



SUMMARY RECORD OF THE 12th MEETING

Chairman: Mr. CHAVANAVIRAJ (Thailand)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 82: IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/38/106)

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AGENDA ITEM 87: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued) (A/38/106, 253, 288, 323, 371, and 415)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued)
 - (i) REPORT OF THE COMMITTEE (continued) (A/38/18)
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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/38/391)

1. Mrs. FRANCO (Portugal) said her Government had consistently supported the United Nations in its endeavour to eradicate racial discrimination in all its forms and to promote understanding among all races. Although the violation of human rights in southern Africa under the apartheid system was one of the most important issues before the Organization, discrimination due to race, colour or ethnic or national origin was, sadly, a universal reality. On the threshold of a second Decade, an acknowledgement of that reality would provide a clear understanding of the magnitude of the problems facing the international community.

2. Portugal had supported the Declaration and Programme of Action adopted at the Second World Conference to Combat Racism and Racial Discrimination, in spite of serious reservations concerning several formulations, as expressed in the report of the Conference (A/CONF.119/26, pp. 111-113). In evaluating the achievements of the Conference, her delegation considered in general that, when account was taken of

* To be issued.

(Mrs. Franco, Portugal)

the spirit of controversy that had clouded the Decade since 1975 and of the disappointments of the 1978 Conference and the difficulties that had besieged the preparatory work for the Second World Conference, the adoption of the Programme of Action without a dissenting vote had been a major achievement. However, the fact that Portugal had been obliged to express its reservations was a less positive aspect at the concrete level: consensus had been impossible, owing to the inclusion in the final documents of formulations which, even if moderate in comparison to the 1978 Conference, had been at the centre of controversy.

3. At the world conferences and meetings held by the Organization, both the latter and public opinion had to reassess the ability of the United Nations to implement the principles which it promoted. At the Second World Conference, held at Geneva, there had been a risk of merely reiterating principles, as opposed to adopting concrete measures. The current session of the General Assembly now provided an opportunity to consolidate the reconstruction started at the Conference.

4. Although it was hard to reach a meaningful consensus among 158 different entities, only through broad consensus could the political will of the Governments of all Member States be conjoined in the international struggle against all forms of racial discrimination. The role of the United Nations was to construct a framework of international relations based on concepts of international law, a more just international order and a better world. After three decades of activity in which the struggle for equality of all peoples had been a permanent concern of the Organization, the groundwork had been done that would enable the principles to be translated into practice. For that to happen, every Government must take - first at the national level, and secondly, or simultaneously, at the international level - effective action to eliminate racism, racial discrimination and apartheid. The international community already had texts that indicated the right path: it was now time to concentrate on implementation.

5. Turning to item 87, she said the fact that 121 States were now parties to the International Convention on the Elimination of All Forms of Racial Discrimination was of particular importance, as it implied that the norms contained therein were now supposed to be implemented at a quasi-universal level. Her delegation fully shared the views expressed by other speakers concerning the need to maintain the independence and objectivity of the members of the Committee on the Elimination of Racial Discrimination. However, she could not fail to express some concern regarding the tendency of the General Assembly, and sometimes of that Committee itself, to emphasize, in recent resolutions and debates, matters that fell outside the scope of the Convention. That instrument was the only legal and acceptable basis for the work of the Committee, and neither the latter nor the General Assembly could impose on States parties obligations which they had not accepted through ratification of the Convention.

6. Her delegation welcomed the Secretary-General's report (A/38/393) on the reporting obligations of States parties, and fully supported the suggestions made by the Secretary-General in order to overcome the serious difficulties which States parties were having with the current reporting system.

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7. Mrs. IDER (Mongolia) said that, despite its efforts, the international community had not yet succeeded in eradicating racism, racial discrimination and apartheid, or in realizing the right of peoples to self-determination, which were basic objectives of the Organization. The racist régime of Pretoria continued to defy numerous United Nations resolutions and the demands of the international community, and persisted in its policy of racial discrimination institutionalized in the apartheid system and in its illegal occupation of Namibia, where it had increased its military presence. It had created the so-called bantustans, designed to perpetuate apartheid while it continued systematically to commit acts of aggression, destruction and sabotage against the front-line and other independent States, posing a serious threat to the peace and security of Africa and the whole world.

8. The implementation of that policy was made possible by the political, economic, financial and military assistance provided by certain States members of NATO and by transnational corporations, which used South Africa's territory as a base for their fight against the national and social liberation movements of African peoples and as a source of fabulous profits which they gained by plundering its natural resources and exploiting its indigenous and coloured population. That political assistance to the Pretoria régime was the cause of the imperialist Powers' negative votes in decisions taken by the United Nations and international conferences to adopt effective measures to isolate that régime.

9. The Israeli authorities, with the support and encouragement of the United States, were pursuing their expansionist policy against the Arab and Palestinian peoples; they had invaded Lebanon, occupied its territory and had massacred innocent Palestinian refugees in a way that recalled the crimes committed by the fascists during the Second World War. The growing co-operation between Israel and the racist Pretoria régime in the military and nuclear fields also posed a serious threat to international peace and security.

