



SUMMARY RECORD OF THE 16th MEETING

Chairman: Mr. SOBHY (Egypt)

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ORGANIZATION OF WORK

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The meeting was called to order at 10.50 a.m.

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

AGENDA ITEM 82: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (continued) (A/34/367 and Add.1, A/34/499, A/34/357, A/34/389 and Corr.1)

1. Mr. VALDERRAMA (Philippines) said that over the years, his country had noted with satisfaction the process of decolonization, which had taken place in accordance with the United Nations Charter and had been accelerated by the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. However, until that process was completed, it would not be possible to guarantee the observance of human rights in all their aspects. It was universally held that the worst violations of human rights were being committed by the white racist minority régimes of southern Africa. Although the United Nations had repeatedly condemned those violations and although the situation in southern Africa constituted a threat to international peace and security, the apartheid and illegal régimes had continued to ignore the many resolutions adopted by the Organization. His delegation welcomed the efforts to reach a negotiated settlement in Zimbabwe and Namibia and hoped that the results would conform to the relevant United Nations resolutions, declarations and programmes of action.

2. The United Nations could not afford to have its authority continuously challenged by the racist régimes of southern Africa. The propitiation of the South African régime over the past several decades had not brought an end to apartheid, in fact, the régime had recently created yet another bantustan in total disregard of the Organization's condemnation of bantustanization. It was time for the United Nations to apply mandatory sanctions against South Africa under Chapter VII of the Charter. The international community must join in a concerted effort to eradicate apartheid and the remnants of colonialism in southern Africa and elsewhere.

3. In accordance with General Assembly resolution 33/24, his delegation endorsed the prohibition of the recruitment, financing and training of mercenaries and condemned, in particular, the use of mercenaries by South Africa. His country had also consistently supported the United Nations humanitarian funds for the peoples of southern Africa and Palestine, as well as the recognized national liberation movements. It had contributed to the United Nations assistance funds for countries in the former Portuguese territories and southern Africa that had been in need of help on gaining independence and whose economies had suffered as a result of compliance with United Nations resolutions, and it had granted scholarships to students from Non-Self-Governing Territories.

4. In January 1979 his Government had received a Visiting Mission from the United Nations Council for Namibia and reaffirmed its support for the people of Namibia, under the leadership of the South West Africa People's Organization.

(Mr. Valderrama, Philippines)

Furthermore, in compliance with article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, his country had declared violations of that Convention punishable. Lastly, pursuant to General Assembly resolution 33/28 on the question of Palestine, his country would hold an exhibition on 29 November 1979 in observance of the International Day of Solidarity with the Palestinian People.

5. Miss COYE (Jamaica) observed that although many countries had been granted independence by colonial Governments, others had had to win a war in order to gain their independence. In southern Africa the struggle for self-determination and independence was being waged by the liberation movements. Her delegation felt that the international community's recognition of the legitimacy of a people's struggle, including armed struggle, for self-determination should be reflected in the title of the item under consideration. It therefore proposed that in future the title of that item should read as follows: "Importance of the universal realization of the right of peoples to self-determination and of the speedy attainment of independence by colonial countries and peoples for the effective guarantee and observance of human rights".

6. Her delegation particularly welcomed the fact that the Director of the Division of Human Rights, in his introductory statement at the Committee's 15th meeting, had focussed on the applicability of the right to self-determination not only in the political field but also in the economic, social and cultural fields. It was fitting in that context to welcome to membership in the United Nations the new nation of Saint Lucia, whose people had chosen independence in full awareness that the battle for self-determination was not at an end. The Caribbean States were demanding freedom from foreign interference and occupation, so that they would not be subject to the power politics of foreign Governments.

7. Jamaica, as a result of its own experiences, maintained an unwavering solidarity with the struggle of all colonial countries and peoples. That position was reflected in her country's support of all resolutions adopted in the United Nations and of other forums aimed at upholding the right to self-determination of the peoples of Zimbabwe, Namibia, Azania and Palestine. It was further reflected in the fact that, although Jamaica was able to do little in tangible terms, it made an annual contribution to the United Nations Trust Fund for Southern Africa and to the liberation movements in southern Africa and provided training for Namibians and Zimbabweans.

8. However large any national financial contribution to the various United Nations funds in support of the struggle for freedom in southern Africa might be, it could not minimize the danger and evil of collaboration of any sort with the racist régimes of that region. It was regrettable that some States had not terminated all relations with South Africa. In that connexion, the role of the banking institutions of a number of Western countries was significant. In commenting on a report by Corporate Data Exchange Incorporated, issued by the Centre against Apartheid (document 79-13090), during a meeting of the Special Committee against Apartheid in April 1979, the Chairman of that Committee had highlighted the fact

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(Miss Coye, Jamaica)

that Western countries which maintained financial and other links with South Africa were thereby participating in the violations of human rights under the apartheid system. The exports of those countries to South Africa enabled the Pretoria régime to use modern technology to oppress the black majority. Even non-strategic exports were utilized by that régime to oppress the black population, as in the use of herbicides in order to render guerrilla infiltration more difficult. There could be no form of relationship with South Africa that did not strengthen the position of the racists in Pretoria. The maintenance of links with that country on the ground that they ameliorated the situation of blacks inevitably blinded the oppressed people of South Africa to the urgent need for unity and determination to free themselves from apartheid. In its Programme of Action against Apartheid, the General Assembly had recognized that situation by calling for termination of all relations with South Africa.

9. Her delegation wished to renew its appeal to all countries that had maintained their relations with Pretoria, particularly those countries that placed a high value on human rights, to re-examine their policies in the light of the relevant United Nations resolutions. In that connexion, she expressed her Government's congratulations to the Government of Iran for the action it had taken in 1979 to terminate its oil sales to South Africa.

10. With regard to the question of the rights of the Palestinian people in the occupied territories, although it was true that certain measures taken by Israel had improved the living conditions of some Palestinians in the occupied areas, it must be recognized that improved living conditions could in no way replace the inalienable right of the Palestinians to self-determination.

11. In keeping with its total opposition to the practice of using mercenaries against national liberation movements and sovereign States, her country supported the principles outlined in paragraph 7 of General Assembly resolution 33/24 and was in the process of drafting legislation in accordance with that paragraph.

12. Her delegation's interest in the replies received from Governments of Member States on action taken pursuant to General Assembly resolution 33/24, reproduced in document A/34/367 and Add.1, had been spurred mainly by a desire to study the legislation on which Governments reported as a guide for her country's own drafting process. Since only a few replies reported on national legislation that was in accordance with paragraph 7 of General Assembly resolution 33/24, her delegation wished to suggest that the Office of Legal Affairs should be requested to prepare a model draft of the required legislation.

ORGANIZATION OF WORK

13. The CHAIRMAN reported on how the Committee had used the conference services allotted to it, in accordance with General Assembly resolution 33/55.

14. With regard to the Committee's programme of work for the following week, he announced that there would be: a morning and an afternoon meeting on Monday, 15 October; a morning meeting on Tuesday, a morning and an afternoon meeting on

Wednesday; and a morning meeting and a meeting of a working group in the afternoon on Thursday and Friday.

15. Four more meetings would probably be sufficient to complete the discussion of item 82. As the draft resolution relating to item 73 that the Committee had been awaiting was now ready for distribution, the Committee would resume consideration of that item following consideration of item 82 and thereafter proceed with the consideration of items 87 and 85.

16. If it was not possible to arrange an additional meeting, a request would be made for an extension of one of the afternoon meetings the following week.

The meeting rose at 11.30 a.m.