



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/33/262
9 October 1978
ENGLISH
ORIGINAL: ARABIC/ENGLISH/
FRENCH/SPANISH

Thirty-third session
Agenda item 74

WORLD CONFERENCE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Secretary-General

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I. INTRODUCTION

1. In its resolution 32/129 of 16 December 1977 the General Assembly decided to convene the World Conference to Combat Racism and Racial Discrimination at Geneva from 14 to 25 August 1978. In paragraph 11 of the resolution the Assembly requested the Secretary-General to report to it at its thirty-third session on the work of the Conference. The present report is submitted in compliance with that request.

II. ORGANIZATION OF THE CONFERENCE

2. By resolution 2919 (XXVII) of 15 November 1972, the General Assembly decided to launch the Decade for Action to Combat Racism and Racial Discrimination and to inaugurate the activities thereof on 10 December 1973, the twenty-fifth anniversary of the Universal Declaration of Human Rights.

3. In its resolution 3057 (XXVIII) of 2 November 1973, the General Assembly designated the period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination. The Programme for the Decade for Action to Combat Racism and Racial Discrimination annexed to that resolution provided, in paragraph 13 (a), that:

"As a major feature during the Decade, a world conference on combating racial discrimination should be convened by the General Assembly as soon as possible, but preferably not later than 1978. The conference should have as its main theme the adoption of effective ways and means and concrete measures for securing the full and universal implementation of United Nations decisions and resolutions on racism, racial discrimination, apartheid, decolonization and self-determination, as well as the accession to and ratification and enforcement of the international instruments relating to human rights and the elimination of racism and racial discrimination."

The Programme for the Decade further provided, in paragraph 18 (c), that the Economic and Social Council would act as the preparatory committee for the Conference.

4. By resolution 1990 (LX) of 11 May 1976 and by decision 206 (ORG-77) of 14 January 1977, the Economic and Social Council established a Preparatory Sub-Committee for the World Conference to Combat Racism and Racial Discrimination, consisting of 23 States, to assist in the preparation of the Conference. The Preparatory Sub-Committee consisted of the following Member States:

Algeria	Philippines
Austria	Portugal
Bulgaria	Somalia
Colombia	Syrian Arab Republic
Cuba	Togo
Cyprus	Union of Soviet Socialist Republics
France	United Kingdom of Great Britain and Northern Ireland
German Democratic Republic	Venezuela
Germany, Federal Republic of	Yugoslavia
Grenada	Zaire
Iraq	
Kenya	
Nigeria	

5. The Preparatory Sub-Committee met from 14 to 25 March 1977 at United Nations Headquarters and submitted its report to the Economic and Social Council at the Council's sixty-second session (E/5922). The report included a provisional agenda for the Conference and draft rules of procedure. These were considered and approved by the Council in resolution 2057 (LXII) of 12 May 1977. That resolution was later endorsed by the General Assembly in resolution 32/129 of 16 December 1977.

6. Pursuant to a request contained in Economic and Social Council resolution 2057 (LXII), the Secretary-General appointed Mr. C. V. Narasimhan, the United Nations Under-Secretary-General for Inter-Agency Affairs and Co-ordination, as Secretary-General of the Conference.

7. On the recommendation of the Council (resolution 2057 (LXII)), the General Assembly in resolution 32/129 decided to convene the World Conference to Combat Racism and Racial Discrimination at Geneva from 14 to 25 August 1978.

8. By the same resolution, the General Assembly requested the Secretary-General to invite as participants in the Conference all States and the United Nations Council for Namibia, in accordance with General Assembly resolution 31/149 of 20 December 1976.

9. The General Assembly also requested the Secretary-General to invite as observers:

(a) Representatives of national liberation movements recognized in its region by the Organization of African Unity, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(b) Representatives of organizations that had received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices, in accordance with its resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976;

(c) The specialized agencies concerned, as well as interested organs and bodies of the United Nations;

- (d) Interested intergovernmental organizations;
- (e) The Special Committee against Apartheid;
- (f) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
- (g) The Committee on the Elimination of Racial Discrimination;
- (h) The Commission on Human Rights;
- (i) Other interested committees of the United Nations;
- (j) Non-governmental organizations in consultative status with the Economic and Social Council, as indicated in the annex to the resolution.

10. The World Conference to Combat Racism and Racial Discrimination met at the Palais des Nations, Geneva, from 14 to 25 August 1978. The Secretary-General of the United Nations declared the Conference open and delivered an address, the text of which will be reproduced in annex II of the report of the Conference (A/CONF.92/40). The addresses delivered at the opening of the Conference by the President of the Conference, the Chief of the Federal Political Department of Switzerland and the Secretary-General of the Conference will be reproduced in the same annex.

11. Special messages were addressed to the Conference and circulated in document A/CONF.92/36 and Add.1-4. These messages will be reproduced in annex III of the report of the Conference.

12. The Governments of the following 125 States were represented at the Conference:

Afghanistan	Byelorussian Soviet Socialist
Albania	Republic
Algeria	Canada
Angola	Central African Empire
Argentina	Chad
Australia	Chile
Austria	China
Bahrain	Colombia
Bangladesh	Costa Rica
Belgium	Cuba
Bhutan	Cyprus
Bolivia	Czechoslovakia
Brazil	Democratic People's Republic
Bulgaria	of Korea
Burma	Democratic Yemen
Burundi	Denmark

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Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Fiji
Finland
France
Gabon
German Democratic Republic
Germany, Federal Republic of
Ghana
Greece
Guatemala
Guinea
Guyana
Haiti
Holy See
Honduras
Hungary
Iceland
India
Indonesia
Iran
Iraq
Ireland
Italy
Ivory Coast
Jamaica
Japan
Jordan
Kenya
Kuwait
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Luxembourg
Madagascar
Malawi
Malaysia
Malta
Mauritania
Mexico
Mongolia
Morocco
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norway
Oman
Pakistan
Panama
Peru
Philippines
Poland
Portugal
Qatar
Republic of Korea
Romania
Rwanda
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Sierra Leone
Somalia
Spain
Sri Lanka
Sudan
Swaziland
Sweden
Switzerland
Syrian Arab Republic
Thailand
Trinidad and Tobago
Tunisia
Turkey
Uganda
Ukrainian Soviet Socialist
Republic
Union of Soviet Socialist
Republics
United Arab Emirates
United Kingdom of Great Britain
and Northern Ireland
United Republic of Cameroon
United Republic of Tanzania
Upper Volta
Uruguay
Venezuela
Viet Nam
Yemen
Yugoslavia
Zaire
Zambia

13. The United Nations Council for Namibia was represented at the Conference as a participant. United Nations bodies represented at the Conference as observers were: the Commission on Human Rights, the Commission for Social Development, the Commission on the Status of Women, the Committee on the Elimination of Racial Discrimination, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Human Rights Committee, the International Law Commission, the Special Committee against Apartheid, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Institute for Training and Research and the United Nations Research Institute for Social Development.

14. The following specialized agencies were represented by observers at the Conference: the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the Universal Postal Union, the World Meteorological Organization, and the World Intellectual Property Organization; the International Atomic Energy Agency was also represented by observers.

15. The following intergovernmental organizations were represented by observers at the Conference: the Council of Europe, the European Economic Community, the League of Arab States, the Organization of African Unity, the Organization of American States, and the Organization of the Islamic Conference.

16. A number of non-governmental organizations in consultative status with the Economic and Social Council were also represented by observers.

17. The participants in the Conference will be listed in annex I of the report of the Conference.

18. The documents before the Conference will be listed in annex XII of the report of the Conference.

19. Subject to a modification of draft rule 10, the Conference adopted as its rules of procedure the draft rules of procedure drawn up by the Preparatory Sub-Committee for the Conference, approved by the Economic and Social Council in its resolution 2057 (LXII) and endorsed by the General Assembly in its resolution 32/129.

20. The Conference elected Mr. Mooki V. Molapo (Lesotho) as President.

21. The Conference elected as Vice-Presidents the representatives of the following States: Canada, Cuba, Egypt, Ghana, Hungary, Italy, Peru, Sri Lanka, Syrian Arab Republic, Union of Soviet Socialist Republics.

22. The following committees were set up by the Conference:

(a) General Committee:

Chairman: Mr. Mooki V. Molapo (Lesotho).

Vice-Presidents of the Conference:

Mr. R. H. Jay (Canada);

Mr. I. Malmierca (Cuba);

Mr. M. O. El-Shafei (Egypt);

Mr. R. J. A. Felli (Ghana);

Mr. M. Domokos (Hungary);

Mr. N. di Bernardo (Italy);

Mr. A. A. Schreiber (Peru);

Mr. H. W. Jayawardene (Sri Lanka);

Mr. D. A. El Fattal (Syrian Arab Republic);

Mr. A. S. Dzasochov (Union of Soviet Socialist Republics).

Rapporteur-General of the Conference: Mr. R. Valdez (Ecuador).

Chairman of the First Committee: Mr. P. Voutov (Bulgaria).

Chairman of the Second Committee: Mr. E. Saliba (Malta).

Chairman of the Credentials Committee: Mr. A. S. Chowdhury (Bangladesh).

(b) First Committee:

Chairman: Mr. P. Voutov (Bulgaria).

Vice-Chairmen: Mr. de Oliveira Nunes (Portugal);

Mr. M. B. Montoya (Colombia);

Mr. O. F. Gueye (Senegal).

Rapporteur: Mr. T. Kunigi (Japan).

(c) Second Committee:

Chairman: Mr. E. Saliba (Malta).

Vice-Chairmen: Mr. A. Olszówka (Poland);

Mr. A. J. Haddawi (Iraq);

Mr. G. Cajina Mejicano (Nicaragua).

Rapporteur: Mr. S. N. Rahhali (Morocco).

(d) Credentials Committee:

Chairman: Mr. A. S. Chowdhury (Bangladesh)
Mr. H. Jay (Canada);
Mr. Chao Wei (China);
Mr. E. Tobar (Ecuador);
Mr. P. W. Bune (Fiji);
Mr. R. de Gouttes (France);
Mr. E. Ramangaharivony (Madagascar);
Mr. B. C. M. Ihekuna (Nigeria);
Mr. A. L. Laptev (Union of Soviet Socialist Republics).