10. Her delegation associated itself with the concern expressed by a number of delegations at the increased activities of neo-fascist organizations and groups in various Western countries. Effective and urgent measures must be taken against such ideologies, organizations and groups.

11. She stressed the importance of the realization of the right of peoples to self-determination in the small Territories, referring specifically to the cases of Micronesia, which the United States intended to turn into a military base, and Puerto Rico.

12. Her delegation fully supported the struggle of peoples for national and social liberation and against all forms of racial discrimination and thus supported United Nations activities aimed at achieving those goals and the struggle of the Namibian, Palestinian, South African and other peoples to exercise their inalienable right to self-determination and independence.

13. Mongolia had actively participated in the Decade for Action to Combat Racism and Racial Discrimination, which had undoubtedly helped intensify international

(Mrs. Ider, Mongolia)

efforts to eradicate those ills. Mongolia also supported the decisions of the Second World Conference to Combat Racism and Racial Discrimination and its recommendation that a second Decade should be proclaimed.

14. Her delegation firmly believed that the universal acceptance by States of the international human rights instruments was of great importance for the realization of those aims; she noted that no Western State had become party to the International Convention on the Suppression and Punishment of the Crime of Apartheid. In Mongolia, the equality of all citizens was fully guaranteed under the Constitution and implemented in practice.

15. With regard to the report of the Committee on the Elimination of Racial Discrimination (A/38/18), she noted with satisfaction the constructive dialogue which had been established between the Committee and the States parties to the Convention, including Mongolia. She offered her Government's assurance that it would continue to co-operate fully in the work of the Committee.

16. Finally, she wished to refer to the statement made in the Third Committee by the representative of the United States concerning the elimination of racial discrimination. That country's right to pass judgement on the human rights records of other countries should be seriously questioned, since it had constantly used its veto power in the Security Council to block the adoption of comprehensive and effective measures aimed at isolating the racist Pretoria régime and to protect its strategic ally, Israel, and had opposed the decisions of the international community aimed at eliminating racism and racial discrimination. Such statements were intended to justify its policy of so-called "constructive engagement" with its friend and ally, the racist Pretoria régime, a policy which had been condemned by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi. In the Political Declaration of that Conference, the United States policy towards the Pretoria régime and its strategic ally, Israel, had been specifically condemned (A/38/132, paras. 57, 93, 94, 95 and 105 (d) and (e)). Furthermore, the United States had not ratified many international human rights instruments, including the International Covenants on Human Rights, 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 black, Hispanic and American Indian populations of the United States were being subjected to various forms of racial discrimination.

17. Mrs. MARCOULLIS (Cyprus), speaking on items 82 and 83, said it was undoubtedly true that only a certain amount of progress had been made during the Decade for Action to Combat Racism and Racial Discrimination towards the realization of its objectives and goals; that was demonstrated by the fact that millions of persons continued to suffer daily under deplorable conditions of poverty and hunger, oppression and domination, deprivation and despair simply because of the colour of their skin, their ethnic origin, their language or their religion. Crimes were committed every day and the policies of racism and racial discrimination practised by certain Governments were perpetuated to the detriment of the dignity of all human beings; because the cause of human dignity and fundamental human rights could

(Mrs. Marcoullis, Cyprus)

not be based on selectivity, the question did not involve a single people to the exclusion of others, but was a global responsibility that must be assumed by all, and its successes or failures would have a positive or negative effect on the current and future generations.

18. Perhaps in no other sphere of United Nations activity was there such a degree of discrepancy between the resolutions and declarations adopted and the reality which existed in international life than in the field of fundamental human rights and dignity. A summary glance at the situation in South Africa sufficed to show that, despite laboriously and eloquently written statements and the repeated condemnation in the form of countless resolutions and declarations adopted in recent decades of the abhorrent system of apartheid practised in southern Africa, the régime of exploitation and oppression based on racism and racial discrimination in that country remained as it had been. Millions of Africans continued to be the daily victims of brutal repression and shameful and inhuman racial discrimination. Thousands died each year in prisons, in demonstrations or from diseases and hunger. The situation in South Africa had worsened in a way that seemed to reflect the racist régime's complete disregard of and insensitivity to the increasing opposition of its innocent victims and strong and unanimous condemnation voiced by the international community. Apartheid constituted a collective negation of the human values and principles enshrined in the Charter and the Universal Declaration of Human Rights and, as such, challenged the conscience of mankind; its elimination was therefore the responsibility of the entire world community and justified an ongoing struggle and concerted international efforts until all forms and policies of racial discrimination and segregation had been eliminated.

19. Although apartheid remained the most serious and threatening form of racism and racial discrimination, the violation of human rights and the systematic denial of the fundamental rights and freedoms of peoples subject to foreign occupation or domination and oppression were in many cases rooted in racial discrimination and hatred based on doctrines of racial, ethnic or religious superiority. Those situations were also a cause of human suffering and deprivation because of the policies of forcible uprooting, segregation, separation and division based on ethnic or racial criteria. Namibia, Palestine and the occupied part of Cyprus were but a few of the many examples of such inhuman policies.

