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SUMMARY RECORD OF THE 8th MEETING

Chairman: Mr. SOBHY (Egypt)

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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 73: IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/34/411, A/34/3/Add.22, A/34/357, A/34/389 and Corr.1)

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- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (continued) (A/34/442)

1. Mrs. NAVACHAA (Mongolia) said that the current year marked the beginning of the second half of the Decade for Action to Combat Racism and Racial Discrimination. The World Conference to Combat Racism and Racial Discrimination, held at Geneva in August 1978, had provided an opportunity for taking stock of the first half of the Decade and outlining the tasks which awaited the international community in its endeavour to do away with racial discrimination and apartheid. Her delegation had whole-heartedly supported the Declaration and the Programme of Action adopted by the Conference and would do its utmost to facilitate their implementation.

2. The Conference had also undertaken to identify the obstacles hampering the attainment of the objectives of the Decade. As had rightly been observed, the racist régimes of southern Africa remained in power because of the political, economic, financial and military support afforded by the major Western Powers. There were numerous proofs: for example, a large number of companies in the United Kingdom, the United States, the Federal Republic of Germany and France were collaborating with the racist régimes of Southern Rhodesia and South Africa. The assistance, which took on many forms, was at variance with the United Nations Charter and the numerous United Nations decisions on the subject. One of the most important ingredients of the action to combat racism and apartheid was the implementation of all United Nations decisions by all States without exception. Her delegation considered that it was high time to give real substance to the notion of isolating South Africa by imposing a total embargo on arms supplies and economic sanctions.

3. Any peaceful solution to the question of South Africa should safeguard the legitimate interests of the population, guarantee its social and political liberation and avoid a new form of domination by the racist régime. The continuance of racism and its most odious manifestation, apartheid, was a grave threat to international peace and security not only in the region concerned but

(Mrs. Navchaa, Mongolia)

throughout the world, as was evidenced by the acts of aggression carried out against the independent front-line African countries. The Mongolian people stood by the populations of the African States that were fighting courageously to defend their independence, their sovereignty and their territorial integrity and whole-heartedly supported the peoples of Namibia, Zimbabwe and South Africa in their legitimate struggle for national liberation, self-determination, independence and national unity.

4. As a party to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Mongolian People's Republic scrupulously observed the provisions of both instruments. No economic and social conditions capable of giving rise to racism existed in Mongolia. The Committee on the Elimination of Racial Discrimination had considered the fourth periodic report of Mongolia in 1979. Unfortunately, its report (A/34/18) failed to do full justice to the replies of the Mongolian representative. Her delegation attached the greatest importance to the Committee's work and was particularly pleased that it had instituted closer contacts and a dialogue with UNESCO and ILO.

5. It was wrong to take the view that racial discrimination was to be found only in the realm of political and civil rights because, first and foremost, racial discrimination prevented the exercise of economic, social and cultural rights. It was therefore extremely important that all States should accede to the international instruments whose object was to eliminate racism, racial discrimination and apartheid. She appealed to all countries which had not yet done so to sign or ratify them as soon as possible.

6. Mr. OTUNNU (Uganda) said that great progress had undoubtedly been made since the beginning of the Decade for Action to Combat Racism and Racial Discrimination. The Committee on the Elimination of Racial Discrimination had done much to heighten awareness of the racism and racial discrimination rampant today, but the fact that millions of persons throughout the world continued to be victims of those evils indicated the dimensions of the problem.

7. Given the strong resistance of the population and international pressure, the South African régime would not be able to continue in power but for some countries that continued to have economic relations with it. He therefore urged the Western nations to withdraw their investments from South Africa, because it was that support which allowed the apartheid system to survive. The continuing co-operation of some Western Powers with South Africa in the field of nuclear research and weaponry also deserved censure.

8. Not only did the racist régime of South Africa continue to occupy Namibia, in defiance of international law, but it even tried to impose a régime in its pay on the people of that country. His delegation accordingly supported the Namibian people in their struggle against the South African racist régime under the leadership of SWAPO.

(Mr. Otunnu, Uganda)

9. Pending the results of the Conference on Zimbabwe-Rhodesia, his delegation was concerned about the acts of aggression perpetrated by the Salisbury régime against the front-line States. Because of their political commitment and their geographical situation those States, with their weak economies, were excessively penalized by the struggle against racism and racial discrimination, and the international community must therefore provide them with all possible material aid.

10. While it was right to give priority to combating the system of apartheid, which represented racial discrimination in its most ignominious form, it was equally necessary to promote solidarity with all the ethnic and racial minorities that suffered from discrimination in other parts of the world.