23. The Conference adopted as its agenda the provisional agenda (A/CONF.92/1), which had been drawn up by the Preparatory Sub-Committee of the Economic and Social Council, approved by the Economic and Social Council in its resolution 2057 (LXII) and endorsed by the General Assembly in resolution 32/129, in conjunction with decision 32/433 relating to the agenda. The agenda of the Conference as adopted read as follows:

1. Opening of the Conference.
2. Election of the President.
3. Opening addresses.
4. Adoption of the rules of procedure.
5. Election of other officers.
6. Credentials of representatives to the Conference:
 - (a) Appointment of the Credentials Committee;
 - (b) Report of the Credentials Committee.
7. Adoption of the agenda.
8. Organization of work.
9. Review of progress achieved and identification of major obstacles encountered at the international, regional and national levels, as regards combating racism, racial discrimination and apartheid.
10. Evaluation of the effectiveness of methods employed for combating racism, racial discrimination and apartheid at the international, regional and national levels.

11. Formulation of effective ways and means and concrete measures for securing the full eradication of racism, racial discrimination and apartheid, in particular:
 - (a) Full and universal implementation of United Nations decisions and resolutions on racism, racial discrimination, apartheid, decolonization and self-determination, in particular, fuller implementation and wider acceptance, by ratification or accession, of the International Convention on the Elimination of All Forms of Racial Discrimination; and the question of the preparation of new international instruments;
 - (b) International support and assistance to peoples and movements struggling against colonialism, racism and racial discrimination, as well as to governmental programmes directed at the elimination of racial discrimination, including the question of establishing international voluntary funds to this end; ways and means of denying support to racist régimes and of ensuring their isolation;
 - (c) Adoption of measures at the national level, in accordance with the Programme for the Decade for Action to Combat Racism and Racial Discrimination, to prohibit racial discrimination and improve relations among racial groups;
 - (d) International and national action in fields, inter alia, of education, research and information, to eradicate racism and racial discrimination and remove their effects;
 - (e) International and national action to ensure the cessation of all discriminatory measures against migrant workers;
 - (f) Promotion and protection of the human rights of national, ethnic and other minorities for the purpose of strengthening international co-operation and understanding among States in accordance with the Charter of the United Nations;
 - (g) Other international, regional and national action, including action through public authorities and other competent institutions, to achieve the goals and objectives of the Programme for the Decade for Action to Combat Racism and Racial Discrimination.

12. Adoption of the report and final documents of the Conference.

24. On the recommendation of the General Committee, items 9 and 10 of the agenda of the Conference were considered in the First Committee and item 11 was considered in the Second Committee.

25. The First Committee held seven meetings. The report of the Committee is reproduced in annex IV of the report of the Conference.

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26. In the course of the 7th meeting of the Committee, immediately after the voting on operative paragraphs 17 and 18, the representative of the Federal Republic of Germany, on behalf of the nine members of the European Economic Community, and the representatives of Australia, Canada and New Zealand stated that their delegations could no longer associate themselves with the results of the Conference nor participate in further proceedings of the Conference.
27. The representative of Sri Lanka, on behalf of the non-aligned countries, stated that he regretted the statements made by the representative of the Federal Republic of Germany on behalf of the nine members of the European Economic Community and by the representatives of Australia, Canada and New Zealand. He expressed the view that the possibility of negotiating a consensus was still open.
28. The Second Committee held seven meetings. The report of the Committee will be reproduced in annex VI of the report of the Conference.
29. The Credentials Committee held four meetings. The report of the Committee is contained in document A/CONF.92/38.
30. At its fourteenth plenary meeting, held on 23 August 1978, the Conference paid tribute to the memory of the late President of Kenya, the Honourable Jomo Kenyatta (see annex X of the report of the Conference).
31. At its fifteenth plenary meeting, the Conference commemorated Namibia Day. An account of the proceedings will be reproduced in annex XI of the report of the Conference.
32. The Conference held 15 plenary meetings and adopted:
- (a) A Declaration and a Programme of Action, adopted by 88 votes to 4 with 2 abstentions, the text of which is reproduced in section III below (see annexes VI and VII of the report of the Conference for details of the voting); the reservations and declarations submitted to the Secretary-General of the Conference in relation to the Declaration and the Programme of Action are annexed to the present report, and will also be reproduced in annex VIII of the report of the Conference;
- (b) A resolution adopted on the report of the Credentials Committee; the text of the resolution, which was adopted without a vote, is reproduced in section IV, A, below, as resolution 1;
- (c) A resolution adopted without reference to a committee, on the basis of a draft resolution submitted by Cuba, Sri Lanka and Sudan, subsequently joined by Algeria; the text of the resolution, which was adopted without a vote, is reproduced in section IV, A, as resolution 2;
- (d) A decision adopted without reference to a committee, the text of which is reproduced in section IV, B.

III. DECLARATION AND PROGRAMME OF ACTION ADOPTED BY THE CONFERENCE

33. Following are the Declaration and Programme of Action adopted by the Conference at its 15th plenary meeting on 25 August 1978:

Declaration

The World Conference to Combat Racism and Racial Discrimination,

Having met in Geneva from 14 to 25 August 1978 in accordance with General Assembly resolution 32/129,

Recalling that the Charter of the United Nations is based on the principles of the dignity and equality of all human beings and seeks among its basic objectives to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Further recalling the designation by the General Assembly of the period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination,

Bearing in mind the goals of the Decade, which are: to promote human rights and fundamental freedoms for all, without distinction of any kind such as race, colour, descent, or national or ethnic origin, especially by eradicating racial prejudice, racism and racial discrimination, to arrest any expansion of racist policies, to eliminate the persistence of racist policies and to counteract the emergence of alliances based on mutual espousal of racism and racial discrimination; to resist any policy and practices which lead to the strengthening of the racist régimes and contribute to the sustainment of racism and racial discrimination; to identify, isolate and dispel the fallacious and mythical beliefs, policies and practices that contribute to racism and racial discrimination, and to put an end to racist régimes,

Determined to promote the implementation of the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenants on Human Rights, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide, the Discrimination (Employment and Occupation) Convention (1958) of the International Labour Organisation and the Convention against Discrimination in Education (1960) of the United Nations Educational, Scientific and Cultural Organization,

Endorsing the Programme of Action against Apartheid adopted by the General Assembly on 9 November 1976, the Lagos Declaration for Action against Apartheid (1977), the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and Programme of Action for the Liberation of Zimbabwe and Namibia (1977),

and the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held at Havana, Cuba, in 1976,

Taking into account the relevant resolutions adopted by the General Assembly, the Security Council and the Organization of African Unity and those adopted by other international conferences, as well as the international instruments adopted by specialized agencies, in particular the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, concerning the struggle against racism, racial discrimination and apartheid,

Noting the vital need for the mass media to inform public opinion objectively about the liberation struggle in southern Africa,

Noting further with the gravest concern that racism, racial discrimination and apartheid, which continue to afflict the world, are crimes against the conscience and dignity of mankind, and constitute serious dangers which will inevitably lead to greater conflict with enormous repercussions on international peace and security,

Considering that racism and racial discrimination are serious violations of fundamental human rights and that for the full enjoyment of these rights, which are indivisible and interdependent, national and international actions are required to improve the living conditions of men and women of all nations, at the political, economic, social and cultural level,

Having reviewed national, regional and international activities undertaken in the first half of the Decade,

Inspired by the spirit of the thirtieth anniversary of the Universal Declaration of Human Rights and of the International Anti-Apartheid Year to redouble the efforts of the international community to eliminate all forms of racism and racial discrimination,

Recognizing that the economic and social injustices emanating from racism, racial discrimination and apartheid call for all-out and continuous efforts to eradicate the root causes of these evils,

Stressing the importance of action at the national and local level, including adequate recourse procedures, for the effective elimination of racism and racial discrimination,

Determined that these evils against the dignity of the human being shall be eradicated and that the danger which they constitute to harmonious relations and international security shall be thereby removed,

Solemnly declares:

1. Any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous, and has no justification whatsoever;

18. The Conference condemns the existing and increasing relations between the Zionist State of Israel and the racist régime of South Africa, in particular those in the economic and military fields, and deplores and warns against co-operation between them in the nuclear field; it particularly deplores the expansion and intensification of those relations at the time when the international community exerts all its efforts towards the objective of completely isolating the racist régime of South Africa; the Conference views this co-operation as an act of deliberate choice, and a hostile act against the oppressed people of South Africa, as well as a defiance of the resolutions of the United Nations and the efforts of the Society of Nations to ensure freedom and peace in southern Africa; the Conference also notes with concern the insidious propaganda by the Government of Israel and its Zionist and other supporters against the United Nations organs and against Governments which have advocated firm action against apartheid;

19. The Conference recalls with deep regret the cruel tragedy which befell the Palestinian people 30 years ago and which they continue to endure today - manifested in their being prevented from exercising their right to self-determination on the soil of their homeland, in the dispersal of hundreds of thousands of Palestinians, the prevention of their return to their homes, and the establishment therein of settlers from abroad, and in the practice of diverse forms of racial discrimination against Palestinians affecting all aspects of their daily lives in a manner which prevents their enjoyment of their elementary human rights on a basis of equality; the Conference expresses its grave concern over this continuing situation and deplores Israel's refusal to comply with the relevant resolutions of the United Nations and it calls for the cessation of all practices of racial discrimination to which Palestinians, as well as other inhabitants of the Arab territories occupied by Israel, are being subjected; the Conference voices its hope that the Palestinian people will soon have the opportunity to exercise their inalienable right to self-determination in accordance with the relevant resolutions of the United Nations on the question of Palestine, and proclaims its solidarity with the Palestinian people in their struggle for liberation and against racial discrimination;

20. The Conference recognizes that persons belonging to national, ethnic and other minorities can play a significant role in the promotion of international co-operation and understanding and affirms that national protection of the rights of persons belonging to minorities in accordance with the International Covenant on Civil and Political Rights, in particular its article 27, is essential to enable them to fulfil this role; the Conference stresses that granting persons belonging to majority groups the opportunity to participate fully in the political, economic and social life of their country can contribute to the promotion of understanding, co-operation and harmonious relations between the different groups living in a country; the Conference also recognizes that in certain cases special protection of minority rights may be called for, in particular by the adoption of effective measures in favour of particularly disadvantaged minority groups; the Conference endorses the action taken so far by the competent United Nations bodies to protect persons belonging to minorities and is confident that the future action currently envisaged will appropriately enhance the international protection of the rights of persons belonging to minorities; in the promotion and guarantee of the rights of

minorities, there should be strict respect for the sovereignty, territorial integrity and political independence of the countries where they live and of non-interference in their internal affairs;

21. The Conference endorses the right of indigenous peoples to maintain their traditional structure of economy and culture, including their own language, and also recognizes the special relationship of indigenous peoples to their land and stresses that their land, land rights and natural resources should not be taken away from them;