20. As members of the international community, all Member States must individually and collectively act to meet their obligations and do their utmost to implement the principles of the Charter and the relevant United Nations resolutions; for the area in which the Organization had thus far failed was in implementing the resolutions and decisions that embodied the measures adopted by it.

21. Cyprus for its part would continue to play its role in achieving the objectives and goals of the Decade. It fully supported the Declaration and Programme of Action adopted at the Second World Conference to Combat Racism and Racial Discrimination, particularly the recommendation for a Second Decade for Action to Combat Racism and Racial Discrimination. Her Government had complied with every United Nations resolution calling for action against apartheid, not only

(Mrs. Marcoullis, Cyprus)

because Cyprus had always been in the vanguard of the peoples fighting against colonialism, oppression and occupation, but also because, as a matter of principle, it maintained that Member States must implement all United Nations resolutions without exception. Within its limited means, Cyprus was contributing regularly to the United Nations Trust Fund for South Africa and other United Nations funds for southern Africa, as well as to the United Nations Educational and Training Programme for Southern Africa, and it would continue to do so despite the unprecedented and devastating tragedy and suffering that for almost 10 years had been inflicted on its country and people and was still going on as a result of foreign invasion and continuing military occupation. She cited the words of Winnie Mandela, the wife of Nelson Mandela, to express the global commitment and determination to eradicate racism, racial discrimination and apartheid.

22. Mr. HUSAIN (Pakistan), referring to item 86, said his delegation considered the right to self-determination as one of the most important embodied in the Charter. It was therefore not surprising that it had been given pride of place not only in the Charter but also in other United Nations human rights instruments, particularly the Declaration on the Granting of Independence to Colonial Countries and Peoples and the International Covenants on Human Rights. The exercise of the right to self-determination was an essential condition for the enjoyment of human rights and it was therefore inconceivable that people would be able to enjoy their fundamental human rights unless they had been permitted to exercise their right to self-determination and determine their destiny accordingly.

23. Pakistan, which had come into being through the exercise of self-determination by its people, attached the highest importance to that right and supported all necessary steps to enable other peoples, who were still suffering under colonial or alien domination, to exercise their legitimate and recognized right to self-determination, as defined in General Assembly resolution 2649 (XXV). It had consistently extended moral and material support to such peoples in their national liberation struggles and would continue to do so in the future.

24. It was generally recognized that the prerequisite for the exercise of the legitimate and recognized right to self-determination was the free and voluntary expression by the people concerned of their desire to exercise that right. In cases where the desire of the people about their future political status was in doubt or was the subject of dispute, their wishes could be ascertained only through a plebiscite or some other democratic means conducted under impartial auspices and without external pressure or interference of any sort. His delegation was especially pleased to congratulate the people and Government of Saint Christopher and Nevis on the independence of their country and to welcome the new State into the United Nations, and looked forward to friendly relations and co-operation with its delegation.

25. It was necessary for the United Nations to continue playing a role in accelerating the process of decolonization in order to achieve the objective of the universal realization of the right of peoples to self-determination. There were still several cases around the globe where that right was being denied. Pakistan

(Mr. Husain, Pakistan)

supported all necessary steps to speed up the process leading to the transfer of power to the peoples of Trust and Non-Self-Governing Territories and all other territories which had not yet attained independence.

26. It was particularly regrettable that several recent tragic cases of foreign military intervention and occupation had resulted in the denial of the right to self-determination to peoples who had until then maintained their existence as independent and sovereign nations. The international community could not but take note of the seriousness of those instances of flagrant violation of the recognized principles of inter-State relations, since they constituted a grave threat to international peace and security.

27. The continuing tragedy of the people of Palestine was perhaps one of the most serious instances of the denial of the right to self-determination. Despite innumerable United Nations resolutions and decisions, Israel continued its illegal occupation of the Arab territories, including Jerusalem, and persisted in its refusal to restore the inalienable national rights of the Palestinian people. Instead of seeing reason, Israel had been pursuing its systematic policy of annexing the occupied Arab territories by changing their demographic and historical character and establishing illegal settlements there. It had also been guilty of committing atrocities against the Arab and Palestinian population. Despite repeated calls by the international community, Israel showed no signs of ending its illegal and aggressive activities. The brutal invasion of Lebanon by Israel and the massacre of unarmed Palestinians in the Sabra and Shatila camps the previous year with the connivance of the Israeli forces were new evidence of Israel's total disregard for all recognized forms of international law and inter-State relations. His delegation reiterated the total solidarity of the people and Government of Pakistan with the Palestinian people, who were struggling for their national rights under the leadership of the Palestine Liberation Organization, their sole legal representative, and urged that all necessary steps should be taken to enable the Palestinian people to exercise their right to self-determination. An essential condition for peace in the Middle East was the total withdrawal of Israeli forces from all occupied territories, including Jerusalem, and the restoration of the inalienable national rights of the Palestinian people, including their right to a sovereign State in their homeland.