11. Mr. CHEBAANE (Tunisia) said it was extraordinary that, in a fully developing world, racism, racial discrimination and apartheid still survived and that more than three decades had elapsed since the General Assembly had decided to put an end to persecution and racial discrimination. By affirming that racial discrimination, and in particular apartheid, was a crime against humanity and a threat to international peace and security, the United Nations had recognized the legitimacy of the struggle waged by the oppressed peoples to combat by every means discriminatory practices and policies.

12. However, it must be noted that those policies continued to be applied in South Africa, Namibia, Zimbabwe and Palestine, where the people were deprived of their most fundamental rights, displaced or driven from their land, and humiliated as human beings on the basis of colonialist, racist and ethnic criteria. The fragmentation of territorial integrity, through the creation of Bantustans, was a means for those régimes of perpetuating their domination over indigenous populations and of preventing them from exercising their inalienable right to self-determination.

13. Half-way through the Decade for Action to Combat Racism and Racial Discrimination, the United Nations was duty-bound to assume its responsibilities towards oppressed peoples throughout the world, and especially in southern Africa and in Palestine. The Decade, initiated by the General Assembly in 1973, had given rise to many hopes and bore witness to the determination of the international community to eliminate racism in all its forms. The World Conference to Combat Racism and Racial Discrimination, held at Geneva, had enabled progress to be made and the participants had pledged to defend the cause of justice, equality and human dignity. However, neither the Programme for the Decade nor the Declaration adopted by the Conference had made it possible to achieve the desired results because of the attitude of certain countries.

14. Indeed, foreign economic interests in southern Africa were becoming more and more widespread and were serving the purposes of colonialist and racist policies. Political, military and other assistance given to the racist régimes constituted one of the main obstacles to the solution of those problems and impeded the liberation process. Some claimed that it was impossible to control the supply of arms and the sale of manufacturing licences, but those arguments were convincing for their advocates were sometimes the main shareholders

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(Mr. Chebaane, Tunisia)

in the companies concerned. It was, to say the least, surprising that some perceived economic co-operation with South Africa and the Zimbabwe régime as a means of improving the lot of the black population. In fact, the opposite was happening, because the peoples of southern Africa were becoming more and more the victims of such collaboration.

15. The Tunisian Government felt that it was vital to reach a broad consensus in favour of international action designed to eliminate apartheid and other forms of colonialism and racial discrimination which continued to manifest themselves because the international instruments and the pertinent resolutions of the United Nations were not being applied. Concrete measures must be taken to eliminate racism and the oppression that was the corollary of it. No country could afford to remain neutral in the struggle for freedom, dignity and the defence of fundamental human rights. The oppressed peoples must be able to count not only on the assistance of fraternal peoples who had before them fought against colonialism and racism but also on the assistance of all men who loved peace and justice.

16. Mr. FAURIS (France) said that the system of apartheid was contrary to the fundamental principles of French society, which was based on a truly egalitarian legal system and left no place for racial prejudices.

17. France had always made known in unequivocal terms its opposition to the policy of apartheid in southern Africa. That was why it contributed to the United Nations Trust Fund for Southern Africa and to the United Nations Educational and Training Programme for Southern Africa. It strictly respected the embargo on the sale of arms to South Africa and applied Security Council resolution 418 (1977). Its relations with South Africa were of the same order as those it had with other States whose régimes it did not approve of and they could not be interpreted as an approval of the apartheid system.

18. Racism existed everywhere in the world in a latent or virulent state and, if it did not manifest itself openly, its resurgence was always possible. Racial or sexual discrimination, religious, national or ethnic intolerance, and persecution for political opinions were basically of the same nature and could arise in both developed and developing countries. For that reason, the French Government considered that law was a determining element in the struggle against racism, a conviction that was buttressed by the existence of the International Convention on the Elimination of All Forms of Racial Discrimination. The States which had ratified that Convention had pledged to incorporate in their national legislation the international norms which it contained. That legal system must not remain a dead letter.

19. The French delegation had often paid tribute to the quality of the work of the Committee on the Elimination of Racial Discrimination whose authority was based on the co-operation it had been able to establish with Governments and States parties. In order to maintain those good relations, the Committee should ensure that it stayed strictly within the limits of its mandate.

