such régimes.
- 102. The Government of the Ukrainian Soviet Socialist Republic states that it has always favoured expanding international co-operation directed against the racist régimes and against those who provide them with political, economic and military assistance. The Government maintains no relations whatsoever with racist régimes.
- 103. The Government of the Union of Soviet Socialist Republics states that it maintains no relations with racist régimes. It has always strictly complied, and is still complying, with the decisions and recommendations of the United Nations and other international bodies on economic, diplomatic and other sanctions aimed at the international isolation of racist régimes.
- 104. The Government of Yugoslavia states that it does not support Governments or régimes which practise racial discrimination. Denial of support is with a view to isolating and preventing such Governments from perpetuating their racist policies and practices. This purpose is in conformity with the recommendations of the United Nations.

- O. Support and assistance provided in accordance with the Charter of the United Nations and the relevant United Nations declarations and resolutions, to liberation movements struggling against colonialism and racial discrimination, and/or support to Governments that wish to embark on concrete programmes to eradicate racial discrimination
- 105. The Government of Australia states that, although it gives no direct support to liberation movements, it does contribute to the United Nations Trust Funds established to give humanitarian assistance to refugees in southern Africa. It is pointed out that at the 1979 Commonwealth Heads of Government Meetings in Lusaka, the Frime Minister of Australia played an active role in discussions leading to the Lancaster House Talks and subsequent elections in Zimbabwe-Rhodesia. The Government states that it has been quick to offer its support to the newly-elected government of Zimbabwe and to voice its optimism for the future of a new Zimbabwe, free of racial discrimination. The Government further points out that it is also an active member of the United Nations Council for Namibia.
- 106. The Byelorussian Soviet Socialist Republic reports that it advocates the practical implementation of decisions and resolutions of the United Nations Security Council and General Assembly on the eradication of racism, racial discrimination, apartheid and the vestiges of colonialism, as well as the consistent implementation of the Declaration and Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination. The Government states that it provides political, economic and other kinds of assistance and support for the national liberation movements which are fighting for independence and self-determination.
- 107. The Government of Poland reports that in 1979 it provided office premises and financial assistance to the Permanent Representative of the Zimbabwe Patriotic Front residing in the country. It is further reported that the ANC Permanent Representative resident in Berlin has been accredited to Poland. In addition, a working relationship with the Permanent Representative of SWAPO, stationed in Berlin, has been established. The Government further reports that considerable attention is being given to increasing political and moral support to those struggling against racism in southern Africa.
- 108. The Government of the Ukrainian Soviet Socialist Republic states that it regards participation in the international struggle against racism as its international duty; it has always supported peoples struggling against all forms of racism and racial discrimination and it provides political, moral and material assistance to those combating apartheid and racism. It is reported that representatives of the Ukrainian SSR have frequently declared, in the United Nations and in other international organizations, as well as in various international forums, that it firmly and consistently supports the implementation of the decisions and resolutions of the Security Council and the United Nations concerning the eradication of racism, racial discrimination, apartheid and the vestiges of colonialism.

- 109. The Government of the Union of Soviet Socialist Republics reports that it is a resolute and constant advocate of the practical implementation of decisions and resolutions of the United Nations Security Council and General Assembly on the eradication of racism, racial discrimination, apartheid and the vestiges of colonialism. The Government also advocates the consistent implementation of the Declaration and Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination. The Government states that the practical activities of the Soviet State and of a wide range of Soviet public organizations are reflected in the provision of economic and other assistance and support to national liberation movements fighting for their independence and self-determination.
- 110. The Government of Yugoslavia states that the ties which it maintains with the liberation movements in southern Africa constitute additional proof that the Government adheres to the principles of the Charter of the United Nations by extending assistance to these movements. As a member of the Council for Namibia and a member of the Special Committee on decolonization, the Government has fought for the realization of equality and self-determination for the peoples under colonial and alien domination and subjugation and for the prevention of discrimination in all its forms.
 - P. Measures that have been, or are being, taken to initiate and support campaigns aimed at mobilizing national public opinion against the evils of racism, racial discrimination and apartheid such as:
 - (a) Adequate programmes in the mass media publishing activities, research seminars, students, and youth organizations, trade unions, employers, organizations and religious and professional organizations;
 - (b) The dissemination of educational material against racism and racial discrimination;
 - (c) Consideration of ways and means through which communication media and non-governmental organizations may be encouraged to propagate the goals and objectives of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and the relevant resolutions of United Nations organs on racism
- 111. The Government of Australia describes a number of measures aimed at mobilizing national opinion against racism and racial discrimination. The Government reports that it has taken steps to publicize its Racial Discrimination Act of 1975. An information pamphlet has been prepared outlining the provisions of the Act and the manner in which complaints can be lodged. This pamphlet has been translated into