28. Pakistan stood fully behind the continuing struggle of the people of Namibia under the leadership of the South West Africa People's Organization (SWAPO), for liberation from South Africa's illegal occupation of their territory, and categorically rejected any link between the independence of Namibia and the presence of Cuban troops in Angola, which was a totally extraneous issue. Every effort should be made to implement as soon as possible the United Nations plan for the independence of Namibia. Pakistan would continue to extend moral and material support to the people of Namibia in their national liberation struggle, and it supported the demand for bringing the strongest possible pressure to bear on South Africa so that the people of Namibia might exercise their right to self-determination and gain freedom and sovereign status without further delay. His delegation called for the imposition by the United Nations of military and economic sanctions against the Pretoria régime for that purpose.

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(Mr. Husain, Pakistan)

29. His delegation had had Afghanistan and Kampuchea in mind when it had referred earlier to recent cases in which peoples had been deprived of their right to self-determination through armed aggression by foreign Powers. In that connection, he drew attention to the statement made by the Minister for Foreign Affairs of Pakistan to the General Assembly on 4 October 1983 and said that the attempt to suppress by force the struggle of the people of Afghanistan against foreign military occupation had produced the tragic consequence of the exodus to neighbouring countries of millions of Afghans, most of whom were women, children and the aged. As a result, nearly 3 million Afghans had sought refuge in Pakistan, which had accepted them on purely humanitarian grounds as part of its Islamic and international duty. The maintenance of those refugees had placed an extremely heavy financial and economic burden on his country's slender resources, particularly as the humanitarian assistance provided for that purpose by friendly countries and multilateral agencies had fallen far short of the total requirements.

30. Pakistan had reiterated on a number of occasions its firm commitment to a political and peaceful settlement of the Afghanistan problem on the basis of the relevant resolutions of the United Nations and accordingly had extended full co-operation to the Secretary-General of the United Nations and his personal representative in their efforts to bring about a peaceful settlement of that issue. Although a number of essential issues remained to be resolved, Pakistan was determined to persevere in its search for a peaceful settlement, whose essential elements, as endorsed by the United Nations, the Islamic Conference and the non-aligned movement, were the immediate withdrawal of foreign troops from Afghanistan, the preservation of the sovereignty and non-aligned character of Afghanistan, the restoration of the right of the Afghan people to determine their destiny without foreign intervention, and the creation of conditions enabling the Afghan refugees to return to their homeland in safety and honour.

31. While on the subject of the right to self-determination, his delegation must draw attention to the unresolved question of Jammu and Kashmir. Its position on that issue was well known and did not require reiteration or elaboration.

32. Pakistan firmly believed that full respect for the right to self-determination and its universal realization were indispensable conditions for international peace and security and for the progress and welfare of mankind, which were the fundamental purposes of the United Nations. It therefore pledged its continued unequivocal support for peoples for the exercise of their legitimate and recognized right to self-determination.

33. Mr. BENA (Romania) said that the documentation prepared by the United Nations Secretariat gave an informative picture both of the results of the Second World Conference to Combat Racism and Racial Discrimination and of the stage reached in the struggle of peoples to eliminate the scourge of racism, racial discrimination and apartheid, reaffirming once again the special responsibility of the United Nations and the international community in that field. Romania's position with regard to those scourges of mankind - racism, racial discrimination and apartheid - was well known, having been repeatedly reaffirmed in the various forums of the

(Mr. Bena, Romania)

United Nations system and in other international forums; its basic principles were firm condemnation of racist policies and practices, racial discrimination and apartheid, and militant solidarity with and multilateral support for national liberation movements with a view to the realization of the aspirations of their peoples for a life of freedom and dignity. The eradication of racial discrimination was an essential task of the present age; the aspirations of all peoples for economic and social progress, peace and prosperity required that it should be carried out. The last decade had represented an important stage in the struggle of peoples and the efforts of the international community to put an end to racism, racial discrimination and apartheid. The United Nations had adopted many resolutions aimed at ending the policy of apartheid practised by the racist Pretoria régime, but there was a need for all States to respect and consistently implement the resolutions of the Security Council and the General Assembly on sanctions and concrete measures applicable to the colonial and racist régimes of southern Africa, since it was obvious that that racist régime was still receiving support from some States and multinational corporations.

34. He noted with satisfaction that 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 been ratified by the majority of the States in the world. That constituted undeniable proof of the increased commitment of the members of the international community to efforts to eliminate racial discrimination and the thoroughly anachronistic phenomenon of apartheid. Nevertheless, efforts must be continued to make the universality of those Conventions a reality and, in particular, to ensure that all States implemented them.