22. The Conference is aware that, whenever there is racial discrimination, women are often doubly discriminated against; consequently, special efforts are called for to eliminate the effects of racial discrimination on the status of women, and to secure, for women who are victims of unjust racial patterns, their basic human rights and their full participation in the political and economic life of their societies;

23. The Conference urges relevant national and international bodies to consider specifically the psychological and physical consequences for children who are victims of racial discrimination, and to take care that special measures to counteract these effects are included in the activities of and the follow up to the International Year of the Child, 1979;

24. The Conference stresses the urgent need to protect the rights of immigrants, migrant workers, including all those who are undocumented, and their families all over the world; States should ensure that their legislative, administrative and other practices fully conform with international standards protecting the rights of migrant workers and of their families; the social, economic and other causes of discriminatory measures or attitudes still existing against all migrant workers and their families should be carefully studied;

25. The Conference requests, through the General Assembly, that the Security Council give effect to the goals and objectives of the Decade for Action to Combat Racism and Racial Discrimination by taking urgent action to implement the Declaration and the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination;

26. States, international organizations, governmental and non-governmental organizations, local and private institutions, religious institutions and trade unions are called upon to ensure the total and effective realization of the goals and objectives of the Decade for Action to Combat Racism, Racial Discrimination and Apartheid;

27. To this end, the World Conference to Combat Racism and Racial Discrimination adopts the following Programme of Action:

Programme of Action

A. Measures at the national level

1. The Conference calls upon all Governments, to the extent that they have not already done so, to ensure that legislative, judicial, administrative and other measures are adopted to prohibit in their respective countries any manifestations of racism and racial discrimination, regardless of whether or not discriminatory practices prevail. Action taken at the national level should include:

- (i) Wider and stricter national legislation to implement all United Nations sponsored instruments and conventions;
- (ii) The elimination of all discriminatory laws, prejudices and practices based on race, descent, colour, national and ethnic origin and in particular on property qualifications and literacy and language requirements in the exercise of political, economic, social and cultural rights;
- (iii) The creation of adequate domestic recourse procedures of a judicial and/or administrative character which could be effectively resorted to by individuals complaining of racism or racial discrimination;
- (iv) The encouragement through national legislation of the use, by national courts and institutions, of instruments of the United Nations and specialized agencies related to racism and racial discrimination, especially as the principle of non-discrimination has become an imperative norm of international law;
- (v) The adoption of strict legislation to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred and to prohibit organizations based on racial prejudice and hatred, including private clubs and institutions established on the basis of racial criteria or propagating ideas of racial discrimination and apartheid, as provided for in article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination;
- (vi) The adoption, with due regard to the principles embodied in the Universal Declaration of Human Rights, of legal and other measures against any dissemination of information or ideas of racial or ethnic superiority or national hatred through published material or by mass media and aimed at other racial or ethnic groups, as well as at other nations, especially by taking all the necessary measures against the operation of propaganda organizations of the racist régimes and of private organizations which advocate them;
- (vii) The publication and wide distribution of the resolutions and decisions of United Nations organs concerning racism, racial discrimination, apartheid and decolonization and of the results, conclusions and recommendations of conferences and seminars dealing with those policies and practices;

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- (viii) The taking of all necessary measures by all States, all their national sports organizations and individuals within their jurisdiction to prohibit racial discrimination in sports and to disallow any sports contacts with the racist régimes of southern Africa or with racially selected teams and individuals from the racist régimes of southern Africa and to promote sports activities with no trace of racial distinction whatsoever;
- (ix) The prohibition of any kind of racial discrimination in laws, administrative and other measures regulating immigration;
- (x) The initiation of and support for campaigns aimed at mobilizing national public opinion against the evils of racism, racial discrimination and apartheid, through adequate programmes in the mass media, publishing activities, research seminars and media coverage and therein seeking the co-operation of students and youth organizations, trade unions, employers' organizations, farmers, and religious and professional organizations;
- (xi) Ratification of or accession to, as soon as possible, the international instruments adopted under the aegis of the United Nations and specialized agencies, such as the Convention on the Prevention and Punishment of the Crime of Genocide (1948), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (1966), the International Convention on the Suppression and Punishment of the Crime of Apartheid (1973), the Discrimination (Employment and Occupation) Convention (1958) of the International Labour Organisation and the Convention against Discrimination in Education (1960) of the United Nations Educational, Scientific and Cultural Organization;
- (xii) Consideration of the possibility of making the declaration envisaged in article 14, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, by which a State party to the Convention recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of violations by the State party of any of the rights set forth in the Convention;
- (xiii) Compliance with the reporting requirements called for by the United Nations or by the relevant conventions and, whenever applicable, the inclusion in their reports of the problems encountered by States in ratifying these conventions, with a view to soliciting appropriate legal and/or technical assistance from the advisory services programme in the field of human rights to counter and resolve such problems.

2. The Conference recognizes that action against racism would be more effective if it were combined with determined efforts in the field of education at all levels. The Conference therefore urges Governments to design school curricula and other educational programmes exposing the myths and fallacies of all theories, philosophies, ideas, attitudes and practices based on differences of race, colour, descent, ethnic or national origin. The Conference also urges States to provide adequate opportunities in schools and institutions of higher learning for the study of United Nations measures to combat racism.
3. The Conference urges States also to disseminate educational material against racism through institutions other than formal educational institutions; for example, youth movements, women's organizations, trade unions, art and drama societies, etc. To this end, the Conference urges States to choose procedures of instruction that are appropriate to their respective countries. Consideration should also be given to ways and means through which communication media and non-governmental organizations may be encouraged to propagate the goals and objectives of the Programme for the Decade.
4. The Conference calls on all States which have not yet done so:
 - (a) To take effective legislative and other measures, including those in the field of penal law, to prevent the recruitment, training and other activities of mercenaries for assistance to the racist régimes in southern Africa and to punish such mercenaries as common criminals;
 - (b) To refrain from any relations with the authorities in the bantustans established by the apartheid régime and to prevent any collaboration by corporations within their jurisdiction with those authorities;
 - (c) To prevent transnational corporations and other vested interests from collaborating with the racist régimes in southern Africa.
5. The Conference, considering that the inhuman policies of apartheid and similar policies of forced racial segregation and systematic discrimination are practised by an oppressive minority group against the overwhelming majority in southern Africa, once again calls upon all States to take immediate and effective measures to put an end to such policies and practices.
6. The Conference urges all States to abolish and prohibit any discrimination among their citizens on the ground of their ethnic or national origin and to protect and promote the human rights of persons belonging to national and ethnic minorities, in accordance with the International Covenants on Human Rights and in particular article 27 of the International Covenant on Civil and Political Rights, as well as relevant articles of the International Convention on the Elimination of All Forms of Racial Discrimination and other international instruments.
7. The Conference also recommends that States adopt specific measures in the economic, social, educational and cultural fields and in the matter of civil and political rights, in order that all persons may enjoy legal and factual equality

and that discrimination between majorities and minorities may be eliminated. Such specific measures should include appropriate assistance to persons belonging to minority groups, to enable them to develop their own culture and to facilitate their full development, in particular in the fields of education, culture and employment.

8. The Conference urges States to recognize the following rights of indigenous peoples:

- (a) To call themselves by their proper name and to express freely their ethnic, cultural and other characteristics;
- (b) To have an official status and to form their own representative organization;
- (c) To carry on within their areas of settlement their traditional structure of economy and way of life; this should in no way affect their right to participate freely on an equal basis in the economic, social and political development of the country;
- (d) To maintain and use their own language, wherever possible, for administration and education;
- (e) To receive education and information in their own language, with due regard to their needs as expressed by themselves, and to disseminate information regarding their needs and problems.

9. Funds should be made available by the authorities for investments, the uses of which are to be determined with the participation of the indigenous peoples themselves, in the economic life of the areas concerned, as well as in all spheres of cultural activity.

10. The Conference urges States to allow indigenous peoples within their territories to develop cultural and social links with their own kith and kin everywhere with strict respect for the sovereignty, territorial integrity and political independence and non-interference in the internal affairs of those countries in which the indigenous peoples live.

11. The Conference further urges States to facilitate and support the establishment of representative international organizations for indigenous peoples, through which they can share experiences and promote common interests.

12. States receiving migrant workers should eliminate all discriminatory practices against such workers and their families by giving them treatment no less favourable than that accorded to their own nationals. This should include, inter alia, such fields as vocational training, the types of posts which migrants may occupy, the type of contracts accorded to migrant workers, the right to reside in any part of the country, regulations governing working conditions, trade union activity and access to judicial and administrative tribunals to air grievances concerning discrimination.

13. The Conference also recommends that States:

- (i) Ensure that migrant workers are given the opportunity to assemble and to establish organizations, as well as be given assistance to facilitate communication in their own languages, so as to enable them to articulate their views and promote their specific interests;
- (ii) Consider the extension of the franchise in local elections, or any other forms of participation in public life, to migrants already resident in the country for a reasonable period;
- (iii) Recognize that the right of family reunion is a fundamental right;
- (iv) Encourage the solution of housing problems in order to ensure that family reunion may proceed in a harmonious manner;
- (v) Undertake the full assessment of the condition of the children of migrant workers, including those of the second generation, with the aim of ensuring for them real equality of treatment in all fields, including professional life, by taking into consideration the adoption of special measures in the field of education;
- (vi) Ensure for migrant workers equality of treatment in the field of social security, including the right to a retirement pension and similar social rights;
- (vii) Take effective measures in the field of health care, and in particular, remedy the under-utilization by migrant workers of social and health services by making them fully aware of their rights and helping them to overcome linguistic barriers;
- (viii) Take all necessary measures, in particular by using the information media to the fullest possible extent, in order to bring about increased awareness of public opinion in host countries of the contribution of migrant workers to the economic growth and the socio-cultural development of these countries and also to stimulate an atmosphere of mutual understanding;
- (ix) Promote the creation of administrative structures making possible a greater awareness and better understanding of the problems of migrant workers, which is likely to facilitate solutions to these problems;
- (x) Ratify or accede to the international instruments, in particular the relevant conventions of the International Labour Organisation, aimed at protecting migrants from discrimination, and consider the possibility of adopting an international convention on the rights of migrant workers;

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- (xi) Pay special attention to the gross inhumanity of the migrant labour system as practised in South Africa, which is a further manifestation of apartheid, and in this regard to bear in mind the conclusions of the Conference on Migratory Labour in Southern Africa, held at Lusaka in April 1978;
- (xii) Adopt in the field of education special measures in favour of the children of migrant workers;
- (xiii) Permit children of migrant workers, as well as their parents to benefit from all the opportunities which are needed in the field of education in order to ensure their full participation in the life of society in the host country and give them also all the opportunities to preserve their cultural identity.

