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

#### Report of the Third Committee

Rapporteur: Mr. Karl BORCHARD (Federal Republic of Germany)

#### I. INTRODUCTION

1. At its 4th plenary meeting, on 24 September 1982, the General Assembly decided to include in its agenda the item entitled "Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General" and to allocate it to the Third Committee.
2. The Committee considered this item jointly with items 75, 79 and 80 at its 3rd to 13th, 18th, 24th, 25th and 31st meetings, on 30 September and 4, 6, 8, 11 to 15, 21, 27 October and 2 November 1982. An account of the discussion of the Committee is contained in the relevant summary records (A/C.3/37/SR.3-13, 18, 24, 25 and 31).
3. The Committee had before it the following documentation:
  - (a) Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General (A/37/338 and Add.1), submitted in accordance with General Assembly resolution 3057 (XXVIII);
  - (b) Report of the Economic and Social Council, chapter III, section B (A/37/3 (Part I)); 1/

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1/ To be issued as Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 3 (A/37/3).

- (c) Letter dated 22 June 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General transmitting the Final Communiqué and other documents of the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries held at Havana from 31 May to 5 June 1982 (A/37/333).

4. At the 3rd meeting, on 30 September, the Secretary-General of the Second World Conference to Combat Racism and Racial Discrimination and the Director of the Centre for Human Rights made introductory statements.

## II. CONSIDERATION OF PROPOSALS

### A. Draft resolution A/C.3/37/L.3

5. The Committee had before it the draft resolution recommended by the Economic and Social Council in its resolution 1982/31 of 5 May 1982, entitled "Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination". The text of the draft resolution was distributed in document A/C.3/37/L.3.

6. A statement by the Secretary-General on the administrative and financial implications of the draft resolution was circulated to the Committee in document A/C.3/37/L.8.

7. At the 24th meeting, on 27 October, the Committee adopted draft resolution A/C.3/37/L.3 by 113 votes to 19, with 5 abstentions (see para. 13, draft resolution I.

### B. Draft resolution A/C.3/37/L.4

8. The Committee had before it the draft resolution recommended by the Economic and Social Council in its resolution 1982/32 of 5 May 1982, entitled "Second World Conference to Combat Racism and Racial Discrimination". The text of the draft resolution was distributed in document A/C.3/37/L.4.

9. A statement by the Secretary-General on the administrative and financial implications of the draft resolution was circulated to the Committee in document A/C.3/37/L.10.

10. At the 31st meeting, on 2 November, the Chairman introduced the following modifications to the text, as a result of consultations held on the draft resolution recommended by the Economic and Social Council:

(a) To annex to the draft resolution the draft provisional agenda for the Conference recommended by the Preparatory Sub-Committee (E/1982/26, annex), item 10 of which to be revised as follows:

"10. Review and evaluation of activities undertaken to achieve the goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination at the national, regional and international levels and in implementation of the Programme of Action adopted at the first World Conference;"

(b) To add a new operative paragraph 5, reading:

"5. Recommends the draft provisional agenda for the Conference as contained in the annex to the present resolution;"

(c) To renumber the ensuing operative paragraphs accordingly.

11. The Committee was also informed of some corrections to existing operative paragraphs 5 and 6 of the draft resolution.

12. At the same meeting, the Committee adopted the draft resolution, as orally corrected and modified, by 124 votes to 2 (see para. 13, draft resolution II).

### III. RECOMMENDATIONS OF THE THIRD COMMITTEE

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

#### DRAFT RESOLUTION I

##### Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its resolve to bring about the total and unconditional eradication of racism, racial discrimination and apartheid, which still represent serious obstacles to further progress and to the strengthening of international peace and security,

Recalling that, in its resolution 3057 (XXVIII) of 2 November 1973 and in the Programme for the Decade for Action to Combat Racism and Racial Discrimination annexed thereto, and in other relevant resolutions, it called upon all peoples, Governments and institutions to continue their efforts to eradicate racism, racial discrimination and apartheid and thus to promote respect for human rights and fundamental freedoms for all, without distinction as to race, colour, descent or national or ethnic origin,

Taking into account the Declaration and the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination, 2/

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2/ Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978 (United Nations publication, Sales No. E.79.XIV.2), chap. II.