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(Mr. Fauris, France)

20. Three requirements were imposed on States parties to the Convention. Firstly, they must adopt a specific body of anti-racial legislation whose provisions were based on the Convention. In that connexion, he stressed that no country could claim that it had no need for such legislation because it was allegedly free of racism. The Committee had been faced with such question-begging when certain States had declared that they were free of racism and therefore had no need to adopt specific laws, make provision for special appeals or build up a series of court decisions. The Committee's report (A/34/18) contained no reference to such statements, although they had given rise to reactions of disapproval. It would be paradoxical if States parties which had no specific anti-racial legislation were absolved, whereas the most elaborate body of legislation gave rise to criticism. His delegation was convinced that the members of the Committee would be able to avoid such discrimination. The French parliament had been eager to promulgate specifically anti-racial legislation designed to repress to the highest degree all manifestations of racism.

21. The second requirement for the States parties was that they should put into practice political, social, educational and cultural programmes designed to promote a true mutual respect among human groups. The Committee had devoted a substantial part of its work to the application of article 7 of the Convention and particularly to the work of UNESCO which was aimed at proclaiming the "right to be different". In that respect, the report submitted in 1979 by France noted a whole series of measures adopted to prevent racist attitudes.

22. The third requirement was for repressive action of a judicial nature and the guarantee of methods of appeal. It was essential that the jurisdictions and institutions competent to examine the appeals of victims of racial discrimination could base themselves on a legal situation. The French report contained many annexes providing the Committee with an illustration of the practice of French courts. During consideration of that report, members of the Committee had suggested that in a future report a complete list of the judicial decisions adopted during the two-year period in question should be included. The French Government would have no objection to such a request to the extent that it would be addressed to all States parties so that the Secretariat would be able to draw up a complete list of the legal decisions taken in execution of the Convention.

23. France had taken part in the United Nations seminar on recourse procedures available to victims of racial discrimination held at Geneva in the context of activities relating to the Decade for Action to Combat Racism and Racial Discrimination. It was useful to establish additional recourse procedures specifically to combat racism. In France, recourse procedures in the criminal, civil and administrative spheres were very widely available and easily accessible, especially in the area of anti-racist action. Those having recourse to the courts could obtain legal aid. In view of the ease with which the victims of racial discrimination could request the application of repressive texts, it was remarkable that proceedings on that score before the French courts had been initiated in only a few dozen cases each year, despite the fact that in January 1977 more than 4 million foreigners had been living in France.

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(Mr. Fauris, France)

24. It would be regrettable if the Committee were to beg the question by giving credence to the idea that there were countries where racism did not exist and where there could consequently be no relevant judicial precedents. On the contrary, the fact that the criminal courts had considered no cases relating to racism often indicated that the victims of discrimination did not have access to satisfactory recourse procedures, that the courts were not sufficiently accessible and above all that there were no specific and explicit legal texts upon which judges could base legal decisions relating to that subject.

25. Mr. VOICU (Romania) said that his delegation was participating in the debate on items 73 and 86 in the light of a position of principle based on the realities of life in Romania, which was characterized by constant concern to ensure equal rights for all citizens and by the categorical rejection of all discrimination on grounds of race, nationality, sex or religion. Those realities received juridical expression in all of Romania's legislation, beginning with the Constitution, article 17 of which guaranteed equality before the law for all citizens and prohibited all incitement to racial or national hatred.

26. With regard to foreign policy, Romania supported and had always supported by every available means the struggle of peoples to end racial discrimination and apartheid, practices which it had always firmly condemned. At the United Nations, it had consistently supported measures aimed at the total eradication of colonialism, apartheid and racial discrimination and had fully applied the resolutions of the Security Council and the General Assembly providing for specific measures directed against the colonial and racist régimes of southern Africa. It had played an active part at the World Conference to Combat Racism and Racial Discrimination and considered that the documents adopted at that Conference contained useful provisions that could lead to the elimination of a scourge that was in flagrant contradiction with human rights and the basic requirements of human progress.

27. Within the context of the struggle to eliminate colonialism, racism and apartheid, Romania had sought to strengthen its political and economic ties with all the African countries except South Africa and the countries still under colonial domination. Many mixed companies and joint ventures had been set up to help the African peoples to develop their national wealth more effectively and to ensure their economic and social development. The visit of the President of the Socialist Republic of Romania to several African countries in the spring of 1979 had been a further manifestation of that country's militant solidarity with the African countries in the struggle to eliminate colonialism, neo-colonialism, racism and apartheid completely and to strengthen national independence. His country actively supported the national liberation struggle of the peoples of Africa, particularly those of Zimbabwe and Namibia, and in general the struggle of all peoples still under foreign domination. The current situation in southern Africa should make it possible to bring that struggle to a successful conclusion in the fairly near future.