14. The Conference calls on States to eliminate, through legislation as well as administrative measures, all discriminatory practices against members of immigrant communities. They should ensure that immigrants and their families are given treatment which is no less favourable than that accorded to nationals of the host country in matters such as education, employment, the acquisition of property, health and housing facilities, travel within and outside the country, etc. To this end, the Conference urges all States to review the totality of their legal and administrative provisions relating to immigration and to members of immigrant communities, in order to make sure that all measures and practices that are discriminatory or have a discriminatory effect are totally eliminated. In particular, the Conference urges States:

- (i) To ensure that immigrants enjoy the right to assemble and to form their own organizations for the promotion of their specific interests;
- (ii) To recognize the right to family reunion as a fundamental right;
- (iii) To ensure that immigrants enjoy the right to social security, retirement pensions and similar social rights;
- (iv) To take appropriate measures to bring about greater awareness among the people of the host country of the contribution of immigrant communities to the social, economic and cultural development of the country concerned;
- (v) To consider the possibility of an international convention on the right of immigrants.

B. Measures at the international level

15. The Conference proclaims that racism, racial discrimination and apartheid in all their manifestations are crimes against the conscience and dignity of mankind and must be eradicated by effective international action. It reaffirms the special responsibility of the United Nations and the international community to the oppressed

peoples of South Africa, Namibia, Zimbabwe, Palestine and their liberation movements. The Conference requests the Security Council to consider urgently the imposition of comprehensive and mandatory sanctions, under Chapter VII of the Charter of the United Nations, against the apartheid régime of South Africa and the racist régimes of southern Africa and in particular:

- (i) The cessation of all collaboration with South Africa in the nuclear field;
- (ii) The prohibition of all technological assistance or collaboration in the manufacture of arms and military supplies in South Africa;
- (iii) The prohibition of all loans to and investments in South Africa and the termination of all promotion of trade with South Africa;
- (iv) An embargo on the supply of petroleum, petroleum products and other strategic commodities to South Africa.

16. The Conference calls on all States, intergovernmental organizations, private institutions and non-governmental organizations to render increased political and material assistance to the oppressed peoples of southern Africa and their liberation movements recognized by the Organization of African Unity, to continue to take all necessary measures to ensure the termination of all economic collaboration with racist régimes, to seek all possible means of preventing the supply of funds, loans, credits, foreign exchange, trade and all financial support to the economies of South Africa, Rhodesia and Namibia from private banks, Governments and international agencies such as the International Bank for Reconstruction and Development, the International Finance Corporation and the International Monetary Fund and similar institutions and to refrain from taking any action which might imply recognition, or support for, the illegal domination of the territories by those régimes. In this connexion, the Conference cautions against unilateral attempts to relax the application of the sanctions already imposed by the Security Council.

17. The Conference calls for international assistance to front-line States in Africa subjected to threats and acts of aggression by the racist and apartheid régimes in southern Africa.

18. The Conference urges the United Nations system to consider:

- (i) Proclaiming that racism and apartheid constitute a matter of top priority to the international community and asking all specialized agencies to contribute to the maximum in their respective areas towards the eradication of these evils;
- (ii) Establishing training institutes for South Africa and Zimbabwe similar in nature and purpose to the Institute for Namibia;

- (iii) Instituting a 24-hour radio programme directed to southern Africa in order to grant radio facilities to the national liberation movements recognized by the Organization of African Unity to enable them to broadcast to their respective countries information on their struggle against the racist régimes of southern Africa;
- (iv) Adopting measures to guarantee, through special conventions or other provisions, asylum and transit facilities to those who desert from the armed forces of the racist régimes in southern Africa on grounds of conscience or who are forced to leave because of their opposition to apartheid.

19. The Conference calls upon the International Monetary Fund and other international financial institutions to take all necessary action to terminate credits to South Africa.

20. The Conference declares that captured freedom fighters who are members of the national liberation movements recognized by the Organization of African Unity should be entitled to prisoner-of-war status in accordance with the relevant Geneva Conventions.

21. The Conference calls upon the United Nations, all States, intergovernmental organizations and non-governmental organizations to step up campaigns that ensure the release of all political prisoners imprisoned by the racist régimes for their valiant fight against apartheid, racism and racial discrimination and for the rights of their peoples to self-determination and independence.

22. The Conference recommends that existing United Nations studies on questions of discrimination, notably the Study on Discrimination in Education, should be updated periodically and new studies should be initiated. In this respect the Conference recommends that:

- (i) The Secretary-General of the United Nations should prepare a study analysing the link between the struggle for the elimination of racism and the struggle for decolonization and self-determination;
- (ii) The Secretary-General should also prepare a study on the link between racial discrimination and inequalities in the levels of education, nutrition, health, housing and cultural development;
- (iii) The study of the problems of migrant workers should be continued by the various organs within the United Nations system as well as by Governments, especially as regards racial discrimination encountered by migrants and their families; in particular an in-depth study should be made by the Secretary-General of the types and causes of discrimination against migrant workers and of specific measures which could be taken to combat them;

- (iv) The Secretary-General should study the nature and types of recourse procedures available to migrant workers for the airing of grievances stemming from racial discrimination; particular attention should be given to migrant workers who are either stateless or who have no home Government, embassy or consulate to represent them.

23. The Ad Hoc Working Group of Experts on Southern Africa should be requested to study ways and means for the application of international instruments, such as the International Convention on the Suppression and Punishment of the Crime of Apartheid, which declares that the policies of apartheid and racism constitute a crime against humanity.
24. Taking into account the recommendation of the United Nations Symposium on the Exploitation of the Blacks in South Africa and Namibia and on Prison Conditions in the South African Jails, held in Lesotho in July 1978, concerning the special impact of the system of apartheid on children and young people, competent United Nations organs should inquire into the imprisonment, torture, abandonment, malnutrition and lack of educational facilities which contribute to infant mortality and retard the proper development of black children and young people.
25. Taking into account the United Nations Decade for Women, the Conference recommends that the United Nations, the specialized agencies and in particular the Commission on the Status of Women produce research studies and educational material on the situation of women living under racist régimes of southern Africa, especially under apartheid, and of women in the occupied Arab and other territories.
26. Taking into account the International Year of the Child, 1979, the Conference recommends that the General Assembly produce a special study on the situation of children living under racist régimes in southern Africa, especially under apartheid, and on that of children in the occupied Arab and other territories.
27. The Conference reiterates that apartheid, racism and all forms of racial discrimination are among the most serious obstacles to the attainment of equality and economic justice for many economically developing countries. It therefore calls upon the United Nations and urges the developing and developed countries to undertake seriously the task to be accomplished and to take positive steps towards the establishment of a new international economic order as envisaged in the programmes and resolutions of the United Nations, particularly those adopted by the General Assembly at its sixth and seventh special sessions.
28. The Conference requests the International Labour Organisation to set up an ad hoc group of experts to follow closely the implementation of the provisions of international instruments protecting the rights of migrant workers, and to consider the possibility of holding further regional and international seminars on the subject of racial discrimination encountered by migrant workers.

29. The Conference recommends that the United Nations Institute for Training and Research should organize an international colloquium on the prohibition of apartheid, racism and racial discrimination and the achievement of self-determination in international law with special attention to the principles of non-discrimination and self-determination as imperative norms of international law.
30. The Conference expresses its appreciation of the valuable work done by the Committee on the Elimination of Racial Discrimination and of its great contribution to the elimination of racism, racial discrimination and apartheid, takes note of its decisions and general recommendations, and invites the General Assembly to continue to support the work of the Committee and to consider the ways and means for the implementation of those decisions and recommendations.
31. The Conference recommends the Commission on Human Rights to continue its attempts to prepare an international instrument for the protection of the rights of persons belonging to minorities.
32. Bearing in mind the recommendations of the Lesotho Symposium, and recognizing that apartheid, systematically deprives the blacks of all contact with other cultures, the competent United Nations organs should be urged to undertake projects geared to the preservation of the cultural heritage of the blacks, to ensure their contacts with other cultures and to stimulate their creativity.
33. The Conference recommends that the United Nations Educational, Scientific and Cultural Organization continue its efforts and give more assistance to Member States to take measures for:
- (i) Ensuring the access of ethnic minorities to education and information; in particular, news broadcasts should not only be designed for the ethnic minorities and racial groups but should also be devised and produced by members of such minorities and groups;
 - (ii) Developing intercultural education and the dialogue between culturally and internationally oriented education; furthermore, schools should present the cultures of the different countries and the different communities of the same countries, with a view to a mutually profitable cultural dialogue; in this context, members of ethnic minorities and racial groups should themselves have the opportunity to initiate the pupils in the practices and values of their own culture;
 - (iii) Organizing multi-media campaigns to combat racism and racial discrimination, using the press, radio, television, posters, booklets, etc.

C. Measures at the regional level

34. The Conference recommends all States to co-operate in making concerted and determined efforts, on a regional as well as an international basis, to combat racism, racial discrimination and apartheid.

35. The Conference recommends to the General Assembly that it invite the Secretary-General to organize in each of the United Nations regions, during the second half of the Decade for Action to Combat Racism and Racial Discrimination, regional seminars on recourse procedures available at the national or local level to persons who are victims of racism or racial discrimination and to study the feasibility of regional programmes of action to combat racism and racial discrimination.

36. The Conference recommends that the States in different regions extend invitations to the Committee on the Elimination of Racial Discrimination to hold sessions in these different regions in order to increase awareness of and interest in its activities.

D. Support to victims of racism, racial discrimination and apartheid

37. The Conference calls upon all Governments, specialized agencies, intergovernmental and non-governmental organizations to:

(1) Continue and increase assistance on a bilateral and multilateral basis to peoples who are victims of racial discrimination, colonialism, occupation and foreign domination, and in particular:

- (a) Assistance to persons persecuted for their opposition to apartheid;
- (b) Assistance to refugees from southern Africa;
- (c) Assistance to national liberation movements recognized by the Organization of African Unity in the cause of their legitimate struggle for freedom;

(2) Support programmes (national, regional and international) designed to eradicate all forms of racial discrimination, and to provide financial and technical assistance to such programmes;

(3) Contribute, in their own spheres of activities and in co-operation with the liberation movements, to redressing the social imbalance between the sexes caused by colonialism or racist régimes, so as to ensure an active role for women in the development process and in the important task of reconstructing their societies;

(4) Grant scholarships to young people of both sexes in the territories where racial discrimination, colonialism, occupation and foreign domination prevail, in particular through increased contributions to the United Nations Educational and Training Programme for Southern Africa;

(5) Deny all military, economic, political, diplomatic or other assistance to the racist régimes, because such assistance enables and encourages these régimes to enforce and perpetuate their racist policies;

(6) Ensure that all United Nations resolutions relevant to the isolation of the racist régimes in southern Africa are fully implemented;

(7) Take all necessary action to put a stop to the activities of multinational corporations, transactions and other investments, in territories subject to any form of racism, racial discrimination, colonialism and foreign domination;

(8) Make generous contributions to the Trust Fund for Publicity against Apartheid and increase contributions to funds for assistance to the oppressed peoples of southern Africa.