Recalling that, in the programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination, contained in the annex to its resolution 34/24 of 15 November 1979, it called upon all States, United Nations organs and intergovernmental and non-governmental organizations to intensify their efforts to achieve the speediest attainment of the objectives of the Decade, aimed at the complete and final elimination of all forms of racism and racial discrimination,

Expressing its serious concern at the situation prevailing in South Africa and throughout southern Africa as a result of the policies and actions of the apartheid régime, particularly its efforts to perpetuate and strengthen racist domination of the country, its policy of "bantustanization", its brutal repression of opponents of apartheid and its renewed acts of aggression against neighbouring States,

Reaffirming that apartheid is a crime against humanity,

Particularly concerned at the persistence of the illegal occupation of Namibia by the racist minority régime of South Africa,

Disappointed that the talks between the United Nations and the South African racist and illegal occupation régime aimed at reaching a negotiated settlement of the question of Namibia have thus far failed because of the bad faith of that régime,

Reaffirming that any collaboration with the racist régime of South Africa constitutes a hostile act against the oppressed people of South Africa and a contemptuous defiance of the United Nations and the international community,

Considering that such collaboration strengthens the racist régime, encourages it to persist in its repressive and aggressive policy and seriously aggravates the situation in southern Africa, thus constituting a threat to international peace and security,

Seriously concerned at the fact that the principal Western and other trading partners of South Africa are continuing to collaborate with the racist régime and that their collaboration constitutes the main obstacle to the abolition of that régime and the elimination of the inhuman and criminal system of apartheid,

Alarmed by the persistent collaboration by certain Western States and Israel with the racist régime of South Africa in the nuclear field,

Aware of the constant need to mobilize public opinion against any political, military, economic and other assistance granted to the racist régime of South Africa,

Aware of the need to promote solutions to the problems of discrimination facing migrant workers and their families,

Recalling its resolution 35/33 of 14 November 1980, in which it decided to hold in 1983 a Second World Conference to Combat Racism and Racial Discrimination,

which, while reviewing and assessing the activities undertaken during the Decade, should have as its main purpose the formulation of ways and means and of specific measures aimed at ensuring the full and universal implementation of United Nations resolutions and decisions on racism, racial discrimination and apartheid,

Stressing the importance of attaining the objectives of the Decade,

Convinced that the Second World Conference to Combat Racism and Racial Discrimination will make a useful and constructive contribution to the attainment of those objectives,

1. Proclaims that the elimination of all forms of racism and of discrimination based on race and the attainment of the objectives of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and of the programme of activities to be undertaken during the second half of the Decade are matters of high priority for the international community and, therefore, for the United Nations;

2. Strongly condemns the policies of apartheid, racism and racial discrimination pursued in southern Africa, all occupied Arab territories and elsewhere, including the denial of the right of peoples to self-determination and independence;

3. Reaffirms its strong support for the national liberation struggle against racism, racial discrimination, apartheid, colonialism and foreign domination and for self-determination by all available means, including armed struggle;

4. Reaffirms the inalienable rights of the Namibian people to self-determination and independence;

5. Vigorously condemns the repeated acts of aggression committed by South Africa against the States of the region, particularly Angola, Botswana, Mozambique, Seychelles and Zambia;

6. Expresses its profound solidarity with the front-line States that are victims of the racist aggression and destabilization attempts of the Pretoria régime;

7. Once again invites all Member States, United Nations organs, specialized agencies, intergovernmental organizations, national liberation movements, anti-apartheid and anti-racist organizations and other solidarity groups to strengthen and enlarge the scope of their activities in support of the objectives of the Programme for the Decade;

8. Again requests the Security Council to consider, as a matter of urgency, the imposition of full mandatory sanctions under Chapter VII of the Charter of the United Nations against the racist régime of South Africa and the strengthening of the embargo on arms, with a view to putting an end to all military and nuclear collaboration with South Africa;

9. Reaffirms the decision by which it approved 3/ the Declaration of the International Seminar on the Implementation and Reinforcement of the Arms Embargo against South Africa, 4/ held in London from 1 to 3 April 1981 under the auspices of the Special Committee against Apartheid;