about 24 ethnic languages and a number of Aboriginal languages, and is to be distributed as part of Australia's programme to celebrate the thirtieth Anniversary of the Universal Declaration of Human Rights. The commemorative activities also include distribution to high schools throughout Australia of an education and discussion kit. The kit includes a detailed examination of the Racial Discrimination Act and of the need to eliminate racial discrimination. The kit is also to be available to community groups. For this purpose, the Universal Declaration of Human Rights is to be made available in at least 55 different languages. The Government refers to a series of video strips and films being made to highlight the problems faced by people suffering discrimination. In addition, the Government points out that the Victorian Ministry of Immigration and Ethnic Affairs has as its major objective the encouragement of community awareness of the value of ethnic cultures, encouragement of community life and the prevention of discrimination.

- 112. The Government of the Byelorussian Soviet Socialist Republic reports that extensive public activities are being carried out for the condemnation of manifestations of racism and apartheid, and in support of peoples fighting against colonialism and national oppression.
- 113. Every year public meetings and assemblies are held to celebrate the International Day for the Elimination of Racial Discrimination, and on 29 November the Byelorussian people observes a day of solidarity with the struggle of the Arab people of Palestine for their rights. The period 25 to 31 May is celebrated as a week of solidarity with the struggle of the peoples of southern Africa: during this period meetings and assemblies are held, and exhibitions and radio and television broadcasts are organized.
- 114. The Government of Hungary states that through the Hungary Solidarity Committee great care has been taken to ensure that the communication media provided the public with continuous and factual information on the international struggle against racism and apartheid. On the programmes of radio and television prominence is given to exposing the apartheid régimes, the plight of peoples under colonial domination and the activities of multinational corporations supporting the apartheid régimes. It is further reported that local papers give regular coverage of events relating to the anti-apartheid struggle, national and local solidarity actions, and activities of the Hungarian solidarity movement at international forums.
- 115. The Government of Kuwait states that the mass media, in co-operation with the Ministry of Information, are organizing and supporting campaigns aimed at mobilizing public opinion in the struggle against racism and racial discrimination.
- 116. The Government of Poland reports that the Polish Committee for Solidarity together with young people from national liberation movements of southern Africa, have held annual commemorative observances as a show of solidarity with the peoples of southern Africa struggling against racism and racial discrimination. Increased press, radio and television coverage of the situation in southern Africa was sought.

117. The Government of the Ukrainian Soviet Socialist Republic states that it makes constant efforts to publicize the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration and Convention on the Elimination of All Forms of Racial Discrimination. Each year. Ukrainian public organizations organize events to celebrate the International Day for the Elimination of Racial Discrimination, the Day of Solidarity with the Palestinian People and the Week of Solidarity with the Struggle of the Peoples of Southern Africa. They also manifest their solidarity with the struggle of peoples for freedom and independence at meetings held to celebrate Zimbabwe Day, Southern Africa Freedom Day, the Day of Solidarity with South Africa, Namibia Day etc. The Government states that, in taking part in the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination, it not only consistently supports the international struggle against racism, but encourages State bodies and public organizations to provide the population, and above all, young people, with a spirit of proletarian internationalism and hostility towards racial and national prejudice. The country's periodicals, radio and television play a particular role in this respect since they systematically inform the audience of readers and listeners of the international struggle against racism and racial discrimination.

118. The Government of the Union of Soviet Socialist Republics reports that extensive public activities are being conducted in the country for the condemnation of manifestations of racism and apartheid, and in support of peoples fighting against colonialism and oppression. Meetings and assemblies attended by many thousands of people are held on 21 March each year to celebrate the International Day for the Elimination of Racial Discrimination, and on 1 January the Soviet public observes a day of solidarity with the struggle of the Arab people of Palestine for their rights. From 25 to 31 May, the USSR holds a Week of Solidarity with the Struggle of the Peoples of Southern Africa, during which meetings and assemblies are held and exhibitions and seminars are organized. The Soviet public observes days of solidarity with the struggle of peoples for their freedom and independence.