38. The Conference requests the United Nations High Commissioner for Refugees to continue to intensify his efforts for assisting the refugees in southern Africa.

39. The Conference recommends that the General Assembly study the possibility of the establishment of an international fund on a voluntary basis to help the peoples and national liberation movements recognized by the Organization of African Unity struggling against racial discrimination and apartheid, bearing in mind the following guidelines:

- (i) The objectives of the fund would be to provide world-wide assistance to victims of racial discrimination and to those who wish to take effective action to combat racism and racial discrimination; the fund should work in close co-ordination and co-operation with existing funds, such as the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme for Southern Africa and the Trust Fund for Publicity against Apartheid, and should complement the objectives of the Programme for the Decade, especially through concrete projects designed for the attainment of the goals of the Decade;
- (ii) Past experience of the United Nations in establishing similar funds could be used in finalizing the scope of the activities of the fund, its management and co-ordination with existing funds, the United Nations system and the appropriate regional organizations.

Generous contributions to the fund by Governments, intergovernmental and non-governmental organizations and by individuals would be a major support in the attainment of the goals of the Programme for the Decade.

E. Role of the Economic and Social Council

40. The Conference recommends that, in order to evaluate the activities of the Decade as required by paragraph 18 of the Programme for the Decade, the Economic and Social Council may consider the possibility of setting up a working group of experts to assist it in this task.

41. The Conference further recommends that the Economic and Social Council confer consultative status on the World Conference of Indigenous Peoples, in accordance with the procedures laid down by Council resolution 1296 (XLIV) of 23 May 1968.

F. Further review of the progress of the Decade for Action to Combat Racism and Racial Discrimination

42. The Conference recommends to the General Assembly that at the end of the Decade another World Conference should be held to review and evaluate the work undertaken during the Decade and to chart new measures where necessary.

15th plenary meeting
25 August 1978

IV. RESOLUTIONS AND DECISION ADOPTED BY THE CONFERENCE

34. The texts of the resolutions and decision adopted by the Conference at its fifteenth plenary meeting on 25 August 1978 are as follows:

A. Resolutions

Resolution 1

Credentials of representatives to the World Conference
to Combat Racism and Racial Discrimination

(adopted on the report of the Credentials Committee)

The World Conference to Combat Racism and Racial Discrimination,

Having examined the report of the Credentials Committee,

Approves the report of the Credentials Committee.

15th plenary meeting
25 August 1978

Resolution 2

The World Conference to Combat Racism and Racial Discrimination,

Having heard the statement of the representative of the Republic of Zambia on the recent act of aggression perpetrated against his country by the racist régime of South Africa, which resulted in the heavy loss of innocent lives and in the destruction of property,

Taking into account the fact that this is not an isolated act of aggression but one in a series, inherent in the apartheid system, which increasingly aggravates the threat to international peace and security,

1. Strongly condemns the apartheid régime of South Africa for this wanton and deliberate act of aggression, coinciding with the World Conference to Combat Racism and Racial Discrimination and challenging the determination of the international community to eradicate racism, racial discrimination and apartheid;
2. Calls upon the Security Council to take effective measures to put an end to such aggression, which constitutes a threat to international peace and security;
3. Expresses its full solidarity with the Government and people of Zambia in their determination to defend their sovereignty and territorial integrity, as well as in their steadfast support for the liberation movements;

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4. Further calls upon all States to render moral, material and political support to Zambia, as well as to Angola, Botswana, Lesotho, Mozambique, Swaziland and the United Republic of Tanzania, which continue to make tremendous sacrifices in the struggle for the realization of the objectives of the United Nations in southern Africa;

5. Requests the President of the Conference to transmit the text of the present resolution to His Excellency, Dr. K. D. Kaunda, President of the Republic of Zambia, the President of the Security Council, the President of the General Assembly and to other bodies and organizations concerned.

15th plenary meeting
25 August 1978

B. Decision

The World Conference to Combat Racism and Racial Discrimination requests its President to submit the report of the Conference to the Third Committee of the General Assembly at its thirty-third session. It also requests the Secretary-General of the Conference to assist the General Assembly in the consideration of the report of the Conference at all stages, and invites the Secretary-General of the United Nations to make the necessary administrative arrangements for this purpose.

15th plenary meeting
25 August 1978

ANNEX

Reservations and declarations submitted in relation to the
Declaration and Programme of Action

ALGERIA

/Original: French/

1. These reservations concern paragraph 19 of the part entitled Declaration as adopted and included in the final text of the Conference.
2. Although the Algerian delegation approved paragraph 19 of the Declaration, in which the Conference "voices its hope that the Palestinian people will soon have the opportunity to exercise their inalienable right to self-determination in accordance with the relevant resolutions of the United Nations on the question of Palestine," it recalls that it is categorically opposed to Security Council resolution 242, (1967) which recognizes neither the existence of the Palestinian people nor their inalienable right to the restoration of their homeland, Palestine, in its entirety.

ARGENTINA

/Original: Spanish/

1. In accordance with the decision adopted at the evening meeting of Friday, 25 August 1978, I hereby submit to you the following reservations by the Argentine Government on the Declaration adopted by the Conference:
 - (a) On the fifth preambular paragraph, regarding the inclusion of the reference to the "International Covenants on Human Rights", and the "International Convention on the Suppression and Punishment of the Crime of Apartheid", to which instruments the Argentine Republic is not a party.
 - (b) On the sixth preambular paragraph, regarding the reference to the "International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa", held at Havana, Cuba, in 1976, in which the Argentine Republic did not participate.
 - (c) On paragraph 18, regarding the views expressed therein that it does not share, since it feels that the condemnation can only refer to the expansion of those relations that tend to perpetuate racist practices and since it considers inadmissible the supposition that there is sole responsibility with regard to campaigns against United Nations organs and decisions regarding apartheid.
2. The Argentine Government interprets paragraph 19 in accordance with the resolutions of the Security Council of the United Nations.

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AUSTRALIA

/Original: English/

1. Australia participated in the World Conference to Combat Racism and Racial Discrimination on the understanding that it had been convened within the framework of the Programme for the Decade for Action to Combat Racism and Racial Discrimination, established by the General Assembly in resolution 3057 (XXVIII) of 2 November 1973.
2. The Australian delegation hoped for a successful outcome to the Conference and played a constructive role in the search for consensus, particularly in view of the importance of the subject of racial discrimination in southern Africa and Australia's firmly established position on this issue, including its condemnation of apartheid.
3. Certain proposals were, however, put forward in the First Committee which, in Australia's view, were extraneous to the work of the Conference. The Australian delegation felt it necessary to oppose proposals in paragraphs 17 and 18 of the draft declaration (which ultimately became paras. 18 and 19 respectively) and to say that, unless appeals to withdraw them were successful, it would have to dissociate itself from the documents containing them.
4. The Conference nevertheless decided that these proposals should be included in the report going forward to the General Assembly. As a result the Australian delegation was obliged to state that, to its regret, it could not continue to participate in proceedings based on texts containing these proposals.
5. It should be added that, had the Australian delegation felt able to continue to participate in discussion of the draft documents it might have had to indicate reservations to certain other proposals. The delegation had already felt obliged to indicate some reservations to the draft Programme of Action when this was discussed in the Second Committee and to the draft declaration up to the time of the request of the chairman of Committee I to delegations not to proceed with oral reservations.

AUSTRIA

/Original: English/

1. In the course of this Conference the Austrian delegation has on several occasions very clearly stated its position.
2. Austria categorically rejects any sort of discrimination and in particular the policy and practices of apartheid which are a systematic negation of our values. We are very conscious of the moral duty upon us: to do our utmost to combat discrimination and, in particular, racial discrimination, until no trace of it is left in this world.

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3. We have underlined in previous statements that we fully supported, and from the beginning, the Programme of the Decade as defined in resolution 3057 (XXVIII) of the General Assembly. We have pleaded for a consensus on the subject matter of this Conference, because in our opinion such fundamental issues have to be addressed on such a basis. We have made clear that we would not be in a position to join in a consensus if elements extraneous to the original programme of the Decade were introduced into the Decade and this Conference. Such elements were introduced and it is with the deepest regret that the delegation of Austria, despite the progress achieved in the conference which we do not want to minimize, had to cast a negative vote on several paragraphs in the vote on the final document. Austria, however, expresses its appreciation of the effort on the part of groups, as well as delegations, to find common ground.

4. This decision was not taken lightly and we also express our sincere desire for further co-operation and for further joint efforts within and outside the United Nations in order to liberate the world from the plight of racial discrimination.

BELGIUM

/Original: French/

The following reservations were made by Belgium in the Second Committee with regard to certain paragraphs of the draft Programme of Action.

Paragraph 1

(1) Belgium reiterates the reservations of a legal nature that it made at the time of the consideration of the Convention on the Suppression and Punishment of the Crime of Apartheid.

(v) (vi) With regard to these two paragraphs, Belgium wishes to emphasize that it is anxious to maintain a balance between the necessary requirements of the struggle against racism on the one hand, and respect for freedom of speech and association on the other.

Paragraphs 2 and 3

The Belgian Government intends to implement the content of these paragraphs while respecting the constitutional and legislative principles governing its action in the fields of information, education, culture and sports.

Paragraph 23

The same reservation as that made with regard to paragraph 1 (1).

Paragraphs 25 and 26

Belgium wishes to make a reservation with regard to these paragraphs, since it voted against paragraph 15 of the draft Programme of Action and paragraphs 18 and 19 of the draft Declaration.

Paragraph 37

Belgium cannot associate itself fully with the content of this paragraph, in so far as in several places it appears to go beyond the question of support for the victims of racism, racial discrimination and apartheid. For its part, Belgium has taken a number of measures to assist these victims. In particular, it contributes to the various funds mentioned in subparagraph 8 of this paragraph.