10. Vigorously condemns the collaboration of certain Western countries, Israel and other States and of transnational corporations and other organizations which are maintaining or continuing to increase their collaboration with the racist régime of South Africa, particularly in the political, economic, military and nuclear fields, thereby encouraging that régime to persist in its inhuman and criminal policy of brutal oppression of the peoples of southern Africa and its denial of human rights;

11. Calls once again upon all Governments which have not yet done so to take legislative, administrative and other measures in respect of their nationals and the bodies corporate under their jurisdiction that own enterprises in southern Africa in order to put an end to such enterprises;

12. Calls upon all States to adopt, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and outlawing organizations based on racial hatred and prejudice, including neo-Nazi and Fascist organizations and private clubs and institutions established on the basis of racial criteria or propagating ideas of racial discrimination and apartheid;

13. Invites Member States, the organs and bodies of the United Nations system and the specialized agencies to continue their efforts with a view to the protection of the rights of all migrant workers and their families;

14. Takes note with appreciation of the report of the Preparatory Sub-Committee for the Second World Conference to Combat Racism and Racial Discrimination on its first session; 5/

15. Requests the Secretary-General to provide the Preparatory Sub-Committee with all necessary assistance;

16. Further requests the Secretary-General to appoint, after consultation with the regional groups, in 1982, a Secretary-General of the Second World Conference to Combat Racism and Racial Discrimination, who shall have the rank of Assistant Secretary-General and shall be responsible for the organization of the Conference and co-ordination with Member States, organs and bodies of the United Nations, specialized agencies and intergovernmental and non-governmental organizations;

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3/ Resolution 36/8, para. 9.

4/ A/36/190-S/14442, annex.

5/ E/1982/26.

17. Invites Member States to continue to co-operate with the Secretary-General as part of the Programme for the Decade and the preparations for the Conference;

18. Invites the appropriate organs and bodies of the United Nations system to contribute to the preparations for the Conference;

19. Expresses its satisfaction to the Committee on the Elimination of Racial Discrimination, the Special Committee against Apartheid, the United Nations Council for Namibia, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Commission on Human Rights, through its Ad Hoc Working Group of Experts on Southern Africa, for their contribution to the implementation of the Programme for the Decade and invites them to include in their activities the preparations for the Conference;

20. Decides to consider at its thirty-eighth session, as a matter of high priority, the item entitled "Implementation of the Programme for the Decade to Combat Racism and Racial Discrimination".

#### DRAFT RESOLUTION II

##### Second World Conference to Combat Racism and Racial Discrimination

The General Assembly,

Recalling its resolution 3057 (XXVIII) of 2 November 1973, by which it proclaimed the Decade for Action to Combat Racism and Racial Discrimination,

Mindful of the Declaration and the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination, 6/

Recalling paragraph 26 of the programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination, contained in the annex to General Assembly resolution 34/24 of 15 November 1979, in which the Assembly decided that an important feature of the second half of the Decade should be the holding of a Second World Conference to Combat Racism and Racial Discrimination,

Bearing in mind its resolution 35/33 of 14 November 1980, in which it decided to hold in 1983, as an important event of the Decade, a Second World Conference to Combat Racism and Racial Discrimination, which, while reviewing and assessing the

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6/ Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978 (United Nations publication, Sales No. E.79.XIV.2), chap. II.

activities undertaken during the Decade, should have as its main purpose the formulation of ways and means of specific measures aimed at ensuring the full and universal implementation of United Nations resolutions and decisions on racism, racial discrimination and apartheid,

Bearing in mind also the provisions of its resolution 36/8 of 28 October 1981 regarding the preparations for the Conference,

Taking note of Economic and Social Council resolution 1982/32 of 5 May 1982, which contains recommendations regarding the organization of the Conference,

