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THIRD COMMITTEE
9th meeting
held on
Thursday, 13 October 1983
at 3 p.m.
New York

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SUMMARY RECORD OF THE 9th 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, 390, 391, 393 and 415)

(a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

(i) REPORT OF THE COMMITTEE

(ii) REPORT OF THE SECRETARY-GENERAL

(b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL

(c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL

1. Mr. HAMER (Netherlands) said that 1983 marked the 35th anniversary of the proclamation of the Universal Declaration of Human Rights, but in many parts of the world an essential element of that Declaration, namely, that all human beings were born equal in dignity and were entitled to all human rights and freedoms without distinction on grounds of race, colour, religion or national and social origin, continued to be disregarded. The United Nations, which had drawn up an impressive body of standards in that field must continue to ask itself why that was so. In his opinion, racial discrimination was primarily a matter of attitude, a very common reaction of society to what was different and therefore might be dangerous. Unemployment, for example, might cause public opinion to react violently against migrant workers; ignorance and fear moved people to think in terms of black and white and to judge on the basis of appearance rather than substance. The step from patriotic feelings to chauvinism and racism was a small one. Tensions between different national and ethnic groups with a long history of conflict all too easily bred fanaticism on both sides. The proceedings of the Committee on the Elimination of Racial Discrimination demonstrated that that happened everywhere in the world and that if people were to live in a better world, they would have to overcome the ignorance and mental attitudes underlying that phenomenon. It was not enough to

(Mr. Hamer, Netherlands)

adopt international instruments; full weight must be given to the role of education and information in promoting understanding, tolerance and friendship among nations and racial or ethnic groups.

2. It was to be deplored that one State, South Africa, had deliberately rejected the rules of civilized international conduct not only by refusing to co-operate with the rest of the international community, but by imposing on its citizens an institutionalized system of racial segregation and discrimination in violation of the human rights and fundamental freedoms enshrined in the United Nations Charter and the Universal Declaration of Human Rights. The practice of banning and indefinite detention and the absence of adequate safeguards for the treatment of prisoners were clear evidence of the systematic oppression of a population which, despite everything, was trying to build a just society. It was the view of the Netherlands Government that in view of the persistent refusal of South Africa to bring about fundamental and urgent reforms, it became necessary and inevitable that the international community should exert further pressure, including selective economic measures.

3. The Netherlands Government attached great importance to the work of the Committee on the Elimination of Racial Discrimination and the expertise and dedication to the ideals of the Convention shown by the members of the Committee were truly impressive. Consequently, it fully shared the view of the members of the Committee regarding the necessity of maintaining their independence and objectivity.

4. The dialogue between States parties and the Committee through their periodic reports was a universally accepted means of achieving full adherence to the principles and standards established in the Convention and the Netherlands delegation therefore welcomed the suggestions made in the report of the Secretary-General (A/38/393). It would be best to try to achieve the desired objective without formally amending the Convention and his delegation would participate actively in the deliberations on that matter.

5. Although most States were co-operating fully with the Committee, his delegation was concerned about the observation of the Special Rapporteur on the implementation of article 7 of the Convention to the effect that the activities of the Committee were sometimes hampered by the reluctance of some States to provide the information required. There was no question that good faith was an absolute condition for the implementation of that important international instrument. At the same time, his delegation appealed to the Committee not to succumb to the temptation to involve itself in matters not directly related to the struggle to eliminate racial discrimination. The Committee should scrupulously abide by its mandate in order to ensure unanimous approval and support of its work.

6. Since the thirty-seventh session of the General Assembly, an important step forward had been made with the entry into force of article 14 of the Convention. Those who regarded themselves as victims of racial discrimination in the Netherlands and nine other countries could now seek international recourse if their grievances were not recognized in their own countries. It was also encouraging

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that the Committee had adopted its provisional rules of procedure and that it was now possible for it, in exceptional cases, to consider communications submitted on behalf of alleged victims when the latter could not present them in person. The Netherlands Government was convinced that the struggle against racism and racial discrimination would be much more effective if more States made the declaration called for in article 14. It urged all States not to hesitate to do so because it should not be forgotten that the victims of discrimination were human beings and that Governments owed it to all those under their jurisdiction to allow them to seek redress from an international body composed of independent experts of high moral standing.

7. Referring to the Committee's report (A/38/18, para. 19), he pointed out that it had been considered at the thirty-seventh session in conjunction with items relating to pressing political issues and that the same thing was happening at the current session. The work of the Committee and its report deserved unanimous support and his delegation therefore regretted the practice of confining the drafting of resolutions on the item to a small number of delegations and excluding contributions from other interested delegations like his own. Controversial elements had been introduced into a resolution which should be drafted in such a way as to make it acceptable to all States parties to the Convention and so that it could be adopted without a vote.

8. The Netherlands delegation subscribed to the view of the Secretary-General that the final results of the Second World Conference to Combat Racism and Racial Discrimination reflected a serious effort on the part of the participants to be positive and constructive. If that spirit of co-operation and accommodation could be maintained in the Third Committee, the Committee would be successful in restoring the global consensus that existed at the beginning of the first Decade. Racism and racial discrimination would be conquered only by political will and readiness to unite and to learn from each other's mistakes.

9. Mr. GARVALOV (Bulgaria) said that the past 10 years had constituted an important stage in the struggle of the world community to combat racism, racial discrimination and apartheid. The Decade for Action to Combat Racism and Racial Discrimination, the first World Conference to Combat Racism and Racial Discrimination convened within the framework of the Decade, and the multitude of documents adopted and activities undertaken had revealed new ways and means of combating racism and had expanded international co-operation within the framework of the International Convention on the Elimination of All Forms of Racial Discrimination. That assessment was also fully valid for the Second World Conference to Combat Racism and Racial Discrimination, which had reaffirmed the will of the vast majority of States to finalize the struggle against apartheid, racism and racial discrimination and adopted important documents such as the Declaration and Programme of Action. Despite some deplorable manoeuvring prompted either by "allied solidarity" or by the mercantile interests of some Western participants, the Conference had successfully completed its work. His delegation reiterated its support for the results of the Conference, including the proposal to launch a Second Decade to Combat Racism and Racial Discrimination.