BOLIVIA

/Original: Spanish/

1. The Government of Bolivia makes an express reservation with regard to paragraph 18 of the Final Declaration of the Conference.

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2. The reason for this reservation is that certain terms used in that paragraph would imply that racism and zionism are to be equated. That is a question that was not considered by the Conference and that my Government therefore does not regard as legitimate subject-matter for a statement.

3. It should be noted that, although it was consequently obliged to abstain from voting on that paragraph, my Government supports the general spirit of condemnation of Israel's economic and military co-operation with South Africa, which inevitably helps to perpetuate the shameful apartheid régime maintained by the latter country.

BRAZIL

/Original: English/

Brazil does not endorse the documents prepared by the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held in Havana, Cuba, in 1976.

BURMA

/Original: English/

The delegation of Burma wishes to make a reservation on paragraph 5 of the Preamble of the Declaration, since Burma is not yet a party to an international convention mentioned therein. The delegation of Burma also wishes to make a reservation on paragraph 6 of the Preamble of the Declaration, since Burma did not participate in the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held in Havana, Cuba, in 1976.

CANADA

/Original: English/

1. With respect to the Declaration and Programme of Action at the recent World Conference to Combat Racism and Racial Discrimination, the Canadian delegation wishes to submit the following reservation to be reflected in the records of the World Conference.

2. As indicated in the statement of the Canadian delegation to the plenary session of the World Conference, the participation of Canada in the World Conference was contingent upon our acceptance of the definition of racism of article I of the International Convention on the Elimination of All Forms of Racial Discrimination and upon our acceptance of the terms of reference of the Decade against Racism as contained in General Assembly resolution 3057 (XXVIII) of 2 November 1973. In the view of the Canadian delegation, certain references contained in paragraphs 15 and 16

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of the draft text proposed by the African group went beyond the legitimate parameters of the Decade. We could not, therefore, continue to associate ourselves with the proceedings of the Conference after the acceptance of these paragraphs in the First Committee. These extraneous elements have been incorporated into the Declaration and Programme of Action as a whole, and the Canadian delegation has therefore found it necessary to dissociate itself completely from these texts. There are a number of points in the Declaration and Programme of Action which would have been the subject of separate reservations had we participated in acceptance of the texts as a whole. In view of our dissociation from these documents, however, we do not find it necessary to submit separate reservations at this time.

CHAD

/Original: French/

The delegation of Chad supports the documents adopted by the Conference. Its only reservation concerns the reference in the Declaration to the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held at Havana, Cuba, in 1976.

CHILE

/Original: Spanish/

The delegation of Chile reserves its position with regard to the fifth preambular paragraph of the Declaration, since it mentions the International Convention on the Suppression and Punishment of the Crime of Apartheid, which Chile has not ratified. Although the Government of Chile supports the moral content of that Convention, that instrument contains provisions that are incompatible with its internal legislation with regard to the definition of offences and the jurisdiction of its courts.

COLOMBIA

· /Original: Spanish/

1. In accordance with its Government's invariable tradition, the delegation of Colombia makes the following reservation: in conformity with its constitution, it may only enter into international commitments by means of treaties or conventions approved by the National Congress and signed by the Executive, and it therefore cannot consider itself bound by the Declaration when the latter states that it "endorses" declarations and documents that it has not signed, as we made clear at the relevant stage of the debate.
2. It reiterates that it is in favour of peaceful settlement of any type of conflict, such as those mentioned in the Declaration of this Conference. Colombia does not accept that territorial occupation by means of force gives rise to rights, and it does not confuse different legal phenomena such as those resulting from the illegal occupation of territories acquired by means of force and from the violation of the human rights of the inhabitants of those territories who have different characteristics and are subject to different treatment.
3. It also reiterates that both its abstention during the voting on paragraph 18 and its vote in favour of paragraph 19 fit into the context of a consistent foreign policy based on recognition of the right of the State of Israel to sovereignty, as established by the United Nations, and also recognition of the sovereign right of the Palestinian people to exercise self-determination.
4. The delegation of Colombia reiterates the position it stated during the debate, namely that the situation in southern Africa has unique, specific characteristics that do not resemble those of any other region of Africa or of the world.
5. As it made clear in its general statement and during the discussion, our country does not practise racial discrimination but rejects and condemns it in its various unacceptable forms.

COSTA RICA

/Original: Spanish/

The delegation of Costa Rica supports the Declaration and the Programme of Action adopted at the World Conference to Combat Racism and Racial Discrimination, subject to the following reservations:

- (a) Sixth preambular paragraph: With regard to the inclusion in that paragraph of the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held at Havana, Cuba, in 1976, inasmuch as some of the conclusions of the aforementioned Seminar prompt serious reservations on the part of our delegation.

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(b) Paragraph 18 of the Declaration: The inclusion of the word "Zionist" in the second line of the paragraph, and the words "its Zionist and other supporters" in the last lines of the paragraph require a reservation in the opinion of our delegation, since the inclusion of such words in a text condemning relations between Israel and South Africa, coming at the precise time when the international community is renewing its condemnation of South Africa for its racist apartheid policy, could give rise to a connexion between the qualifying adjectives "Zionist" and "racist". Such a connexion obliges our delegation to make a reservation on paragraph 18, since we cannot accept zionism being described as a form of racism. My delegation wishes to explain that this reservation does not imply any change in our policy of rejecting discrimination, racism and apartheid, or in our traditional support of United Nations resolutions in this regard.

CYPRUS

/Original: English/

1. Although we would have preferred the original text of paragraph 30 of the Programme of Action (submitted by the Second Committee), in a spirit of compromise we accepted and indeed we welcome the text adopted by the Conference. We do so inasmuch as we consider of utmost importance the work done by the Committee on the Elimination of Racial Discrimination in the historic struggle for the elimination of racial discrimination, irrespective of whether it is due to internal oppression or foreign aggression and occupation. But we welcome with gratitude the adoption of this paragraph also because, as is well known to you all and as is referred to in paragraph 136 of document A/CONF.92/8, with which this Conference is seized, the Committee on the Elimination of Racial Discrimination has adopted four decisions calling for the elimination of racial discrimination presently practised against my compatriots.

2. Let us hope and trust that the reasons for the unacceptable state of affairs imposed on our country will be eliminated without further delay, so that all the citizens of Cyprus, irrespective of their ethnic origin or religion, will enjoy as equal human beings all human rights and freedoms.

DOMINICAN REPUBLIC

/Original: Spanish/

The Dominican Republic has always rejected racism and racial discrimination. This statement forms part of Dominican international policy and has been put forward as such in international bodies and when the subject of zionism and racism has been brought up directly or indirectly. The Dominican Republic consequently opposes the linking of zionism and racism. For the same reasons, it did not vote in favour of paragraph 18 of the Declaration, linking racial discrimination with zionism, which is, in its opinion, a political problem. These are the reasons for the Dominican Republic's abstention.

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ECUADOR

[Original: Spanish]

1. In conformity with the resolution adopted at the closing plenary meeting of the World Conference to Combat Racism and Racial Discrimination, the delegation of the Republic of Ecuador hereby confirms in writing the oral explanation it gave at the aforementioned plenary meeting when casting its vote on paragraphs 18 and 19 of the Declaration adopted by the Conference, as follows:

"The delegation of Ecuador reiterates the reservation that it made in the First Committee with regard to paragraph 18 of the draft Declaration of the Conference. My delegation abstained from voting on the aforementioned paragraph because it does not agree with the terms used therein.

In accordance with the traditional policy of the Republic of Ecuador with regard to non-recognition of any legitimacy as regards the occupation and acquisition of territories by means of force, with regard to the defence and protection of human rights and respect for the self-determination of peoples, and in view of the amendment to the wording of paragraph 19 endorsing the Palestinian people's right to self-determination, the delegation of Ecuador voted in favour of that paragraph and will vote in favour of the final document as a whole, but it wishes to place on record its abstention with regard to paragraph 18 of the Declaration."

2. The delegation of Ecuador also makes the following reservations to the content of paragraphs 13 and 14 of the Programme of Action adopted by the Conference, as follows:

- (a) "The delegation of Ecuador makes an express reservation with regard to the content of paragraph 13, subparagraph (ii), of the Programme of Action, which recommends that States consider the extension of the franchise in local elections, or any other form of participation in public life, to migrants already resident in the country for a reasonable period, because, according to the Political Constitution of the State of Ecuador, the franchise is reserved exclusively for Ecuadorian citizens, and all aliens are ineligible to vote, whether they are migrants or not."
- (b) "The delegation of the Republic of Ecuador makes an express reservation to the content of paragraph 14 of the Programme of Action, which calls on States to ensure that immigrants and their families are given treatment which is no less favourable than that accorded to nationals of the host country in matters such as employment, the acquisition of property, etc., because the Political Constitution of the State of Ecuador grants access to public and Government employment only to Ecuadorian nationals and prohibits aliens, whether they are immigrants or not, from owning real property within a strip 50 kilometres wide along the national borders."

EL SALVADOR

/Original: Spanish/

The delegation of El Salvador makes an express reservation with regard to the content of paragraph 13, subparagraph (ii) of the Programme of Action of the World Conference to Combat Racism and Racial Discrimination, which recommends to States that they should "consider the extension of the franchise in local elections, or any other form of participation in public life, to migrants already resident in the country for a reasonable period", by reason of the organic laws of the State of El Salvador.

FINLAND

/Original: English/

The delegation of Finland has the following reservations with regard to the Report of the Second Committee (document A/CONF.92/L.3):

- (a) Due to the constitutional system of Finland certain reservations are made as to the national measures outlined in chapter A;
- (b) Finland also has reservations to paragraphs 15, 16 and 37 in chapter B concerning measures at international level.

FRANCE

/Original: French/

1. In addition to the points on which it voted and those dealt with in a statement by the Federal Republic of Germany on behalf of the States members of the European Communities, France expressed reservations concerning a number of provisions of the text submitted by the Working Group of the Second Committee that it considers partly or wholly incompatible with its approach to the issues in question, its legal and constitutional principles and the positions it has adopted previously at the United Nations and at relevant international conferences.
2. In particular, these reservations concern the following paragraphs of the draft Programme of Action submitted by the Working Group set up by the Second Committee: A - 1 (iv), (v), (vi), (xii) and 4; B - 15, 20, 23, 29; and D - 37.1.

GERMANY, FEDERAL REPUBLIC OF

/Original: English/

1. The following statements were made by the delegation of the Federal Republic of Germany on the text of the draft Programme of Action as elaborated by the working group established by the Second Committee (A/CONF.92/C.2/WG.1):

(a) A, paragraphs 2 and 3:

The delegation of the Federal Republic of Germany made a reservation on A, paragraphs 2 and 3, referring to its federal system and parents' say on education.