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(Mr. Voicu, Romania)

28. There had recently been a resurgence on the international scene of the most sombre reactionary and Fascist forces which were seeking to revive retrograde and racist practices and concepts, both at the ideological and political levels and in social life. All States should pay attention to those phenomena, which were detrimental to fundamental rights and human dignity. In those circumstances, the strict application of the provisions of the International Convention on the Suppression and Punishment of the Crime of Apartheid and the relevant General Assembly resolutions would be most opportune. The debate at the current session of the General Assembly should contribute to genuine progress in the implementation of those instruments. In that connexion, he stressed the importance of the statements made by the representatives of Yugoslavia, the Philippines, the United Republic of Tanzania, Egypt, Morocco, Mongolia and Tunisia.

29. With regard to the report of the Committee on the Elimination of Racial Discrimination (A/34/16), it would be easier to understand how States parties were applying the Convention if the summaries of the Committee's discussion of national reports were more detailed and the symbols of the summary records of the meetings at which those reports had been considered were given in each case, since the members of the Third Committee did not have the reports or the summary records. On the other hand, purely procedural debates should be summarized more briefly.

30. With regard to the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination, his delegation wished to recall that it had voted for Economic and Social Council resolution E/1979/3. Lastly, it supported the adoption of the draft resolution contained in document A/34/3/Add.22.

31. Mr. HEINEMANN (Netherlands) said it was gratifying to note that 104 States had acceded to the Convention on the Elimination of All Forms of Racial Discrimination. Since each State party was supposed to submit a report every two years, the Committee on the Elimination of Racial Discrimination was expected to examine a very large number of periodic reports within a very limited period of time. That being so, the reports could perhaps be submitted less frequently, so that the Committee would have more time to consider them.

32. His delegation was disappointed that the number of States parties that had made the declaration under article 14 of the Convention was not sufficient to allow the Committee to receive and consider communications from individuals or groups of individuals claiming to be victims of racial discrimination. It appealed once again to States parties to make that declaration, for it considered that recognition of the right of petition of individuals would constitute a very useful strengthening of the Convention.

33. In 1979 the Committee had considered his country's fourth periodic report. His Government appreciated the objectivity the Committee had demonstrated on that occasion, and wished to compliment it on its important contribution to the elimination of racial discrimination. In order to maintain the high quality of the Committee's work, States should nominate experts of high moral standing,

(Mr. Heinemann, Netherlands)

acknowledged impartiality and broad experience, and the members of the Committee -- as one of their number had pointed out -- should scrupulously observe the mandate given them under the Convention and refrain from pronouncing themselves on matters unrelated to the struggle to eliminate racial discrimination, since that might jeopardize the unanimous support the Committee had enjoyed thus far.

34. Some delegations had stated that racial discrimination did not and could not exist in their countries. The state of mind demonstrated by that kind of statement was not without danger. His delegation felt that every country should remain fully alert to detect any symptom of racial discrimination as soon as it manifested itself and to eliminate it immediately. When presenting the report of his country to the Committee on the Elimination of Racial Discrimination the representative of the Netherlands had pointed out that although Netherlands legislation was absolutely 'colour-blind', studies had revealed certain discriminatory practices. Legislation was not enough: human beings had their faults, one of the worst of which was a certain tendency toward discrimination.

35. It was impossible to speak of racial discrimination without mentioning its institutionalized and most abhorrent form: apartheid. As the Netherlands Minister for Foreign Affairs had stated in the General Assembly a few days earlier, the Netherlands people and Government were determined to put an end to that insult to humanity: the Netherlands condemned apartheid, and if South Africa failed to change its policies further pressure by the international community, perhaps including sanctions, would be inevitable. Although the States Members of the United Nations were not always in agreement on ways of speedily attaining that goal, they were unanimous in recognizing the urgency and importance of the full eradication of all forms of racial discrimination and, in particular, apartheid.

36. Mr. NAGY (Hungary) observed that the question of the elimination of racial discrimination continued to occupy a position high on the agenda of the Third Committee and that, unfortunately, no meaningful progress towards the solution of that problem had been made. World public opinion rightly expected the United Nations to take effective measures to remedy that situation. It was obvious that the illegal racist régimes would not be able to survive without the economic, military and often political support of certain countries and international monopolies. It should also not be forgotten that while southern Africa offered the most flagrant examples of the practices of racism and racial discrimination, those evils existed in other parts of the globe, notably the Middle East.

37. If South Africa did not have the indirect and often direct assistance of certain Western countries it would not be on the way to becoming a nuclear Power. At the Summit Conference of Non-Aligned Countries held at Havana it had been noted that South Africa and Rhodesia owed their economic and military strength to the repeated violations by certain leading capitalist Powers of the economic embargo and the arms embargo. It was equally clear that the so-called plans of settlement proposed by the five Western Powers for Namibia and Southern Rhodesia could not provide a real solution to the problems of the region. The only solution lay in creating conditions which would ensure, in keeping with the relevant resolutions of

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(Mr. Nagy, Hungary)

the United Nations, the transfer of power to the liberation organizations representing the genuine interests of the peoples concerned.