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(Mr. Garvalov, Bulgaria)

10. The Second World Conference had provided an occasion to make a thorough appraisal of the work carried out and formulate new measures. There was no doubt that despite the efforts of the international community some fundamental problems related to racism and apartheid remained and required urgent solution. Apartheid, as the extreme form of racism, was still a day-to-day practice of the racist régime of South Africa and, in that respect, mention should be made of the statement made in paragraph 6 of the Conference's Declaration. That statement was not exaggerated and it emphasized before the world the real danger arising from the persistence of apartheid not only as an institutionalized form of racism but also as a pattern of society which humiliated and oppressed people on the basis of race and was being protected by certain Western States. Recently those Western supporters had made much of the so-called "reforms" carried out by Pretoria, and there was no doubt that for them any step aimed at rescuing the system of apartheid was a "step in the right direction". The United States Government had gone so far as to declare openly that South Africa was its "strategic ally". However, at the Second World Conference the international community had clearly expressed its position and rejected the so-called "reforms" carried out by the régime.

11. It did not take moral courage and integrity on the part of South Africa's chief imperialist ally and protector to unleash a slanderous campaign against States and peoples who had chosen to build their own future of social progress in peace. Nor did it take moral courage to launch a so-called "crusade against communism", distorting the facts of life in other nations to hide its own glaring deficiencies in respect of discrimination practised daily on the basis of race, sex, religion and social or economic status. However, it would take a lot of courage and moral integrity for that State to declare that it had finally decided to join the overwhelming majority of States and peoples who opposed apartheid and racial discrimination and demanded that sanctions be imposed against South Africa and that the relevant United Nations resolutions be implemented. Yet it could not be believed even for a brief moment that imperialism would be prepared to abandon its protégé when the latter so diligently carried out the imperialist plans of racial oppression, apartheid and colonial exploitation. It was equally obvious that that inexcusable behaviour warranted only universal condemnation.

12. The illegal occupation of Namibia was also continuing, above all to enable South Africa and the Western monopolies to plunder the natural and human resources of that country. The Pretoria racists and their mentors in the United States continued to link Namibia's independence with unacceptable demands which constituted interference in the internal affairs of Angola, as had been rightly pointed out a few days previously by the Minister for Foreign Affairs of Angola during the general debate of the General Assembly. They were trying to impose a neo-colonial solution to the problem. It was obvious that the racist régime's intransigence was supported by the assistance of all kinds extended to it by certain Western countries and their monopolies which also had an interest in the economic exploitation of the peoples of Namibia and South Africa and in resisting racial equality, development and social progress in that part of the world. The latest example of that co-operation between Washington and Pretoria in the military and nuclear fields had been the approval by the United States Department of State

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of the request from a number of major companies with influence in Washington to provide an estimated \$50 million worth of nuclear technology to South Africa. Obviously the interests of those companies were more important than those of the struggle against racism and apartheid, the promotion of human rights and the non-proliferation of nuclear weapons. There was no doubt that the defenders of South Africa would also say that it was a "step in the right direction". They should be reminded that the Conference had requested the Security Council to consider the imposition of mandatory sanctions and, in particular, the cessation of all collaboration with South Africa, as was noted in paragraph 8 of the Programme of Action. Bulgaria urgently supported that proposal.

13. Another example of institutionalized racism was the policy of racial discrimination and genocide pursued by the ruling circles of Israel in the occupied Arab territories, in particular against the Arab people of Palestine. Bulgaria condemned the implementation of that policy and, in the light of the alarming situation in the entire Middle East, called for the adoption of urgent measures to secure a comprehensive settlement of the problem with the participation of all the parties concerned, including the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people.

14. The situation in the Middle East and in southern Africa revealed the relationship between racism, on the one hand, and colonialism, aggression and imperialism, on the other. That situation contributed to the general aggravation of world tension and, in the final analysis, increased the danger of nuclear war. It was no accident that in 1983 two important conferences held under the auspices of the United Nations had been devoted to the questions of Palestine and Namibia. Long-term substantive decisions had been adopted and Bulgaria fully supported the results accomplished and called upon all States to comply with the decisions adopted at the two conferences.

15. It was well known that manifestations of racism were not confined solely to southern Africa and the Middle East, since they were generated by social inequality and in turn served to perpetuate that inequality in capitalist society. For that reason, the United Nations should combat the resurgence of fascism and neo-fascism; put an end to the dissemination of war propaganda and of ideas based on racial superiority; and promote the rights of migrant workers and their families and the realization of racial equality in the field of civil, political, economic, social and cultural rights. Those activities were needed more than ever before because some Western States were trying to place the burden of economic crisis on the working people and, more particularly, minorities, native populations and migrant workers.

16. Mr. NABIEL (Afghanistan) said that Afghanistan attached great importance to the international struggle against racism, including zionism, racial discrimination and apartheid. The proclamation of the Decade for Action to Combat Racism and Racial Discrimination and the adoption of the Programme of Action and relevant decisions of the United Nations had contributed to the mobilization of world public opinion. Unfortunately, the racist régime of Pretoria was continuing its inhuman

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policy, and discrimination of all kinds still existed in many other countries. It was not possible to isolate the struggle for the eradication of racism and apartheid from the struggle of the people for liberation from the colonial yoke and the pillage of imperialism and exploitation. The International Convention on the Suppression and Punishment of the Crime of Apartheid equated the abhorrent system of South Africa with aggression and the maintenance of colonialism by force, slavery and genocide, and considered it to be identical to the fascist model.

17. Despite the endeavours of the United Nations and the progressive forces of the world and the struggle of the heroic Namibian people under the leadership of their sole authentic representative, SWAPO, South Africa was trying to perpetuate its colonial domination over Namibia through the ruthless repression of its people.