1. Endorses Economic and Social Council resolution 1982/32;
2. Accepts the offer of the Government of the Philippines to act as host to the Second World Conference to Combat Racism and Racial Discrimination;
3. Decides to convene the Conference at Manila from 1 to 12 August 1983;
4. Decides to make an exception to its resolution 2609 (XXIV) of 16 December 1969 on the pattern of conferences and agrees that half of the additional cost involved in holding the Conference in the Philippines shall be defrayed from the regular budget of the United Nations;
5. Recommends the draft provisional agenda for the Conference as contained in the annex to the present resolution;
6. Requests the Secretary-General to invite:
  - (a) All States to participate in the Conference;
  - (b) The United Nations Council for Namibia to participate in the Conference, in accordance with paragraph 3 of General Assembly resolution 32/9 E of 4 November 1977;
7. Further requests the Secretary-General to invite:
  - (a) Representatives of national liberation movements recognized in its region by the Organization of African Unity to participate in the Conference in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;
  - (b) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices in the capacity of observers to participate in the Conference in that capacity in accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976;
  - (c) The specialized agencies concerned, as well as interested organs and bodies of the United Nations, to be represented at the Conference;



(d) Interested intergovernmental organizations to be represented by observers at the Conference;

(e) The Special Committee against Apartheid to be represented by observers at the Conference;

(f) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to be represented by observers at the Conference;

(g) The Committee on the Elimination of Racial Discrimination to be represented by observers at the Conference;

(h) The Commission on Human Rights to be represented by observers at the Conference;

(i) The Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to be represented by observers at the Conference;

(j) Other interested committees of the United Nations to be represented by observers at the Conference;

(k) Non-governmental organizations in consultative status with the Economic and Social Council which have contributed to the achievement of the goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination and to the implementation of the Programme of Action adopted by the first World Conference, taking into account also their record in the field of struggle against racism and racial discrimination, to be represented by observers at the Conference;

8. Requests the Secretary-General, as part of the preparatory process, to take adequate steps to ensure that maximum publicity shall be given to the Conference and, to that end, to allocate the necessary resources from the regular budget;

9. Calls upon all States to contribute to the success of the Decade for Action to Combat Racism and Racial Discrimination, in particular by their active participation in the Conference;

10. Urges all States to co-operate with the Secretary-General of the Conference in the preparatory work and to consider the setting up of national committees for publicizing the aims and, eventually, the main results of the Conference;

11. Requests the Secretary-General to report to the General Assembly at its thirty-eighth session on the work of the Conference;

12. Decides to consider at its thirty-eighth session, as a matter of high priority, an item entitled "Second World Conference to Combat Racism and Racial Discrimination".

ANNEX

Draft provisional agenda for the Second World Conference to  
Combat Racism and Racial Discrimination

1. Opening of the Conference.
2. Election of the President.
3. Opening addresses.
4. Adoption of the rules of procedure.
5. Election of other officers.
6. Credentials of representatives to the Conference:
  - (a) Appointment of the Credentials Committee;
  - (b) Report of the Credentials Committee.
7. Adoption of the agenda.
8. Organization of work.
9. Political, historical, economic, social and cultural factors leading to racism, racial discrimination and segregation and apartheid.
10. Review and evaluation of activities undertaken to achieve the goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination at the national, regional and international levels and in implementation of the Programme of Action adopted at the First World Conference to Combat Racism and Racial Discrimination.
11. Main obstacles to the full eradication of racism, racial discrimination and apartheid.
12. Determination of further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination and apartheid:
  - (a) Adoption of legislative, judicial, administrative and other measures at the national level to improve relations among racial groups and to prohibit racial discrimination, including dissemination of ideas based on racial superiority or hatred, and all racist organizations such as Nazi and neo-Nazi organizations;
  - (b) Action in the field of education, culture, research and information and the role of mass media in the struggle against racism, racial discrimination and apartheid with the aim to combat prejudices which lead

to racial discrimination and to promote understanding, tolerance and friendship among nations and racial or ethnic groups;

- (c) Measures aimed at ensuring the full and universal implementation of United Nations decisions and resolutions on racism, racial discrimination and apartheid;
  - (d) Universal ratification of, or accession to, the International Convention on the Elimination of All Forms of Racial Discrimination and other existing international instruments adopted under the aegis of the United Nations and the specialized agencies aimed at combating racism, racial discrimination and apartheid;
  - (e) Drawing up of new international measures to combat racism and racial discrimination;
  - (f) Continued support and assistance to peoples and movements struggling against racism, racial discrimination and apartheid; and ways and means of denying support to racist régimes and of ensuring their isolation.
13. Adoption of the report and final documents of the Conference.

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