38. His Government regarded as illegal the electoral farces staged in Namibia and Southern Rhodesia; it resolutely condemned the attacks launched by the racist régimes against the neighbouring independent countries and took a firm stand against the policy of apartheid, the maintenance of which served the far-reaching political, economic and military interests of the imperialist Powers. His delegation was confident that the effective application of the United Nations resolutions by the international community would contribute to the elimination of those inhuman régimes and it hoped that by the next session of the General Assembly important progress would have been made in that direction.

39. Mrs. KOMAROVA (Union of Soviet Socialist Republics) expressed satisfaction at the Committee's decision to examine the question of racial discrimination first. Racial discrimination ran counter to the purposes and ideals of the United Nations. The world Organization had repeatedly taken steps to eliminate racism and colonialism as rapidly as possible, and the Decade for Action to Combat Racism and Racial Discrimination provided the occasion for redoubling its efforts to rid the world of those evils as quickly as possible by concerted action on the part of all Member States. The positive developments in that field had, thanks to the influence of peace-loving States, been a success for the national liberation movements. Thus more favourable conditions had been created which would make it possible to consolidate the forces working to attain the goals of the Decade.

40. The World Conference to Combat Racism and Racial Discrimination, and the Declaration and Programme of Action which it had adopted, had given new impetus to the action taken by the international community against racism and racial discrimination. Those measures had been supported by all who really wished to eliminate racism, apartheid and colonialism as quickly as possible, but certain countries, which had tried to obstruct the work of the World Conference under various false pretexts, were still not applying the measures adopted.

41. The Sixth Conference of Heads of State or Government of the Non-Aligned Countries, held at Havana in September, had made a substantial contribution to the struggle against racism, apartheid and colonialism. Despite the successes achieved in that struggle during the past five years, racism and racial discrimination still existed. The international community must therefore redouble its efforts to accelerate the elimination of all forms of racism and racial discrimination. The most revolting form of racism had been institutionalized in the policy of apartheid practised by the racist régimes in southern Africa, which the United Nations had declared to be a crime against humanity. Its elimination should therefore be a priority task of the States Members of the United Nations. Only recently the indignation of international public opinion had been expressed in the Universal Postal Union, which had decided at its eighteenth Congress, held in September, to expel South Africa.

42. The situation in the Middle East was still a source of concern, aggravated by the separate anti-Arab agreement concluded with the aggressor. The Israeli

(Mrs. Komarova, USSR)

militarists were continuing to occupy lands which had always been Arab and to pursue a policy of mass repression. Zionism, condemned by the United Nations and by the Movement of Non-Aligned Countries, thus revealed its racist nature. Racial discrimination had its roots in a system based on the exploitation of man by man and at the same time strengthened that exploitation.

43. To increase their profits still further, the imperialist monopolies and certain Western countries which supported them not only were sabotaging the decisions of the United Nations concerning the boycott of the racist régimes but also were strengthening their co-operation with those régimes. The report of the Centre on Transnational Corporations (C.10/51) indicated that in 1978 a total of 1,883 imperialist corporations had been operating in South Africa. Tel Aviv was still the leading ally of the racist régimes, particularly in the military field. The Economic and Social Council, in its resolution 1979/75, had condemned the collaboration of transnational corporations with the régimes of southern Africa and had requested all States to put an end to that collaboration and in particular to refrain from supplying oil and other strategic materials to the racist minority régimes. Those who refused to apply the decisions of the United Nations concerning a boycott were accomplices of the racist régimes, which were thus enabled to pursue their policy of repression. The liberation struggle of the peoples of southern Africa was made still more difficult by the acts of States having hegemonist designs on the third world.

44. Her delegation attached great importance to the United Nations efforts to combat racism effectively; it supported the national liberation movements in southern Africa and had always advocated the total elimination of apartheid in South Africa and the transfer of power to representatives of the people of the region. It was essential categorically to reject any solution which installed puppet régimes, to impose sanctions on Pretoria in accordance with the Charter and to implement the programme for the Decade and measures to isolate the racist régimes.