18. The apartheid policy could not possibly be reformed because it negated the most basic human rights for non-whites. As a result of the policy of bantustanization, which consisted of the forceful eviction of the indigenous population and their confinement into so-called "homelands", millions of blacks and non-whites were herded together in unproductive areas, poor in natural resources, which constituted a small portion of the total territory of the country. Afghanistan called for an immediate end to that inhuman policy and the implementation of the Declaration of the Second World Conference to Combat Racism and Racial Discrimination, and of its resolution 2 (II) C concerning the release of Nelson Mandela and other Namibian and South African patriots, so that South Africa could not repeat its savage execution of patriots in complete disregard of the world community.

19. The apartheid régime would not exist if all countries had implemented the provisions of United Nations resolutions and halted their collaboration with South Africa. Yet the policy of "constructive engagement" of the United States and the economic co-operation of Israel not only contravened United Nations resolutions but helped South Africa achieve nuclear capability which would endanger international peace and security.

20. In respect of racial discrimination, reference should be made to the brutal and oppressive policy of the Zionist régime of Israel, which had disregarded and defied all international decisions in relation to the Palestinian and other Arab people; that policy aimed ultimately at liquidating those peoples. No one with any conscience could forget the excesses of the Zionists in Sabra and Shatila.

21. Despite the comments made by previous speakers to the effect that racism and racial discrimination did not exist in their countries or did not endanger the social structures, the situation prevailing in the world was not very encouraging. Fascist and neo-fascist organizations enunciating racist theories and glorifying war and military adventurism were operating in more than 50 countries. No matter how different they might appear, all those operations were contemptuous of human rights and were destructive to peaceful relations among peoples. The Democratic Republic of Afghanistan resolutely supported the Declaration and Programme of Action adopted by the Second World Conference to Combat Racism and Racial

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Discrimination. Those documents manifested the international community's determination to put an end to the heinous practices of racism and racial discrimination, not only in South Africa and Namibia but wherever they might exist. The Declaration clearly stated that those who supported the apartheid régime were accessories in perpetuating that crime. Afghanistan also condemned the violation of Decree No. 1 of the Council for Namibia by multinational corporations, which were plundering Namibian natural and human resources.

22. Thanks to the 1978 revolution, and particularly to its evolutionary phase which had guaranteed the complete equality of all Afghan nationalities, racism and racial discrimination had been totally eliminated. Article 28 of the Fundamental Principles of the Democratic Republic of Afghanistan stipulated that all Afghan nationals shared equal rights and obligations, irrespective of their racial, national, tribal or linguistic affiliation or of their sex, religion, education, assets or social status. The equal rights of citizens was ensured in all the economic, political, social and cultural spheres. Afghanistan had acceded to the International Convention 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 strived to implement those international instruments at both the national and international levels and reaffirmed once again its readiness to contribute, in so far as possible, to the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and of other international instruments aimed at eradicating racism, including zionism, racial discrimination and apartheid.

23. Mr. HEGYI (Hungary) said that the Hungarian People's Republic, together with the democratic forces of the world, resolutely condemned every form of racism, racial segregation and racial discrimination. Moreover, it recognized the right of peoples to liberate themselves from the rule of oppressive systems and to exercise their fundamental national and human rights by all necessary and expedient means. He drew attention to the international community's achievements since the proclamation of the Decade for Action to Combat Racism and Racial Discrimination and to the fact that the peoples of a number of colonial territories had rid themselves of the yoke of racist colonialism. However, he observed that racism, racial discrimination and apartheid, instead of diminishing, were on the increase and, in a number of Western countries, took the form of fascist practices. World public opinion must be alerted to the fact that the implementation of that ideology had already set the world ablaze and had claimed 50 million human lives.

24. The policy of apartheid was an institutionalized form of racism manifest in the brutal subjugation of the people of South Africa, in the continuing illegal occupation of Namibia and in the repeated acts of aggression against Angola, Mozambique and other sovereign States of the region. The increasing military build-up and the potential nuclear power of the South African régime, made possible by assistance from transnational corporations and from Powers posing as fighters for human rights, constituted a threat to international peace and security. Moreover, economic military and nuclear co-operation with South Africa violated the arms embargo imposed by the Security Council.

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25. The Hungarian people and Government strongly condemned the policy of South Africa and fully supported the Declaration and Programme of Action adopted by the Second World Conference to Combat Racism and Racial Discrimination, which represented a significant milestone in the Decade. Hungary had taken an active part in both Conferences, in launching the Decade, in elaborating the Programme for the Decade and in its implementation. At the national level, the Hungarian Solidarity Committee, in co-operation with the National Peace Council, promoted the extensive dissemination of information on the objectives of the Decade to Hungarian and international public opinion. It also mobilized Hungarian society in providing broad support for movements struggling against racism, racial discrimination and apartheid. In the past three years, Peace and Friendship Months had been celebrated throughout the country. At the international level, the Solidarity Committee provided broad support for oppressed peoples and for their national liberation movements. Hungary granted scholarships to students through the African National Congress and SWAPO and periodically dispatched relief supplies to the refugee camps of those organizations.

26. As early as 1949, the Constitution of Hungary had declared racial discrimination to be an offence, in other words, before the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination. That instrument gave the struggle for human rights a substantial and legal form. The Committee on the Elimination of Racial Discrimination established by the Convention and the Group of Three had made an effective contribution to the implementation of the Convention.

27. With regard to the International Convention on the Suppression and Punishment of the Crime of Apartheid, he noted with regret that the States which bore the greatest responsibility for the elimination of apartheid had not signed the Convention. He suggested that the General Assembly should call upon those States which had not yet done so to ratify those two international instruments combating racial discrimination and apartheid.

28. He expressed the conviction that, despite all the factors counteracting it, the elimination of racial discrimination and of the colonial system was a relentless and irreversible process. As the President of the thirty-seventh session of the General Assembly had stated in his address to the Second World Conference, only by combating racism and racial discrimination could the objectives of the Charter be fulfilled. However, international obligations apart, elementary human decency, morality and compassion for the victims of that scourge demanded action.