35. The Romanian people had struggled throughout their history for national and social freedom and had given their full support to the struggle of the people of Namibia, under the leadership of SWAPO, to put an end to the illegal occupation of Namibia and to implement without delay their sacred right to choose in complete freedom the course of their future development, according to their legitimate aspirations and interests. The visit of the President of Romania, Mr. Ceausescu, to a number of front-line States had been the occasion for strongly reaffirming the solidarity of socialist Romania with the struggle of the African peoples against imperialism, colonialism and neo-colonialism, against the policy of racism and apartheid, and to put an end to the acts of aggression and subversion carried out by the South African racists against independent African countries. Along with other States, Romania had actively supported the elaboration and adoption of United Nations resolutions on the problems of combating racism and racial discrimination, the international conventions on the subject and the documents of the two world conferences on combating racism and racial discrimination, the second of which had helped to intensify efforts at all levels to mobilize world public opinion in the struggle for final liberation from those scourges, which were an affront to human dignity and to the conscience of mankind. In that regard, he recalled the statement made by the Secretary-General at the opening of the Conference. The Conference had also given considerable support to the struggle of the national liberation movements by helping to enhance the unity and solidarity of the forces

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(Mr. Bena, Romania)

which were working to eliminate racism and apartheid. At the Conference, Romania had participated in the adoption of the Declaration and Programme of Action, and it fully supported the implementation of those documents and the launching of a Second Decade for Action to Combat Racism and Racial Discrimination, since the General Assembly had before it at its current session the important task of adopting the necessary measures to implement the results of the Conference, and that way a particularly wide-ranging task requiring sustained and persistent efforts.

36. It was the duty of the United Nations and all Governments to promote humanist training and education for all members of society in the spirit of the ideals of peace and understanding, freedom and social justice. In connection with the preparations for International Youth Year in 1985, his delegation felt that greater attention should be given to the training and education of the younger generation in the spirit of humanism, dignity and respect for the human person and against the aberrant theories of racism, racial discrimination and apartheid, which encouraged and promoted violence and race hatred. His delegation hoped that the General Assembly, in adopting measures to implement the results of the Conference, would further strengthen international co-operation in combating racism and racial discrimination, in accordance with the legitimate aspirations of the international community, and that the resolutions adopted under the agenda item in order to implement the documents of the Conference would support by appropriate ways and means the efforts to achieve the objective of the complete elimination of racism and apartheid, since the practices resulting from those phenomena were in blatant contradiction with human freedom and dignity.

37. Mrs. BORGES (Uruguay) said that the existence of such extreme forms of racial discrimination as apartheid underscored the need for Governments to demonstrate the necessary political will to combat evils of that kind and work towards realization of the universally accepted values proclaimed by the international community. In Uruguay, there was no racial discrimination. Equality was guaranteed by the Constitution and the legal order. The competent courts, which were completely independent, could declare a law unconstitutional or an administrative act void if it involved discrimination of any kind. Associating with a view to promoting conflict or hatred between races was also a punishable offence. Uruguay categorically condemned racial discrimination internationally as well as domestically, and it was gratifying that Senegal had made the declaration enabling the Committee to exercise the functions provided for in article 14, paragraph 9.

38. The Second World Conference had been a major landmark in the culmination of the Decade, not only because of the documents adopted but also because of the achievement of an ethical consensus as a result of the spirit of collaboration shown by all delegations. Her delegation supported the Programme of Action which had been unanimously adopted and the proposal for a Second Decade to continue the efforts that had been exerted in so worthy a cause.

39. Finally, she stressed the ever stronger link between the right to self-determination and the process of colonization. In that regard, her delegation reaffirmed the right of the people of Namibia to self-determination, by virtue of

(Mrs. Borges, Uruguay)

General Assembly resolution 1514 (XV), which deserved the firm support of the international community.

40. Mr. PERUGINI (Italy) said that the Italian people and the Italian Government were fully and profoundly convinced that every human being was entitled to the same rights, regardless of race or colour, national or ethnical origin, or religious belief. The principle of non-discrimination was one of the corner-stones of the legislative system of the Italian Republic. Article 3 of the Italian Constitution made a specific reference to race and prescribed that all citizens were equal in dignity before the law. That article was applicable to foreigners as well.

41. Italy had become a party to the International Convention on the Elimination of All Forms of Racial Discrimination, and the Italian law authorizing ratification of the Convention provided new penal provisions regulating the conduct of public officials towards persons of different races and the conduct of Italian citizens in general. In addition, Italy had subscribed to the optional declaration provided for in article 14 of the Convention, thereby recognizing the competence of the Committee to receive and consider communications from individuals or groups of individuals within Italian jurisdiction alleging violations of the rights guaranteed by the Convention. His delegation also wished to express its satisfaction at the adoption by the Committee of provisional rules of procedure enabling it to discharge its functions under article 14, and it joined the Netherlands delegation in welcoming the possibility of the Committee's considering communications on behalf of alleged victims when they themselves were unable to present them. However, it regretted that, of the 121 States parties to the Convention, only 10 had subscribed to the optional declaration.

42. Deposit of the optional declaration would constitute a major step in the fight against racism, because technical aspects would then have pre-eminence over political ones. In the fight against racism and racial discrimination, Italy was in favour of such pre-eminence, and it therefore regretted that the Committee on the Elimination of Racial Discrimination had included opinions of a political nature in its report to the thirty-eighth session of the General Assembly.

43. Mr. PERERA (Sri Lanka) said that his country had participated in the First World Conference and the Second World Conference, at which virtually universal participation had made it possible to attain a global consensus against racism.