45. State organizations in the Soviet Union had consistently striven to mobilize world opinion in support of eliminating racism and apartheid. In May 1979, for example, an international seminar on the role of public opinion in the struggle against racism and racial discrimination had been organized, in co-operation with the Special Committee against Apartheid, at Alma Ata with the participation of 36 countries; documentation on the seminar had been transmitted to the United Nations. The position of principle adopted by the USSR with regard to the struggle against racism and racial discrimination derived from the very nature of socialism, which had eliminated the system of exploitation of man by man and freed the Soviet people from oppression. The provisions of the Soviet Constitution concerning the struggle against racism and racial discrimination were invariably respected and were in conformity with international agreements.

46. In the combined efforts of the States Members of the United Nations to implement the Programme for the Decade for Action to Combat Racism and Racial Discrimination, special importance should be given to the International Convention

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(Mrs. Komarova, USSR)

on the Elimination of All Forms of Racial Discrimination and to the International Convention on the Suppression and Punishment of the Crime of Apartheid. It should be realized, however, that no Western country had become a party to the latter Convention. The General Assembly should again urge Western countries to ratify that important legal instrument. The second half of the Decade should witness the mobilization of all efforts to implement the decisions of the United Nations, particularly the Programme for the Decade and the Declaration and Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination. All the United Nations bodies should make their contribution, particularly the Committee on the Elimination of Racial Discrimination, whose practical activities were of great importance in the struggle against the champions of fascism, neo-fascism and zionism and whose efforts deserved commendation. Her delegation fully supported Economic and Social Council resolution 1979/3 and was prepared to help in preparing measures for the elimination of racism and racial discrimination.

47. On the subject of the general organization of the Committee's work, she said that her delegation hoped that the Committee's report to the General Assembly would provide a more accurate account of proceedings than it had in the past. Earlier reports had contained a number of inaccurate statements, a fact that had led some representatives to express reservations.

48. Mr. VOLLERS (Federal Republic of Germany) said that his Government attached great importance to all questions relating to the elimination of racial discrimination and particularly to the two items under consideration. It valued the effective work being done by the Committee on the Elimination of Racial Discrimination, which had, in the 10 years of its existence, led to the enactment in many countries of legislation on eliminating all forms of discrimination. Co-operation between that Committee and the specialized agencies with a view to rendering its work more efficient should be encouraged.

49. That Committee had been created for a specific purpose under the Convention on the Elimination of All Forms of Racial Discrimination and should confine itself strictly to its mandate. The scope of the Convention was limited to the area under the effective control of States parties and its provisions did not apply to their relations with other States. His Government, which had already submitted its fifth periodic report, urged that the Committee should take due care when considering the report of States parties to apply the same standards to all of them. It seemed, in fact, that that Committee expected very detailed information from some States whereas it accepted more general statements from others. The fact that no legislation and no judicial decisions against racial discrimination existed in a given State did not necessarily imply the absence of discrimination.

50. Moreover, there seemed to be no need for special political representation of minority groups in Parliament if they enjoyed exactly the same rights as the rest of the population. Racial discrimination should be condemned and abolished wherever it manifested itself, but care should be taken not to describe as racial discrimination what might be merely dislike.

(Mr. Vollers, Federal
Republic of Germany)

51. His Government objected to the use of the term "West German nationals" in paragraph 348 of the English text of the report of the Committee on the Elimination of Racial Discrimination (A/34/18).

52. In conclusion, his delegation welcomed the intention of that Committee to propose general guidelines for the implementation of article 7 of the Convention and expressed the hope that Member States that had not yet ratified the Convention would do so in the near future.

53. Ms. FAULTHORPE (New Zealand) said that the Third Committee had from the outset had a vital role to play in promoting dialogue among all Member States on the problems of racism and racial discrimination and means of eliminating them. The Convention on the Elimination of All Forms of Racial Discrimination was the product of those efforts. So long as millions of people in various parts of the world continued to have their basic human rights withheld because of their race or colour, the Committee would have to go on seeking ways of giving substance to the provisions of the Convention on a universal basis. She reaffirmed the support of the people and Government of New Zealand for the terms of the Convention, which set standards for eradicating racism and racial discrimination everywhere. Racist and discriminatory attitudes were often the result of mistrust and ignorance, and the United Nations had a special role to play in removing them.

54. The Committee on the Elimination of Racial Discrimination gave Member States the opportunity to demonstrate their commitment to attaining the goals of the Decade for Action to Combat Racism and Racial Discrimination. It was clear, however, that more than 10 years would be required to bring about a fundamental change in attitudes, both in the areas most obviously affected by racism and racial discrimination and in almost all societies in which discrimination might take a more subtle form. In South Africa institutionalized racism continued to stunt the political, cultural and social development of the country. New Zealand rejected apartheid, as the Chairman of the New Zealand delegation had affirmed in his statement in the plenary; that rejection had recently been expressed in the statement on racism and racial prejudice issued after the recent Commonwealth meeting of heads of Government at Lusaka, which was reproduced in document A/34/439. Her Government made contributions to the three United Nations trust funds that rendered humanitarian assistance to the victims of apartheid and colonialism in southern Africa.