29. Mrs. FLOREZ (Cuba) said that, as the Decade for Action to Combat Racism and Racial Discrimination drew to a close, it was essential to take stock of the results achieved and of all that remained to be done in future in order to attain the as-yet unfulfilled goal of eradicating the terrible scourge of racism from the face of the earth. Racism was reprehensible in whatever form or manifestation, but apartheid constituted its most abominable form.

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30. In her delegation's opinion, the Second World Conference, held in Geneva in August 1983, had clearly made a valuable contribution to the attainment of that objective. The participation until the very end of the Conference by the 128 States that had attended it and the adoption of the Declaration and Programme of Action resulting from it represented a significant step, which must not be forgotten or minimized. Although it had not been possible to reach the general consensus some delegations had desired, all the participating countries had made a commitment to take action and to combat racism, racial discrimination and apartheid. In that connection, she agreed with the statement made by the Secretary-General in his report (A/38/18, para. 15) to the effect that a climate conducive to the continuation of that struggle had been created.

31. Cuba fully supported the two documents adopted by the Second World Conference and considered them to be of particular importance. After briefly reviewing them, she pointed out that, in both documents, the Conference had concluded by strongly recommending that the General Assembly should declare a second Decade for Action to Combat Racism and Racial Discrimination at the end of the current Decade in December 1983. That was an indispensable proposal which Cuba fully supported, as it had done at the Conference in Geneva.

32. The tense international situation prevailing currently was characterized primarily by the growing threat of the use of force by arrogant imperialists in various parts of the world, a clear example of which was the Central American region. In Namibia, the South African racists had attempted to establish a puppet Government and were trying to ensure that their troops remained in the territory. While seeking to defer or prevent Namibia's independence, they were attempting to prepare conditions for a neo-colonial régime and were violating Namibia's territorial integrity by maintaining their occupation of Walvis Bay and the Penguin Islands. At the same time, they were trying to prevent Namibia from acceding to independence by using unacceptable pretexts through which they hoped once again to deceive the international community. Similarly, they were violating and trampling on the most fundamental rights of those peoples by defying the principles established in the Charter of the United Nations and violating the countless resolutions adopted by the Security Council and the General Assembly. They were intensifying the torture, massacre and imprisonment of men, women, children and old people, only because of the colour of their skin, while committing aggression and plundering neighbouring independent countries which were tenaciously struggling to overcome their underdevelopment.

33. The United Nations had discussed the question of Namibia on numerous occasions, as a result of which the Government of South Africa was currently more isolated. Never had there been a greater wave of international criticism or so formidable a series of legal provisions as those referring to the racist régime of apartheid. The responsibility of the United States for the continuation of that situation was clear, and the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held in New Delhi, had accordingly condemned the United States policy of "constructive engagement" and indicated that, in publicly proclaiming the racist régime as friend and ally, the United States was encouraging

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it in its domestic repression, urging it on to external aggression and prolonging the occupation of Namibia. The transfer of power in the United States to the Reagan Administration with its policies of force and blackmail, with the spread of the arms race and its alleged military superiority, its cold-war atmosphere and undisguised friendship for Pretoria and for all tyrannical and anti-popular régimes had prompted the South African régime to launch its boldest criminal acts of aggression against the free States of Africa.

34. The racist régime was also heartened and stimulated by the assistance which it was still receiving despite repeated resolutions of the General Assembly. One such case was the aid provided by the International Monetary Fund, which was still granting South Africa copious loans while denying them to independent, underdeveloped Governments.

35. Cuba and the non-aligned countries had also denounced the repression unleashed by the Pretoria régime against the freedom fighters belonging to SWAPO, and had called for the immediate and unconditional release of all political prisoners in Namibia, who should be accorded prisoner-of-war status in accordance with the 1949 Geneva Conventions and recent documents on international humanitarian law.

36. The fact that freedom fighter Nelson Mandela of the African National Congress (ANC) had been in prison for over 21 years for fighting the racist régime and defending justice, human rights and the rights of peoples was a shameful affront. The figure of Mandela had become a whole symbol for those fighting against racism, racial discrimination and apartheid. UNESCO had conferred on him the Simón Bolívar international prize, and he had won the tribute, respect and admiration of the international community for his heroic struggle.

37. As her country's Minister for Foreign Affairs had stated before the General Assembly on 5 October, present circumstances allowed only one valid course of action, which was to increase support for SWAPO as the sole legitimate representative of the Namibian people, make more forceful demands for the unconditional withdrawal of racist forces from Angolan territory and for unqualified compliance with Security Council resolution 435 (1978), demand an end to acts of terrorism against the front-line States and aggression against Mozambique, Botswana, Lesotho, Zambia and other independent African countries, and demand more forcefully than ever before, that the American Government abandon its policy of blackmail and deceit towards the peoples of Africa and fulfil the responsibilities it had assumed.

38. The situation faced by the Arab peoples and, in particular, Palestine, suffering under the Israeli régime's policies of expansion, domination and discrimination, was another affront to the international community. The annexation of the Golan Heights had been followed shortly afterwards by aggression against Lebanon with the avowed intent of wiping out the Palestinian people, killing its leaders and dismembering the Palestine Liberation Organization (PLO), the sole legitimate representative of the Palestinian people. Israel had kept its occupying forces in Lebanon for more than a year, demolishing villages and towns and

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committing the most shocking crimes against Palestinian refugees in open violation of the most elementary principles and purposes of the Charter of the United Nations and other norms of international law.

39. That situation persisted thanks to the complicity of the imperialists and the unconditional political, diplomatic, economic and military support that the United States gave to the Tel Aviv régime under the terms of its "strategic alliance" against the Arab peoples, which had been roundly condemned by the international community. History had shown that no one could deter a people determined to fight to the last for its freedom and independence, as was the case with the Palestinian people. Her delegation took a positive view of the declaration adopted at the International Conference on the Alliance between South Africa and Israel held in Vienna, strongly condemning that alliance and the support provided by the United States and other Western nations to those two countries. The declaration recently adopted at Caracas during the Regional Conference for Action Against Apartheid had also condemned the system as inhuman and a negation of the Charter of the United Nations and the Universal Declaration of Human Rights, describing it as a crime against humanity. At the same time it had proclaimed Latin American solidarity with the African peoples in their struggle. The International Conference on the Question of Palestine, held in Geneva in August, had also been of marked importance.