(b) B, paragraphs 15, 16 and 19:

The delegation of the Federal Republic of Germany would like to join the reservations made by the British delegation concerning mandatory sanctions and other actions against South Africa. It should be furthermore stressed that there is no military co-operation between the North Atlantic Treaty Organization and South Africa.

2. The following statements were made by the delegation of the Federal Republic of Germany on behalf of the nine member countries of the European Community on the draft Declaration as elaborated by the working group established by the First Committee (A/CONF.92/C.1/WG.1):

(a) Reservation on the text as a whole:

"Mr. Chairman,

"The deliberations of our Conference have now reached a stage where I, speaking on behalf of the nine member countries of the European Community, have to make the following statement:

"We, the Nine, have come to this Conference in the high hope that its proceedings and, above all, its conclusions would make a substantive contribution to our common cause - the struggle against racism and racial discrimination which is one of the great problems of the second half of our century.

"We were encouraged on our hopes by the fact that we all have approved unanimously General Assembly resolution 3057 (XXVIII) establishing the programme of our Conference. All our efforts since the beginning of this Conference were directed towards a unity of action to combat racism and racial discrimination.

"It fills us with deep regret that all our efforts have been of no avail. The texts as they have now been adopted by this Committee, as well as similar references to the Draft Action programme adopted by the Second

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Committee, cannot be accepted by us. It deviates from the purpose of the Decade as defined in General Assembly resolution 3057 (XXVIII).

"The Nine have therefore asked me to inform you, Mr. Chairman, that we cannot associate ourselves with these texts and will therefore not participate in further proceedings of this Conference.

"I request, Mr. Chairman, that this statement be put on record."

(b) Preambula 5:

Speaking on behalf of the Nine, I would like to make a reservation stating that for well known legal reasons we cannot accept the reference to the convention on the suppression and punishment of the crime of apartheid.

(c) Preambula 6:

Speaking on behalf of the Nine, I would like to make a reservation stating that we cannot accept the reference to the Seminar in Havana on the eradication of apartheid for the reasons which we have made amply clear. We would also like to draw attention to the reservations which we made at the time to the other documents in the paragraph.

(d) Operative paragraph 4:

Since our problems with these references have not been met, I must state, speaking on behalf of the Nine, our reserves that:

- (1) although we understand the feeling behind the phrase "crime against humanity", we cannot for well known legal reasons accept this reference;
- (2) as regards the references to threat to international peace and security in this paragraph, we don't consider this language of Chapter 7 of the Charter of the United Nations appropriate in these circumstances.

(e) Operative paragraph 7:

Since our problems with these references have not been met, I must state, speaking on behalf of the Nine, our reserves that, although we understand the feeling behind the phrase "crime against humanity", we cannot for well known legal reasons accept this reference.

(f) Operative paragraphs 13 and 14:

On behalf of the Nine, I should like to make the following reservation:

The Nine fully understand the feelings of their African colleagues when it is a question of expressing opinions on events in southern Africa, and they share their desire for change in that region of the world. They therefore

wish that their solidarity with their struggle should not be marred by disputes regarding the terms used. However, we feel, on the basis of our legal training, that the reference to colonialism in paragraph 14 is out of place and terms such as "diabolical" in paragraph 15 have no legal meaning in international law.

(g) Operative paragraph 15:

Since our problems with these references have not been met, I must state, speaking on behalf of the Nine, our reserves that as regards the references to threat to international peace and security in this paragraph, we don't consider this language of Chapter 7 of the Charter of the United Nations appropriate in these circumstances.

3. The following statements were made by the delegation of the Federal Republic of Germany on behalf of the nine member countries of the European Community on the draft Programme of Action as elaborated by the working group established by the Second Committee (A/CONF.92/C.2/WG.1):

(a) Reservations on the text as a whole:

(1) Apart from serious reservations and differences expressed also in the form of amendments and votes, the nine members of the European Community will contribute to the aims and objectives of the Decade as elaborated on the basis of General Assembly resolution 3057 (XXVIII).

Their legal and constitutional systems including freedom of speech, freedom of movement and other basic freedoms impose, however, limits on the possibilities open to them.

(2) On behalf of the Nine, I would like to make the following reservation: the members of the European Community cannot participate in a consensus concerning the whole draft text because parts of it have been adopted by consensus, others by vote, and therefore consider the decision to pass it on "as adopted" to the plenary as a merely procedural one.

(b) A. paragraph 1 (viii):

The Governments of the nine member countries of the European Community would like to make the following reservation: They have repeatedly and urgently suggested to sports associations not to entertain contacts with South African sports associations, which practise apartheid. They will do so also in the future. In conformity with the liberal constitutional orders in Western European countries our Governments are not in the position to impose strict orders upon sports organizations. It is only within these limits that we can accept the consensus on this paragraph.

(c) B, paragraph 15:

On behalf of the nine member countries of the European Community, I would like to make the following reservation:

- (1) In a spirit of consensus, we had proposed to replace the phrase including the word "Palestine" in this paragraph by "... special responsibility of the United Nations and the international community to the oppressed peoples the world over and particularly the oppressed peoples of Southern Africa and their liberation movements recognized by the Organization of African Unity."
- (2) As we have stated before, the Nine cannot accept the inclusion of the political problem of the Middle East into the main document of this World Conference on racism by the word "Palestine" in this paragraph.

GREECE

/Original: English/

1. The Greek delegation voted in favour of replacing the term "endorsing" by "considering" in paragraph 5 of the preamble, as the Greek Government is not a party to all declarations mentioned in that paragraph.
2. Concerning paragraph 4 of the operative part of the Declaration, the Greek delegation wishes to enter a reservation as to apartheid being a "crime against humanity", owing to certain legal difficulties that this point would create to the Greek Government in the framework of the penal system in Greece.
3. The Greek delegation voted in favour of paragraph 18 of the Declaration although it maintains serious reservations regarding certain terms used in that paragraph to designate a Member State of the United Nations.
4. The Greek delegation abstained in the vote on paragraph 19 of the Declaration in the First Committee. It voted in favour of that paragraph in the plenary in view of certain changes made in the text adopted by the First Committee. The delegation still believes, however, that extraneous elements remain in the text as redrafted. As to those elements, the Greek delegation wishes to put on record its reservations.
5. The Greek delegation voted in the Second Committee in favour of the retention of the word "Palestine" in paragraph 15 of the Programme of Action. This positive vote means that the Greek Government supports "the oppressed Palestinian people and their liberation movements" fighting for their self-determination. Nevertheless, this positive vote does not imply any change in the position the Greek Government took in other United Nations forums on other aspects of the question of "Palestine".

HONDURAS

/Original: Spanish/

1. Reservations on the preambular paragraph of the Declaration stating: "Endorsing ... the International Seminar on the Eradication of Apartheid and in support of the Struggle for Liberation in South Africa, held at Havana, Cuba, in 1976." The Government of Honduras was not represented at that Seminar and it therefore cannot endorse its conclusions without serious reservations. That does not imply that it is opposed to the anti-apartheid struggle, which the Government of Honduras supports unreservedly.
2. Reservation on operative paragraph 18 of the Declaration with regard to the reference to the "Zionist State of Israel", since Honduras does not accept the equation of zionism with racism, as implied by the aforementioned expression. The delegation of Honduras also objects to the last lines of paragraph 18, because

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it refers to the "insidious propaganda by the Government of Israel and its Zionist and other supporters against the United Nations organs and against Governments which have advocated firm action against apartheid". These views call for serious objections because they are general, they refer to accusations that were not proved during the Conference and their significance was not discussed in the Working Group, in the First Committee, or in the plenary meeting.

3. Reservation on operative paragraph 20 of the Declaration, in that the reference to "the rights of persons belonging to minorities in accordance with the International Covenant on Civil and Political Rights, in particular its article 27" is construed as applying only to the aforementioned legal instrument and to no other international covenant not in force between the States directly concerned with the question of minority or minorities.

IRAN

/Original: French/

The Iranian delegation wishes to reiterate, as it did during the discussion in the First Committee on the sixth preambular paragraph of the Declaration, its reservations with regard to the reference made in the text of the aforementioned paragraph to the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held at Havana, Cuba in 1976.

ITALY

/Original: French/

The Italian delegation, while sharing the reservations already made by the delegation of the Federal Republic of Germany on behalf of the nine states members of the European Communities on the Declaration and Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination, wishes to reserve its Government's position on paragraphs 2, 3 and 15 of the Programme of Action, which might give rise to legal difficulties under Italian internal legislation.

JAMAICA

/Original: English/

The delegation of Jamaica voted in favour of paragraphs 18 and 19 of the Declaration. In doing so we wish to make it clear that we make no connexion between the adoption of this section of the Declaration and General Assembly resolution 3379 (XXX).

JAPAN

/Original: English/

1. The Japanese delegation makes the following reservations as regards the Declaration:

(a) The fifth preambular paragraph, beginning with the words "Determined to":

The Government of Japan has reservations with regard to some Conventions as stated by the Japanese representative at the time of the adoption of these Conventions.

(b) The sixth preambular paragraph, beginning with the word "Endorsing":

The Japanese delegation is of the view that the inclusion of the international seminar held in Havana was not appropriate. The Japanese delegation would have preferred replacement of the word "Endorsing" by the words "Taking note of" as suggested by several delegations.

(c) Operative paragraph 6:

It is the understanding of the Japanese delegation that the phrase "assistance and collaboration" in the economic field does not include normal trade with South Africa. The Government of Japan has no diplomatic relations with South Africa and has taken a number of measures to restrict our relations with South Africa, including the prohibition of direct investment. It is Japan's basic policy to confine its economic relations with South Africa within the framework of normal trade.

2. The Japanese delegation makes the following reservations as regards the Programme of Action:

(a) Subparagraphs (v) and (vi) of paragraph 1:

Implication of these subparagraphs would give rise to difficulties in relation to the freedom of expression guaranteed under the Constitution of Japan.

(b) Subparagraph (xi) of paragraph 1:

The Government of Japan has reservations with regard to some of the Conventions, as stated by the Japanese delegation at the time of the adoption of these Conventions.

(c) Paragraph 15:

In the international conditions prevailing today, the Government of Japan has reservations as to the proposed imposition of comprehensive and mandatory

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sanctions, under Chapter VII of the United Nations Charter, against South Africa.

(d) Paragraph 16:

The Government of Japan has no diplomatic relations with South Africa and has already taken a number of measures to restrict its relations with South Africa, including in particular the prohibition of direct investment. It is Japan's basic policy to confine its economic relations with South Africa within the framework of normal trade.