55. New Zealand was a multicultural nation in which the rights of peoples of all races were protected and in which every man and woman had the opportunity to participate in the economic, political, social and cultural life of the country. The efforts being made by her Government to achieve that goal had been described in its third periodic report to the Committee on the Elimination of Racial Discrimination in March 1979. That Committee was discharging its responsibilities satisfactorily; the fullest benefits from ratification of the Convention would be drawn when the periodic reports of States parties were as candid and comprehensive as resources permitted. The Committee's decision to streamline reporting procedures by providing guidelines to States parties was a very wise one.

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(Ms. Fawthorpe, New Zealand)

56. Her delegation shared the view of some members of the Committee on the Elimination of Racial Discrimination with regard to the shortcomings of the UNESCO Declaration on Race and Racial Prejudice, particularly those that duplicated or were more restrictive than those of the Convention. She hoped that UNESCO would reconsider the need for the implementation resolution attached to the Declaration. The efforts of United Nations agencies in the sphere in question should be directed to winning new signatories to the Convention.

57. Mr. NYAMEKYE (Ghana) expressed regret at the lack of progress in attaining the objectives set in General Assembly resolution 3057 (XXVIII), proclaiming the Decade for Action to Combat Racism and Racial Discrimination, owing to the unwillingness of certain Member States to adopt the necessary measures to put an end to régimes which had institutionalized racism.

58. That state of affairs was all the more dismaying when session after session the General Assembly condemned racism and racial discrimination and declared its support for peoples struggling against those injustices. The international community should not only express serious concern about the racist policies pursued by the obnoxious régimes in southern Africa, but also refrain from taking any measures that would encourage those régimes to persist in denying the basic rights of the oppressed peoples.

59. Referring to the statement made recently by the Prime Minister of South Africa concerning possible amendments to the Immorality Act and the Mixed Marriages Act, which were pillars of the apartheid policy since they banned interracial marriages, he stressed that amending racist laws would not change the situation in the least. The basis of apartheid was essentially economic and not social, and the racists were prepared to repeal any law that they considered detrimental to their policy. As it had stated at the first regular session of the Economic and Social Council, his delegation rejected any reform which did not affect the fundamental basis of apartheid.

60. Turning to item 86, he welcomed the growing number of States which had become parties to the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee established under the Convention, which the Director-General of UNESCO had described as one of the pillars of the struggle against racism, was satisfactorily carrying out its mandate, and it was to be commended for its continuing efforts to improve its methods of work. Most of the periodic reports presented by States parties at the Committee's nineteenth and twentieth sessions reflected the sincere wish of those States to comply with the provisions of the Convention. It was regrettable, however, that certain States parties considered that their relations with racist régimes in southern Africa did not fall within the competence of the Committee. The Committee had the right to inquire into the way in which States parties discharged their obligations under article 3 of the Convention. It was heartening to note the decision taken by the Committee not only to participate in the programme envisaged for the second part of the Decade but also to undertake various studies in preparation for the second World Conference to Combat Racism and Racial Discrimination. In that connexion, his

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(Mr. Nyamekye, Ghana)

delegation wholly supported decision 1 (XV), by which the Committee had recommended that the General Assembly should consider the adoption of appropriate measures in order to facilitate the holding of Committee sessions in various regions by taking into account the difficulties of the developing countries with respect to the payment of the costs of holding such meetings. By endorsing that recommendation the General Assembly would give effect to the provisions of paragraph 36 of the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination.

61. The co-operation extended by UNESCO to the Committee, particularly with regard to the implementation of article 7 of the Convention, was exemplary, and it was to be hoped that other specialized agencies and United Nations bodies would do likewise. The failure of some United Nations bodies to provide the Committee with sufficient information relating to its responsibilities under article 15 of the Convention was cause for concern.

62. His delegation urged States parties to take the necessary steps to enact the appropriate legislation to punish those responsible for crimes defined in article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid. The Chairman of the Special Committee against Apartheid had presented to the Commission on Human Rights at its thirty-fifth session a report containing a list of individuals and organizations alleged to be guilty of crimes of apartheid. The report had been referred to an ad hoc working group which had met in London in the summer of 1979 and had heard the testimony of a number of victims of torture or other abuses committed by the apartheid régime. The report of the ad hoc working group would be submitted to the Commission on Human Rights at its next session. It was not enough for States to ratify the Convention; they should also adopt specific measures to ensure the implementation of its provisions.