44. Despite all the activities of the United Nations, it was tragic that the world continued to witness a form of institutionalized racism in southern Africa: the policy and practice of apartheid. Basing its State policy on pseudo-genetic doctrines, South Africa had built and sustained what the late Chief Lutuli, President of ANC had called the "ultimate tyranny" - a brutal régime in which the enjoyment of political and human rights, economic development, employment, education and even religious worship were determined by racial considerations.

45. A small egocentric group representing a fraction of the population of South Africa continued to subjugate and exploit the vast majority of the people through instruments of brutal suppression and surveillance. The denial of the right of

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(Mr. Perera, Sri Lanka)

self-determination to the people of South Africa was even justified by a perverse interpretation of the Bible. In Namibia, racist domination was maintained and the right to self-determination denied by the introduction of extraneous issues to delay the implementation of an independence plan which had the support of the entire international community, including the permanent members of the Security Council.

46. Sri Lanka expressed its full support for and solidarity with the victims of apartheid, not only the sometimes nameless martyrs who had given up their lives for their beliefs, but also all those who continued their struggle against terrific odds to rid the African continent of the cancer of racism. To the extent possible Sri Lanka had co-operated with them and had provided scholarships and educational facilities in Sri Lanka for students from South Africa and Namibia.

47. A further example of the systematic violation of human rights and the denial of the right of self-determination could be witnessed in the Middle East, where Israel continued its military occupation of Palestine and other Arab territories. Sri Lanka, which was a member of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, had seen at first hand the violations by Israel of the human rights of the Arab peoples. The denial of the right of self-determination for the Palestinian people, including their right to independence and the establishment of a Palestinian State, had wider implications in that it constituted the primary cause of the tension and unrest in the Middle East.

48. One could not, however, condone the cynical invocation of the right of self-determination to justify and cloud interference by States in the internal affairs of other States, particularly support to separatist or divisive factions in sovereign independent States. The effects of an extreme example of that type had been seen in Cyprus, where the use of foreign troops had been resorted to in order to sustain the activities of a separatist ethnic minority threatening the unity and territorial integrity of the Republic of Cyprus. The right of self-determination was embodied in international law and included as article 1 in the two Conventions on Human Rights. It should not be exploited to serve narrow sectarian interests of individual groups or States.

49. Sri Lanka was a multiracial society in which a constitutional, judicial and administrative framework had been established to provide safeguards for the preservation of the human rights of all citizens, irrespective of race. Admittedly, the State was not perfect, but efforts were being made to restore and maintain communal harmony in the country. Sri Lanka supported the Programme of Action of the Second World Conference to Combat Racism and Racial Discrimination, which it saw as a blueprint for a co-operative international endeavour in the battle against racism and racial discrimination.

50. Miss ABU LUGHOD (Observer, Palestine Liberation Organization) said that some explanations were necessary for a proper understanding of the ideological basis of Zionism, which was inherently racist in nature. It was strange that the Israeli

(Miss Abu Lughod, Observer, PLO)

representative should refer to atrocities committed by the Nazis, a party with which the Zionists, though not the Jewish people, had collaborated. An official declaration of policy regarding the fascist take-over of Germany, issued by the Zionist Union of Germany, postulated, like Hitler, a "special soul" for the Jewish people, and stressed the importance of its origin, religion and destiny in a form which amounted to a fascist thesis. The Revisionist Party, the forerunner of the terrorist gang Irgun Zvai Leumi and later the Herut Party, of which former Prime Minister Begin and present Prime Minister Shamir were members, had openly expressed its admiration for Hitler, and for Mussolini who had permitted the founder of the Revisionist Party to be trained in Italy and to establish a naval training school for his organization there. In a memorandum of January 1941, the Zionist National Military Organization had said that it acknowledged the goodwill of the German Reich towards Zionist activity inside Germany and that the establishment of a Jewish State on a national and totalitarian basis would favour the maintenance and strengthening of the future German position in the Middle East. In Palestine as well, the organization had offered to take an active part in the war on the German side, an attitude which was in accordance with a speech made some time previously by Hitler in which he had said that he would accept any alliance to isolate England and defeat it. The indirect participation of the movement in the drawing up of a new order in Europe would be connected with a radical solution of the European Jewish problem and would strengthen the moral basis of the new order in the eyes of the entire world. Some might say that such an alliance with the Nazis was necessary because of the need to rescue as many German Jews as possible, but that was not so, since between the time of Hitler's rise to power and the outbreak of war only 22 per cent of immigrants had come from Germany, even though it was the Zionists themselves who had determined which immigrants should go to Palestine. That survey of the ideological roots of Zionism should make it easy to understand Israeli racism towards the Arab people in general and the Palestinian people in particular.

51. Much attention had rightly been given to the intensive and increasing alliance between Israel and the racist Republic of South Africa. That alliance was particularly frightening because it bolstered the repressive and aggressive capacities of both countries in their respective regions. He drew attention to the report and declaration emanating from the International Conference on the Alliance between Israel and South Africa, held in July under the sponsorship of the Special Committee against Apartheid. In the face of that alliance, all States must stop providing economic, military and political support to those two racist countries until such time as the peoples of South Africa and Palestine could fully exercise their inalienable rights and all vestiges of racism had been abolished. Such sanctions were the only guarantee that freedom could be enjoyed by those two peoples.