40. The gradual resurgence and proliferation of ideas and doctrines based on alleged racial superiority, racial intolerance and hatred, which could clearly be seen in the activities of various neo-Nazi and Fascist organizations in different countries, was a matter of concern. The Second World Conference in Geneva had also pointed out, in the Declaration adopted, that measures should be taken against all ideologies and practices based on exclusiveness or intolerance, terror or systematic denials of human rights and fundamental freedoms on racial or ethnic grounds.

41. While on the subject, she could not fail to mention and condemn the segregation and injustice to which various sectors of the population of the United States of America itself were subjected. The United States discriminated at home against ethnic minorities such as North American Indians, the blacks and Hispano-Americans. The North American Indians, the original inhabitants of the country, had been robbed of their lands and constrained to live on small reservations; they were still fruitlessly trying to recover some of the land illegally seized from them. They faced a sombre outlook of unemployment, poverty, illness and high mortality from diseases that could easily be controlled if the resources were available. The women of the Indian tribes had been subjected, in addition, to inhuman campaigns of mass sterilization which had been denounced in various forums by the International Indian Treaty Council. Twenty years after the great march led by Dr. Martin Luther King, Jr., the situation of North American blacks was critical. Unemployment was rising: in that connection, she cited a report by the United States Department of Labor according to which unemployment among black workers had been 19 per cent in September as compared with 8.1 per cent for white workers, and the level of joblessness among young blacks had been almost three times the 17.9 per cent of jobless white youths. The unemployment rate for

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Hispano-Americans over the same period had been 13.1 per cent as compared with the national average of 9.3 per cent. A report in The New York Times of 18 July revealed that black American family incomes in 1981 had been only 56 per cent of white families' incomes, while 45 per cent of black males had been without jobs - and that figure could have risen to over 50 per cent if the number of adult blacks not applying to unemployment offices or of no fixed abode had been counted. The New York Times of 3 August reported that, while the black population of the United States amounted to only 12 per cent of the total, 28 per cent of all families below the poverty line were black; in 1982, the average income of black families had been 55 per cent that of white families, and 29.9 per cent of American families with a standard of living below the poverty line in 1982 had been Hispanic, as compared with 15 per cent for all ethnic sectors of the population.

42. The work of the Committee on the Elimination of Racial Discrimination (CERD) had made an important positive contribution towards the attainment of the objectives of the International Convention on the Elimination of All Forms of Racial Discrimination, under whose terms it had been established. Her country, which had been a party to that Convention since 1972, had submitted the information required under article 9 every two years, and in the current year had submitted its sixth periodic report; she was pleased to draw attention to the compliments which CERD had addressed to the Government of Cuba in its report to the Assembly (A/38/18, para. 443).

43. The States parties to the Convention should give their full support to the work of that Committee, which did not have an easy task: first and foremost, they should try to submit the biennial reports they had undertaken to produce at the intervals established, so that CERD could carry out its tasks still more effectively. It was encouraging to note that the number of States parties to the Convention was currently 21, and the number of States that had ratified or acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid had risen to 74, since both documents were, in her delegation's view, significant contributions to the struggle against racism, racial discrimination and apartheid. She urged States which were not yet parties to the Convention to accede to it as soon as possible.

44. In his statement, the United States representative had mentioned Cuba in a series of attacks against various countries, the sole objective of which had in her view been to divert attention from the actual subject of discussion, especially when items were being dealt with that might directly involve the United States. It was intolerable - at a time when in the United States the voices of those who had led the witch-hunt during the McCarthy era were again being heard - that the representative of the United States, the country mainly responsible for supporting the South African racist régime, should shamelessly defend and justify such a detestable régime before the Third Committee.

45. Mr. RAMACHANDRAN (India) said that racism and racial discrimination were issues that had always been of concern to the United Nations, since recognition of the inherent dignity and inalienable rights of all human beings was the foundation

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for attaining freedom and justice. The United Nations had therefore adopted innumerable resolutions in an attempt to make South Africa abandon its obstinate policy of apartheid, but to no avail. South Africa's only response had been to continue to enact Draconian legislation, intensify its repression and trample unscrupulously on the rights of its non-white population, the latest example being the recent execution of three African National Congress leaders despite world-wide appeals for commutation of their sentences.

46. The racist régime of South Africa had continued to pursue its inhuman policy largely on account of the support it was receiving from some affluent countries. The real motives for maintaining links with Pretoria lay in the fact that, based as it was on a system of exploitation, that régime produced great benefits for the countries which backed it. Efforts were being made to improve the effectiveness of the Code of Conduct that had been designed to eliminate exploitative situations. However, the Code was not in any way binding and many considered it a dead letter. Equally ineffectual were the policies of constructive engagement, since their only result was to embolden the régime to persist in its apartheid policy.

47. India firmly believed that comprehensive and mandatory sanctions against the Pretoria régime, universally applied, were the most appropriate and effective means by which the international community could assist the legitimate struggle of the oppressed people of South Africa. Linked with the question of repression in South Africa was the question of the illegal occupation of Namibia. The sabotage of the United Nations plan for the independence of Namibia and the escalation of acts of aggression against the front-line States were evidence of the fact that South Africa continued to obstruct the liberation of Namibia and that its policies and actions posed a serious threat to international peace and security. India therefore called for the early implementation of Security Council resolution 435 (1978).

48. The Palestinian people and the people of the occupied Arab territories were victims of equally grave discrimination. An entire people had been dispossessed of its homeland, deprived of economic survival and uprooted socially and culturally through a policy of occupation, subjugation and oppression. The repression in that area would not be lifted until Israel put an end to its aggression and occupation and the people of Palestine were enabled to live in a State of their own. The relevant sanctions prescribed in the United Nations Charter must be imposed on Israel.