63. His delegation, which had been a sponsor of Economic and Social Council resolution 1978/3, fully supported the draft resolution recommended in that text for adoption by the General Assembly. The draft programme for the second half of the Decade in document E/1979/15, envisaged as an annex to the draft resolution, deserved careful consideration.

64. As emphasized in the Declaration on Racism and Racial Prejudice adopted by the Commonwealth countries, apartheid and racial discrimination should be a matter of concern to all human beings; accordingly, all States had a responsibility to work together for the total eradication of apartheid and racial discrimination.

65. Mr. ABDUL-AZIZ (Libyan Arab Jamahiriya) said that the number of declarations and conventions on human rights which had been adopted since the establishment of the United Nations clearly showed that the international community as a whole recognized that all men were born free and equal before the law and should be able to exercise their fundamental rights without discrimination. Yet racial discrimination continued to exist in several parts of the world. It was, in fact, in the interest of an economically and militarily influential minority that the principle of respect for human rights should not be universally applied, and

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(Mr. Abdul-Aziz, Libyan
Arab Jamahiriya)

numerous States, although parties to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, had not adopted practical measures to give effect to their provisions.

66. In South Africa a minority race continued to subjugate and exploit the majority of the population. Each day the racist régimes in southern Africa committed new murders and new acts of aggression against neighbouring independent States. While the United Nations had proclaimed the International Year of the Child and the international community was mobilizing substantial resources to promote the social welfare of children, the racist régimes continued to deprive children of the bare necessities and to ignore their legitimate aspiration for a secure and happy future. At an international seminar on children under apartheid, which had been held at UNESCO headquarters in Paris under the auspices of the Special Committee against Apartheid, it had been revealed that 51 per cent of black children received no education at all and that only 0.9 per cent of Africans attended university. In 1976-1977 the Pretoria régime had allocated 824 million rands for the education of whites and 118 million rands for the education of blacks, who constituted 67.5 per cent of the population. Unemployment, which affected a large part of the black population, was particularly prevalent among African women, at the very time when the United Nations was completing work on a convention on the elimination of discrimination against women. Black children were denied the most basic medical care, and the mortality rate for black children was 200 per thousand, as against 20.2 per thousand for white children.

67. Such facts made it imperative for the international community to face up to realities and to adopt the measures dictated by its conscience. It was inadmissible to continue to accept the supremacy of a racist minority over the majority of the population of a country when the international community had resolutely condemned all theories of racial supremacy. It was necessary to analyse carefully the factors enabling those racist régimes to survive, and to condemn the countries which provided such régimes with political, economic and military assistance, and even gave them access to nuclear technology, while at the same time representing themselves as defenders of freedom and democracy.

68. The number of federations, associations and trade unions which were actively participating in the struggle against racism and racial discrimination showed that the peoples of the world were prepared to eradicate those evils. Despite that general will, racial discrimination persisted in southern Africa, in Palestine and in southern Lebanon, where it took the form of zionism, in Europe, where it was directed against migrant workers, and in the United States, where the victims were blacks. The time had come to co-ordinate the efforts of Governments, international organizations and non-governmental organizations to put an end to that crime against humanity.

69. Mr. CARTER (Barbados) said it was regrettable that no real progress had been made in efforts to eradicate all forms of racial discrimination. The international community was no closer to achieving the goals of the Decade to Combat Racism and Racial Discrimination, and the white minority régimes continued to trample under foot the human rights of the majority in southern Africa.

70. The humiliation and exploitation of blacks in southern Africa and in other parts of the world would continue unless the States Members of the United Nations demonstrated genuine political will and took punitive measures against those countries which violated the United Nations Charter. Several countries were eloquent in condemning racism and racial discrimination but balked when the time came to adopt and implement the necessary measures. How was it that only two thirds of the Member States had become parties to the International Convention on the Elimination of All Forms of Racial Discrimination and only one third had become parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid?

71. Barbados, for its part, was not afraid to act. It was a party to the two Conventions and was prepared to intensify its efforts to eradicate racial discrimination. His delegation firmly supported the aims of the Decade for Action to Combat Racism and Racial Discrimination and the Programme of Action for the second part of the Decade. It urged States which had not yet ratified the two Conventions to do so and to implement without reservation the resolutions of the General Assembly and the Security Council. Failure to do so would be tantamount to a betrayal of the commitment they had undertaken in accepting the United Nations Charter, by which Member States had set for themselves the objectives of promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion.

The meeting rose at 1 p.m.