52. Reservations had been expressed by 19 countries concerning the paragraphs of document A/CONF.119/26 which pointed to the racist nature of the Israeli "State". It baffled her why those countries could not see that Israel systematically practised discrimination against the Palestinian Arab population. Such discrimination was reflected in the vast difference between the salaries and benefits of Arab workers on the one hand and Jewish workers on the other, and the

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(Miss Abu Lughod, Observer, PLO)

allocations made to Palestinian towns. An Israeli journalist had reported that the take-over of Palestinian lands in the occupied territories and the denial to Palestinians of human and political rights would inevitably lead to the formation of an apartheid State. According to the same journalist, Israel was a democracy in which a minority dominated large sectors of the population; the Palestinians were living in a police State which operated through arbitrary orders and had two legal systems, one for Jews, who were free to speak their minds and enjoyed full rights, and the other for Palestinians, who could not change their place of residence or work in other areas without permission from the Israeli authorities, were denied the right to purchase land and, through confiscation, lost even the land which they had owned. Palestinians were frequently thrown into goal, beaten and then released for lack of evidence, whereas an Israeli who was convicted of having murdered a Palestinian man, woman or child got off with a four-month suspended goal sentence or lesser penalty. Those practices were possible because of the racist attitude of the Israelis, and there seemed to be no effort on the part of the Israeli Government or the majority of the population to curb such practices. On the contrary, they were encouraged and a journalist had been allowed to make public statements insulting the Arabs, while a Science Ministry spokesman had said that there was no room in the region for two nations, and a former Israeli Chief of Staff had made speeches showing a total contempt for the Arab population. The members of the fanatical movements responsible for many murders and assaults on defenceless Palestinians in the West Bank, who called for the immediate expulsion of the Palestinian population, were not operating on their own, as the Israeli Government claimed, but rather with every kind of Government support. She rejected and condemned such racist statements, which provided an environment in which it was permissible to carry out such terrible actions as those which had so frequently occurred in the territories occupied since 1967, and in Lebanon. Countries which did not believe that the Zionist State was racist should see to it that measures to eliminate the hatred and violence were applied, so that peace could be established in that country.

53. There were also signs that the Palestinian population was not the sole target of racist attitudes; the European allies of the Nazis had brought with them a feeling of superiority to their oriental and black counterparts, which had led to serious rioting among Yemeni and Iraqi Jews and among Indian Jews, who had since left the country. In 1971, the "Black Panther" movement had appeared on the scene. Perhaps the American Jews had carried their experience with them to Tel Aviv, where there had been demonstrations against efforts to achieve a better mixing of the Ashkenazi and Sephardic communities in Israel. For all those reasons, she felt that the question of Israeli racism and the policies and practices deriving from it should have high priority in the world programme to combat racism.

54. Mr. RATHORE (India), speaking in exercise of the right of reply, said that the Pakistan representative's reference to Jammu and Kashmir was irrelevant since those areas were an integral part of the territory of India, so that the principle of self-determination did not apply.

55. Mr. HUSAIN (Pakistan), speaking in exercise of the right of reply, said that he did not want to get into an argument with the Indian representative, who had the right to state his country's point of view, just as he himself had stated the views of Pakistan.

56. Mr. KEYES (United States of America), speaking in exercise of the right of reply, said that the representatives of the Soviet Union and Cuba had misrepresented the position of the United States and had accused it of supporting apartheid. He did not propose to reply in detail to such allegations, but he rejected the characterization of the United States as a basically racist society. He had earlier had occasion to point out that the American people adhered to a notion of human freedom based on a concept of humanity which transcended racial distinctions and such an idea was absolutely basic to its identity as a people and a nation.

57. His delegation had noted with interest that the representatives of the USSR and Cuba had quoted United States Government statistics and American press reports in order to give credibility to their data; such statistics, however, had been presented in a partial and polemical manner which had mixed concrete facts with half-truths. He had no hesitation in affirming that some of the statistics might be accurate and might reflect shortcomings in American society. The struggle against racism and racial discrimination was an ongoing process; accordingly the United States did not shrink from acknowledging the facts, nor would it flinch from the task of finding effective solutions. It was to be regretted that the representatives of the USSR and Cuba did not recognize the existence of racism and racial discrimination in their own societies; the only way to eliminate those evils was to recognize that they existed. If they were convinced that those evils had indeed been eliminated, they would perhaps be ready to have the issue examined by independent observers. He wondered whether the representative of Cuba, who had shown surprise when her country had been mentioned in the context of a debate on human rights, would be willing to have the racial policies and the relative welfare of black and white families in Cuba examined. Whether that would be possible was doubtful, as it would be unprecedented for an external or internal investigation of human rights practices to be permitted, bearing in mind that the Cuban press could not provide the people with information critical of the situation in its own country. The 1982 report of Amnesty International had referred to such issues as arbitrary sentences for political prisoners and conscientious objectors, maltreatment of political detainees and other judicial procedures which did not conform to recognized international legal standards.