119. The Government reports that in June 1979 an International Seminar on the Role of Public Opinion in Support of the Struggle of the Peoples of Southern Africa against Racism, Apartheid and Colonialism was organized at Alma-Ata by Soviet public organizations in conjunction with the Special Committee against Apartheid. It is further stated that Soviet mass media organizations regularly transmit and publish, both in their own country and abroad, a large amount of material for educating the public in the spirit of the struggle against racism, racial discrimination and apartheid. The Soviet public has, in particular, been provided with extensive information on the content of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and of the Declaration and Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination.

120. The Government of Yugoslavia states that for the purpose of disseminating educational material and supporting the campaign to mobilize national public opinion against the evils of racism, racial discrimination and apartheid, a

Yugoslav Committee for the Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination has been established. This Committee co-ordinates actions, programmes and demonstrations held in the country. The Government also states that information and educational material is disseminated through the mass media, schools, workers' universities and similar institutions with a view to overcoming racial prejudice and to educating the young people in the spirit of the respect for human rights and fundamental freedoms, the dignity and values of human beings. In addition, it is pointed out that the mass communication media, socio-political organizations and other social organizations are encouraged to publicize the aims and purposes of the Programme for the Decade; resolutions of the United Nations and its organs dealing with racism, racial discrimination and apartheid.

- 121. The socio-political organizations extend assistance to fighters waging a struggle against racism and to the victims of racial discrimination and apartheid by organizing collection drives, sending assistance and by taking other adequate measures aimed at a more successful achievement of the objectives of the Decade for Action to Combat Racism and Racial Discrimination.
 - Q. Other information relating to the objectives set out in the Programme for the Decade which Governments wish to communicate, and observations and suggestions concerning ways and means of achieving these objectives
- 122. The Byelorussian Soviet Socialist Republic states that it has submitted a number of documents on these questions to the United Mations Secretariat, including its periodic reports on the implementation of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, the Government's report on the implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights, the report on the implementation of the provisions of the International Covenant on Civil and Political Rights and information on activities undertaken in the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination.
- 123. The Government of the Ukrainian Soviet Socialist Republic states that, with regard to the furtherance of the principles and goals of the Programme for the Decade for Action to Combat Racism and Racial Discrimination, it has emphasized, in a number of documents submitted to the United Nations, that the United Nations must seek to achieve the implementation of its decisions. In this connexion, it is said that particular attention should be paid to specific measures designed to ensure the implementation of the main provisions of the Programme for the Decade.

III. INFORMATION PROVIDED BY SPECIALIZED AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS IN ACCORDANCE WITH PARAGRAPH 18 (f) OF THE PROGRAMME FOR THE DECADE

A. Specialized agencies

United Nations Educational, Scientific and Cultural Organization

124. The United Nations Educational, Scientific and Cultural Organization reports that General Assembly resolution 34/24, entitled "Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination", will be brought to the attention of its Executive Board at its one hundred and ninth session. The Organization further reports that in accordance with that resolution its Draft Programme and Budget for 1981-1983 contains a proposal with a view to organizing a meeting of journalists in 1981 on ways of achieving wider dissemination of knowledge of human rights through mass media.

B. Non-governmental organizations

1. World Federation for Mental Health

125. The World Federation for Mental Health states that, while it has no specific programmes with regard to racism, it is very concerned with the problems of migrants. It organized recently a workshop on this subject.

2. International Association of Educational and Vocational Guidance

126. The International Association of Educational and Vocational Guidance reports that it is an association whose membership and activities are world wide. The Organization states that racial discrimination is alien to its principles.

3. <u>International Catholic Committee of</u> Nurses and Medico-Social Vorkers

127. The International Catholic Committee of Nurses and Medico-Social Workers states that it has not undertaken any special actions within the framework of the Decade to Combat Racism and Racial Discrimination. It emphasizes, however, that it has always fought against racial discrimination. Its activities are open to nurses of all races.