49. One of the most important guarantees of success in the common struggle against racism and racial discrimination would be the universal ratification of 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. India had been one of the first signatories of the International Convention on the Elimination of All Forms of Racial Discrimination and had always co-operated with the Committee on the Elimination of Racial Discrimination and would continue to do so. It had also taken part in the Conference held at Geneva and regretted that consensus had not prevailed. It was, however, encouraging that

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the Programme of Action had been adopted without a dissenting vote. It was vitally important that Member States should exercise the necessary political will to implement the recommendations for ridding humanity of the scourge of racism and racial discrimination.

50. Mrs. NERAD (Byelorussian Soviet Socialist Republic) said that the proclamation of the Decade for Action to Combat Racism and Racial Discrimination had occurred when the majority of States had become aware of the need to combat racism and racial discrimination in order to guarantee international peace and security and of the fact that racism and racial discrimination were incompatible with human dignity. In the course of the Decade, there had been national and international activities aimed at eliminating racial discrimination. The General Assembly had appealed to all States to achieve those objectives. However, as the Decade was drawing to a close it was evident that a solution had not been found for eradicating racism and racial discrimination.

51. At the Second World Conference to Combat Racism and Racial Discrimination, as part of the activities of the Decade, many delegations had reviewed and assessed the intolerable situation of racism and racial discrimination. The reasons why such situations existed emerged most clearly in the tragic example of southern Africa. There, the most repugnant form of racism, apartheid, represented an open challenge to the international community and an affront to the conscience of mankind. Raised to the level of State policy by the South Africans and condemned by the United Nations as a crime against humanity, apartheid served to maintain the racist and colonialist order and the cruel exploitation of the non-white majority of South Africa.

52. As a result of that policy, the indigenous population found itself deprived of all its rights and playing the role of modern slaves. That could most clearly be seen in the forced large-scale relocation of the indigenous population of South Africa to bantustans where a tragic fate awaited them. The racists had long since converted South Africa into a military and police State. In order to keep down the greater part of the population, the régime was continually reinforcing a vast repressive apparatus, a police force equipped with the most advanced crowd-dispersal techniques derived mainly from the United States, an army totally dedicated to repressing any form of opposition to the régime especially from the victims of apartheid who were struggling to have their rights respected. The police were constantly carrying out round-ups and raids on the pretext that the notorious Pass Law, enacted together with another group of similar "laws", was being violated.

53. According to press reports, in the last 20 years 7 million South Africans had been accused and sentenced to various penalties for presumed offences against the régime. Racist "justice" had acquired the dismal notoriety of having sentenced the greatest number of persons anywhere in the world to capital punishment, those condemned being without exception black South Africans. That long line of sentences had culminated in June 1983 in the execution of three ANC members, despite the protests of the international community and the appeals of the Security

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Council and OAU. The sinister core of the ideology that propounded the "separate development of the races" thus lay exposed to the world community.

54. It should be emphasized that one of the factors making it possible for the repressive situation in South Africa and Namibia to perpetuate itself and for apartheid to assume an increasingly cruel character was the support that the régime was receiving, from the United States above all. The openly declared policy of the current United States Government of "active co-operation" with Pretoria was basically no more than a form of complicity with the racists. The results of the support that South Africa was receiving from the United States were the intensified repression of the non-white population by the South African authorities, the increase in armed aggression against neighbouring States and the hardening of the situation in Namibia.

55. The United States was motivated to form a close alliance with the régime of terror, violence and genocide in South Africa, as had been noted, because of the strategic war plans of the imperialists, in which South Africa was taking part as the representative of a continuing colonial policy in Africa, a policy pursued through armed aggression against neighbouring States. Furthermore, the racist régime was at the service of the greedy interests of the United States monopolies and transnational corporations, which were exploiting the natural resources of South Africa and Namibia. According to some sources, United States investments in South Africa amounted to \$2.3 billion and according to others, \$14.6 billion. South Africa's annual volume of trade with the United States was \$US 6 billion.

56. Ideologically, Washington and Pretoria coincided in their hostility towards peoples struggling for national liberation and social progress. Other Western States, members of the aggressive NATO bloc, and Israel were also providing broad assistance and political, economic, military and other support to the South African régime, in violation of United Nations resolutions.

57. The Second World Conference had condemned Israel's policy of discrimination against the Palestinians and the inhabitants of the occupied Arab territories. That aggressive and expansionist policy and the trampling underfoot of the Arab and Palestinian people clearly showed the essentially racist character of zionism. It was the key to understanding the ever-closer alliance between Israel and South Africa, which brought condemnation from the international community. At the same time, it should also be noted that responsibility for the aggressive behaviour of Israel rested with those who financed and armed the aggressor and prevented the achievement of a just and lasting peace in the Middle East.

58. The revealing absence of the United States and Israel from the Second World Conference bore silent witness to the attitude of both countries towards the efforts of the United Nations and the international community to eradicate racism and racial discrimination in all its forms and was an unmistakable recognition of the responsibility they bore for the non-fulfilment of the most important United Nations decisions within the framework of the Decade. Racism and racial

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discrimination were the product of a system of exploitation of man by man, the aim of which was to oppress the masses, especially the minorities.

59. In a number of Western countries, migrant workers from Africa, Asia and Latin America were still subjected to unequal treatment, being regarded as second-class citizens and accustomed to live in conditions resembling slavery, according to United States press reports. They were the object of repression on the part of official bodies and also of racist groups and Fascist organizations. The intensification of Fascist and neo-Fascist activities permitted the upsurge of a militaristic and chauvinistic psychosis which showed renewed vigour in a number of countries. Given the new information on the covering up of crimes committed by Nazi war criminals against the inhabitants of the territory of Byelorussia, it became more urgent than ever to prohibit neo-Nazi and pro-Fascist organizations.

60. It was essential for all States to become parties to the conventions aimed at eradicating racism and racial discrimination and to take concrete steps against those scourges. The fact that the countries belonging to a well-known group were failing to apply the International Convention on the Suppression and Punishment of the Crime of Apartheid must be regarded as a reflection of their true intentions and their support for systems of that kind.