58. With specific reference to the agenda items before the Committee, he wished to draw attention to the disproportionately large number of blacks in the lower echelons of the Cuban armed forces and in the forces by which Cuba attempted to export its own defective brand of society to places like Angola and Ethiopia. The forced exile of 120,000 Cuban citizens in the spring of 1980 was a clear indication of the attitude of the Cuban Government towards its people. It showed clearly that discrimination existed in that country, and it was of little importance whether the motives were racial or simply the people's fear and hatred of that Government which, in the face of growing discontent, could find no other solution than to

(Mr. Keyes, United States)

export its victims. During the past 24 years more than 1 million Cubans had emigrated from the country. The United States had received 8 million legal immigrants from all the countries and territories of the world. It might be asked how many requests Cuba had received from people who wished to reside in that country.

59. The representative of the USSR had made his statement on the very day that the trial of Joseph Bigon had commenced; that trial had resulted in a sentence of seven years' imprisonment and five years of external exile for alleged activities of agitation and anti-Soviet propaganda. Friends of that human rights activist and Western diplomatic observers had not been permitted to attend the trial. In the light of that and other recent actions against distinguished human rights activists and the increase in officially sanctioned anti-semitism, it was relevant to ask how far the Soviet Union complied with its commitment to uphold human rights, as provided in the Charter of the United Nations, the Universal Declaration of Human Rights and other United Nations declarations.

60. The accusation was implicit, in the comments of the delegations of the Soviet Union and Cuba on United States policy towards South Africa, that because the United States did not agree with certain Members of the Organization regarding the tactics to be used to end the terrible evil of apartheid, the United States was not sufficiently dedicated to the common objective of eliminating the injustices of that system. Such an innuendo was absurd, as the people of the United States, together with the peoples of all the nations represented in the Organization, were striving to get rid of apartheid and the racist practices of South Africa. It was understandable that there should be impatience regarding the delays in ending those injustices, but his delegation rejected the accusation that his country was conspiring to protect the practice merely because it continued to support change through peaceful and constructive means. To that end it was taking a number of practical measures and was participating in the efforts both of the Contact Group and of the United Nations to attain the independence of Namibia.

61. Lastly, since he had been asked why he had not explicitly condemned apartheid in his statement, he would point out that it was not necessary for those who had devoted their entire lives to condemning racism to use eloquent and empty phrases to condemn apartheid, while his very presence in the conference room demonstrated that he opposed those evils and had devoted his life to overcoming them. That position, together with the deep dedication of the people of the United States to racial equality in the new era, represented a more eloquent condemnation of the apartheid system than mere words.

62. Mr. KHARLAMOV (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, expressed surprise at the words of the United States representative, which were suited to a political demonstration. It was appropriate to ask what, in all the years which had elapsed, the United States had done in the Contact Group to eliminate apartheid. Equality of rights between the native population and the white minority of South Africa had not been achieved. Nor had the United States attempted to halt the attacks against Angola, part of whose

(Mr. Kharlamov, USSR)

territory had been occupied for the past two years; nor had it prevented the attacks on Lesotho, Mozambique and Botswana. It might also be asked whether the thousands of millions invested in South Africa had enhanced its own wealth or contributed in some way to the achievement of equality between the two races. The Third Committee had important issues to deal with. Rhetorical speeches, such as that which the representative of the United States had just made, were not enough.

63. Mrs. FLOREZ (Cuba), speaking in exercise of the right of reply, said that, as usual, the reply of the United States delegation had not addressed the substance of the arguments formulated by her delegation but had represented a subtle attempt to distract attention from the delicate issues under consideration. Cuba was proud of its mosaic of races and was not ashamed of its miscegenation, which had contributed distinctive characteristics to its culture and national identity. The absence of racial discrimination in her country was guaranteed not only by law but in the authentic practice of the tenets of the Cuban revolution. By contrast, the United States, as had been pointed out by other delegations, practised the most extreme forms of discrimination against the Hispanic, indigenous and Negro races in its territory. It thus lacked the moral authority to attack any country on an issue which concerned it so intimately.

64. The defenders and supporters of the apartheid régime had likewise contributed nothing significant to the Decade for Action to Combat Racism and Racial Discrimination. The United States was not a party to the International Convention on the Elimination of All Forms of Racial Discrimination, nor had it participated in any of the activities carried out during the Decade by the international community in its strenuous efforts to eradicate that terrible scourge. The reason was to be found in the imperialistic character of the United States Government.

65. By contrast, Cuba was a party to that Convention and to the International Convention on the Suppression and Punishment of the Crime of Apartheid, and it had taken part in all the activities designed to eliminate racism and racial discrimination.

66. Those who claimed to be defenders of human rights were the same people who had bombed Hiroshima and Nagasaki and had waged a genocidal war against Viet Nam; they had defended the bloodiest tyrannies of the Continent and of the whole world and had given birth to sinister manifestations of intolerance such as the Ku Klux Klan and McCarthyism. The United States did not have the right to hurl accusations against any country.

The meeting rose at 5.20 p.m.