61. The political and social roots of national discord and all forms of inequality and oppression had been eliminated forever from the Byelorussian Soviet Socialist Republic. The principle of the equal rights of all citizens was guaranteed by the Constitution and provided the basis for the laws of the legislative system, thus making possible brotherly co-operation among the approximately 100 nationalities living in the territory. As a State party to the International Convention on the Elimination of All Forms of Racial Discrimination and to the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Byelorussian SSR reported regularly on the application of the provisions of those Conventions. Guided by the principles of Leninist foreign policy, the Byelorussian SSR had regularly reaffirmed the principle of the equal rights of peoples in various forums and had spoken out against oppression. In that connection, it supported the Declaration and Programme of Action adopted by the Second World Conference. The Byelorussian delegation hoped that the current session of the General Assembly would see the adoption of other instruments aimed at eliminating racism and racial discrimination, in the implementation of which all States sought to participate.

62. Ms. BROSNAKOVA (Czechoslovakia) said it was generally recognized nowadays that, without the complete realization of the right of peoples to self-determination, it was also impossible to implement a whole range of economic, social, civil and political rights of the individual. Only in the current century had the very concept of the right to self-determination been fully realized, being proclaimed first by the Soviet Union, which had implemented it both internally and in its foreign policy. The historic Declaration on the Granting of Independence to Colonial Countries and Peoples had made the international community and individuals fully aware of the right of peoples to self-determination, but even after its

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adoption the former colonial and the neo-colonial Powers had persisted in their unjust approach to relations between peoples in an effort to preserve for themselves for as long as possible sources of natural resources and cheap labour. That was why, for many peoples, self-determination had not been easy, although the rise of many independent nations, particularly in Africa in the 1960s, demonstrated that peoples would never surrender that primary right.

63. The basic element of the right of peoples to self-determination was the right to freedom and independence. Therefore, the denial of that basic element must call forth the greatest indignation on the part of the international community. Despite the concerted efforts of the United Nations, the struggle of national liberation movements and the active policies of all anti-imperialist, anti-colonial and progressive forces, there were still places in the world where peoples were denied that fundamental human right, as was the case with the peoples of southern Africa, the Palestinian people and the inhabitants of the so-called small territories. As in the past, instead of being granted freedom and independence, peoples were being offered substitute solutions. The activities of the so-called Contact Group in the case of Namibia, the various proposals for the solution of the Palestinian question and the different forms of association of the so-called small territories with the respective colonial Power were nothing but manoeuvres designed to delay a real solution. The result was a continuation of the plundering of natural resources, the exploitation of the indigenous population and the perpetual trampling on human dignity, while at the same time the representatives of the Western countries told those peoples in their statements that the best way of attaining their objectives was through peaceful means. It would, of course, be ideal if freedom and independence could be won without bloodshed, but history taught that oppressed peoples could not rely on peaceful means. Accordingly, the decision to deny assistance to national liberation movements in their courageous struggle was as immoral, politically unfounded and harmful as the policy of compromise and co-operation with those States which tenaciously refused to grant other peoples their right to self-determination.

64. During the General Assembly's consideration of agenda item 86, interest centred on those areas of the world where the right of the indigenous peoples to self-determination was completely denied. In the Czechoslovak delegation's view, however, it would also be desirable to take up the cases of gross violations or limitations of that right, since practices of that kind had serious negative consequences for various peoples and complicated international relations. Some Western States practised or encouraged in the economic, military and political fields policies towards other States which constituted gross violations of the right of peoples to self-determination, while at the same time upholding that right when it suited their subjective interpretation of a specific situation in the world. In the Third Committee too, the representatives of some States invoked the right of peoples to self-determination on behalf of the people of Kampuchea or Afghanistan, while at the same time they perpetually infringed that right by undertaking subversive activities from the territory of neighbouring countries in order to prevent the two peoples concerned from implementing progressive social changes in the exercise of their right to self-determination. Those same States,

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however, had never concerned themselves before with the poverty of the Afghan people or with the wars or genocide afflicting the Kampuchean people. One of those States was well known for its countless infringements of the sovereignty of many countries, and its resort to methods that constituted multiple violations of the United Nations Charter.

65. The true content of that basic human right was well-known to the Czechoslovak people, for the Czechs and the Slovaks had been forced to struggle for centuries, attaining their independence only in 1918. The period of Fascist subjugation had also made them well aware of the meaning of the loss of freedom and independence. Forty-five years ago, they had witnessed how other States, allegedly "dedicated to freedom", had haggled in Munich over Czechoslovakia's fate, in order to sell not only the right of the peoples of Czechoslovakia to self-determination but also the very existence of the State, without any major resistance on the part of the bourgeois Czechoslovak politicians. After that bitter experience, it was understandable that the Czechoslovak people should have decided to base their freedom and independence on a new social system - socialism - and their security on an alliance with the Soviet Union, whose army had liberated Czechoslovakia from the Fascist yoke. In 1968, they had foiled the attempts of the imperialist circles which had sought in vain to impose their concept of freedom and independence on the Czechoslovak people. For that reason, Czechoslovakia had feelings of deep solidarity with peoples fighting for their freedom and regularly provided political, moral and material support to the national liberation movements struggling for the fulfilment of the sacred aspirations of their peoples. It also felt solidarity with those peoples that were being subjected to intimidation or destabilization because they sought an independent way to development and social progress and refused to be subordinated to the imperialist foreign policy of other States. In the spirit of the United Nations Charter, Czechoslovakia stood resolutely against those hegemonistic practices of some Western States.

66. Her delegation found it most appropriate for the Committee to consider, as a matter of priority, the realization of the right of peoples to self-determination as a basic prerequisite for the implementation of other human rights. If the consideration of that question was now carried out in accordance with the United Nations Charter, and if the States Members of the United Nations displayed the requisite political will, there were realistic possibilities of speeding up the process of granting independence and freedom to oppressed peoples. It would also be possible to avert threats to and violations of the right of peoples to self-determination, a goal to which the States Members of the United Nations, in signing the Charter, had committed themselves.

67. Mr. BORCHARD (Federal Republic of Germany) said that he fully endorsed the statement which the representative of Greece had made at the meeting held on 7 October on behalf of the 10 member States of the European Community concerning agenda items 82 and 83. It was his intention to make additional comments on item 87, in particular on the report of the Committee on the Elimination of Racial Discrimination.

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(Mr. Borchard, Federal
Republic of Germany)

68. With regard to item 86, the peaceful realization of the right to self-determination was a fundamental objective of his country's foreign policy, an objective based on the assumption that a true community of States could materialize only if the peoples they represented were integrated into that community on the basis of self-determination. The individual's right to develop his personality as guaranteed by the human rights covenants of the United Nations corresponded to the right of individual nations to determine their political, economic, social and cultural development on the basis of self-determination. The pride of place given to that right in the Charter and the two human rights covenants underlined its universal validity.

69. The Federal Republic of Germany defended the right of all nations to choose freely their own political, economic and social systems. It demanded that same right for the German nation, which was divided against its will. It was the declared aim of the Federal Republic of Germany to work for a state of peace in Europe in which the German nation would recover its unity through self-determination.

70. The right to self-determination was not established unalterably for all time by a single decision. It was, rather, subject to constant review within the free process of opinion-forming. Thus, self-determination also required a nation to have an opportunity to express its will in free elections and to amend and reshape its constitution according to its own free will. In that way, the individual exercised the right to self-determination, and the right to self-determination and human rights were complementary.

71. Since the founding of the United Nations, great progress had been made towards the universal application of the right to self-determination. The will of nations to acquire independence had largely prevailed. Nevertheless, there were still serious violations. It remained the task of the United Nations to work for the political independence and territorial integrity of nations and States. The old colonialism must not be superseded by any new form of domination based on ideological motives. The right to self-determination could not be neglected.

72. Mr. CORTI (Argentina) said that it was sad to reach the conclusion that mankind needed at least 10 years to eradicate racism, a conclusion arising from the Second World Conference. The fact that the same number of delegations ended the Conference as had begun it was not worthy of praise. His delegation had always considered it a duty to assume its commitments including that of attending debates, with dignity. If the contribution made to the United Nations was selective and was limited to those activities which suited or benefited a particular country, all endeavours would be in vain.

73. The apartheid régime institutionalized by South Africa deserved to be the target of attack, since it constituted a violation of the most basic legal norms accepted by the international community. He repeated the position stated by his delegation in Geneva that such an unjust situation could only be maintained through

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further acts of injustice. Thus it was that the South African régime was becoming increasingly repressive and continued to attack the front-line States. But the system reached its ultimate development in the Territory of Namibia, where the colonial Power used it as an instrument to deprive the people of Namibia of their right to self-determination.

74. The Pretoria régime would not be able to remain in power if all States Members of the United Nations and their enterprises, both public and private, refrained from granting it aid and enforced the embargo imposed by the Organization. All forms of exchange with South Africa amounted to moral and material support which helped to perpetuate the régime; they should be viewed as an affront to the international community, which clamoured for an end to that unjust situation. He recalled, in that regard, that the Argentine Republic did not participate in cultural or sports activities with South Africa, that it had ended the Aerolíneas Argentinas flights to that country, and that it had recently denounced activities to establish a military base in the South Atlantic with South African assistance.

75. There were more subtle forms of racial discrimination which were experienced daily by national minorities, ethnic groups and, in particular, as had been recognized at the Second World Conference, migrant workers, who were the object of definite discrimination in the developed countries. The United Nations had an important role to play in that regard.

76. His delegation was pleased that 121 States had become parties to the Convention and regarded that development as encouraging, even though the increase in periodic reports added greatly to the work of the Committee. Since country reports could not always be prepared in the proper form, his delegation supported the proposals to reconsider the frequency of reports, not with a view to the avoidance of responsibilities but, on the contrary, in order that they might be taken more seriously.

77. He referred to the statements made by the representatives of the United Kingdom and Canada in which they had stated their concern because in their view the Committee had exceeded its mandate. His delegation had analysed the paragraph in question and, apart from the fact that the Spanish text of the report referred to relevant resolutions, in the plural, it found the recommendation to be perfectly apt, since the Committee could not ignore the documentation submitted to it by the Trusteeship Council and the Committee of 24 with regard to the Malvinas Islands or the General Assembly resolutions which referred to the matter, as had been the intent in paragraph 100 of the United Kingdom's periodic report.

78. It would not be inappropriate to say that the right to self-determination of peoples as currently perceived, linked to the process of decolonization, had had its origins in the Americas, with the independence of the United States and later with the independence of the Latin American nations, including Argentina. Of the 51 founding Members of the United Nations, 20 belonged to Latin America. They had been prime movers in the process of decolonization, which had frequently been bloody owing to the tenacious resistance of the colonial Powers against the exercise of the sacred right to self-determination. The conference rooms of the

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United Nations bore witness to the satisfaction of the Latin American delegations each time that a new republic in Africa, Asia or Latin America joined the Organization. Argentina had a record of unambiguous respect and support for that right and would continue to defend it in those cases in which it was still denied, the situations of Namibia, Palestine and territories still under colonial domination being prime examples. The same record could not be claimed by the colonial Powers, which had long, in some cases for centuries, subjugated most of the nations today comprising the United Nations, which had opposed the process of decolonization until the march of history had obliged them to accept the irreversible facts of independence and which had supported neither resolution 1514 (XV) nor the relevant articles of the Universal Declaration of Human Rights nor the International Covenant on Civil and Political Rights.

79. It was deplorable that the right to self-determination had been used selectively and deliberately to satisfy dubious political interests. It was possible that at some future time it might be claimed that the right to self-determination belonged to the staff of the military base on Diego García, instead of to the indigenous population, which had been forcibly displaced. The perpetuation of a colonial situation in the Malvinas Islands, with an artificially implanted population, currently protected by a military base, for which a usurping Power claimed the right to self-determination, violated the resolutions adopted by the General Assembly on the specific question of the Malvinas Islands.

The meeting rose at 5.40 p.m.