LIBYAN ARAB JAMAHIRIYA

/Original: Arabic/

The delegation of the Socialist People's Libyan Arab Jamahiriya, which voted in favour of the Declaration adopted by the World Conference to Combat Racism and Racial Discrimination, wishes to make it clear that its endorsement of paragraph 19 of the above-mentioned Declaration does not mean that the Libyan Arab Jamahiriya has abandoned its previous stands on the Palestinian question and, in particular, its position regarding Security Council resolution 242.

MALTA

/Original: English/

The delegation of Malta wishes to state that the Government of Malta is still considering the contents of the International Convention on the Suppression and Punishment of the Crime of Apartheid, and, to this extent, it reserves its position on the fifth preambular paragraph of the Declaration.

MEXICO

/Original: Spanish/

1. The Mexican delegation wishes to make the following reservations on the text of the Declaration adopted by the Conference on 25 August 1978:

(a) A reservation on the fifth preambular paragraph, which reads as follows:

"Determined to promote the implementation of the Universal Declaration of Human Rights, the International Convention on the Elimination of all Forms of Racial Discrimination, the International Covenants on Human Rights, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide, the Discrimination (Employment and Occupation) Convention (1958) of the International Labour Organisation and the Convention against Discrimination in Education (1960) of the United Nations Educational, Scientific and Cultural Organization",

because Mexico is not a party to the International Convention on the Suppression and Punishment of the Crime of Apartheid, in particular.

(b) A reservation on the sixth preambular paragraph:

"Endorsing the Programme of Action against Apartheid adopted by the General Assembly on 9 November 1976, the Lagos Declaration for Action against

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Apartheid (1977), the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and Programme of Action for the Liberation of Zimbabwe and Namibia (1977), and the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held at Havana, Cuba, in 1976",

because the replacement of "endorsing" by the word "considering" was not accepted.

(c) Reservations on operative paragraphs 18 and 19 of the Declaration itself (A/CONF.92/L.2, page 6 of the English text), since the delegation of Mexico abstained on both and explained its vote at the closing plenary meeting of the Conference.

2. Reservation by the Mexican delegation on the text of the Programme of Action adopted by the Conference on 25 August 1978.

Reservation on paragraph 15, which refers to measures at the international level, (A/CONF.92/L.3, page 9), because this paragraph includes the word "Palestine".

NETHERLANDS

/Original: English/

The delegation of the Netherlands makes the following reservations as regards the Programme of Action:

(a) Paragraphs 2 and 3. While fully agreeing with the spirit of the paragraph, the Netherlands delegation wants to point out that in the Netherlands, curricula in the field of education are not designed under the responsibility of the Government.

(b) Paragraph 4. The Government of the Netherlands is not in a position to comply fully with all recommendations contained in this paragraph due to the limits posed by the legal and constitutional system of the Netherlands.

(c) Paragraph 13 (x). The Government of the Netherlands does not have the intention to ratify all Conventions of the International Labour Organisation in the field of migrant workers. Very often the legislation of the Government of the Netherlands goes further than the stipulations of the Conventions. However, the latter sometimes do not fit in the system of existing laws.

NEW ZEALAND

/Original: English/

1. From the outset New Zealand supported the aims and objectives of the Programme of Action for this Decade as laid down in General Assembly

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resolution 3057 (XXVIII). Our strong national commitment to the eradication of discrimination based on race, as defined in article I of the International Convention on the Elimination of All Forms of Racial Discrimination, has been given concrete expression in policies which have been described to this Conference. New Zealand supported without reservation the Lagos Declaration for Action Against Apartheid and had hoped that this Conference would build on that consensus document to move forward towards the elimination of the very real racism that exists in many parts of the world.

2. The inclusion in the Declaration of operative paragraphs 18 and 19 which are, in our view, outside the original framework of the Decade, compels us, however, to dissociate ourselves from the document. There were a number of other references in this document with which my delegation had difficulty, but we should have been prepared to consider joining a consensus on those in the conviction that this Conference should produce the strongest possible action programme against racism, racial discrimination and apartheid. However, on the basis of the paragraphs which have just been adopted, we must state with deep regret that we are unable to continue to participate in the proceedings.

NICARAGUA

/Original: Spanish/

The delegation of Nicaragua has a reservation on paragraph 13 (ii) of the Programme of Action owing to the country's constitutional system.

NORWAY

/Original: English/

The delegation of Norway expresses its reservation with respect to preambular paragraph 5 of the Declaration.

OMAN

/Original: English/

1. In respect of international instruments and conventions referred to in the Declaration and the Programme of Action as stated in preambular paragraph 5 and paragraph 1 of the Programme of Action, the Sultanate of Oman understands this to mean that it refers only to those instruments and conventions to which the Sultanate of Oman is party although, as it has stated in plenary, it is in agreement in principle.

2. In connexion with paragraph 7 of the Programme of Action the Sultanate of Oman understands that the said provision is relevant to disadvantaged minorities.

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3. And finally, in respect to preambular paragraph 6, the Sultanate of Oman reserves its position to the extent that those seminars may contain extraneous matters.

PERU

/Original: Spanish/

The delegation of Peru expresses reservations on the sixth preambular paragraph because, although it agrees with the underlying spirit, it is unable to endorse the conclusions emanating from events in which it did not participate and which it has not endorsed. It might have been able to support the paragraph if the amendment proposed by Colombia to its introductory word had been accepted.

Explanation of the vote of the Peruvian delegation on operative paragraph 10 of the Declaration: Peru's position has been and always will be to support all peoples who are victims of racism, racial discrimination and apartheid, and consequently to condemn those régimes which practise or support such policies and practices which violate human rights and are repugnant to the conscience of the world. Unfortunately, the inclusion in paragraph 18 of certain references which particularize this problem and introduce elements alien to it, presents difficulties of principle and of a legal nature which obliged the Peruvian delegation to abstain from voting on the paragraph, even though it agreed with the underlying principle.

PORTUGAL

/Original: English/

1. The Portuguese delegation has the following reservations with regard to the preamble of the Declaration:

(a) Paragraph 5: the Portuguese delegation reserves its position on paragraph 5 of the Preamble, since it is not party to one of the Conventions mentioned therein: The Convention of the Suppression and Punishment of the Crime of Apartheid;

(b) Paragraph 6: the Portuguese delegation reserves its position on this paragraph, since Portugal was not represented at the Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held in Havana, Cuba, in 1976.

2. With regard to the operative section of the Declaration, the delegation of Portugal has the following reservations:

(a) Paragraph 4: the Portuguese delegation reserves its position on this paragraph because it considers that under Chapter VII of the Charter it falls on the competence of the Security Council to define situations of threat to peace and international security. This reservation applies implicitly to any other definition on both texts of situations of threat to peace and international security.

(b) Paragraph 17 and 18 as numbered in the original text or 18 and 19 as numbered in the final text: the Portuguese delegation reserves the position of its Government on these two articles as it considers that they contain elements extraneous to the Conference and also on account of certain formulations to which it objects. (See declaration of vote made both in Committee and Plenary of the Conference).

3. The delegation has the following reservations regarding the text of the Programme of Action:

(a) Article 1 (viii): although Portugal has never practised or allowed racial discrimination in sports, as in any other field, the Portuguese delegation reserves its position on this subparagraph as it considers that its contents demand deeper consideration and assessment;

(b) Article 16: the Portuguese delegation reserves its position on article 16 as it considers that it is for the Security Council, under Chapter VIII of the Charter to determine any type of sanctions;

(c) Article 37: the Portuguese delegation reserves its position on article 37 of the Programme of Action regarding specially paragraphs 5, 6 and 7 as they demand a further and deeper consideration and assessment.

4. The Portuguese delegation wishes to make the general reservation that its vote in favour of both texts, as a whole, has to be considered within the limits and strict observance of the Portuguese juridical order.

SAN MARINO

/Original: French/

1. In order to explain its own vote, the delegation of San Marino wishes to emphasize its regret that the Conference has not been able at the present time to reach a unanimous consensus on the document destined to contain the renewed obligation of participating States to combat racial discrimination and racism until they are totally eliminated.

2. At the same time, the delegation of San Marino, by requesting that this statement should appear in the summary record, wishes to demonstrate the great interest of the Government and people of San Marino in the problem of the Palestinian people, to whom they reiterate the expression of their full solidarity and their hope that the Palestinian people may be able to enjoy their inalienable rights and choose their own path to self-determination.

SPAIN

/Original: Spanish/

The Spanish delegation to the World Conference to Combat Racism and Racial Discrimination wishes to make it clear that the Spanish Government interprets paragraph 37 (5) of the text of the Programme of Action adopted by the Conference, as referring to assistance which by its nature makes it possible to enforce or perpetuate racist policies.

SWEDEN

/Original: English/

1. The representative of Sweden submitted the following reservations as regards the Declaration:

(a) On the following words in paragraph 4, "is a crime against humanity" and "is a threat to peace and security in the world";

(b) On the mention of the International Convention on the Suppression and Punishment of the Crime of Apartheid in preambular paragraph 5;

(c) On the mention in paragraph 6 of the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held in Havana, Cuba, in 1976;

(d) On the following words in paragraph 7 "crime against humanity";

(e) On the following words in paragraph 16 "is a threat to international peace and security".

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2. On behalf of the five Nordic countries, the representative of Sweden made the following reservations: The five Nordic countries have certain reservations with regard to a few paragraphs included in the Programme of Action. Owing to our constitutional system our Governments are not in a position to impose the implementation of all the measures recommended in the Programme. However, in this context I would like to specifically refer to the Joint Nordic Programme of Action Against South Africa, which is aimed at discouraging relations with South Africa as well as at co-ordinating Nordic Action at the United Nations level in this respect.

SWITZERLAND

/Original: French/

1. The fifth and sixth preambular paragraphs of the Declaration and paragraphs 1 (i), (iv), (v), (vii), (xi), (xii) and (xiii), 6, 27 and 30, of the Programme of Action: The Swiss delegation wishes to make a general reservation concerning the instruments, conventions and decisions which Switzerland has not accepted or on which, as a non-member State of the United Nations, it has not been able to express an opinion.

2. Paragraphs 1, 2 and 3 of the Programme of Action: The Swiss delegation accepts the main tenor of the recommendations made in these paragraphs. However, Switzerland can comply with them only within the competence of the Confederation and in accordance with its constitutional provisions.

3. Paragraph 6 of the Declaration and paragraphs 4 (c), 16 and 37 (5), (6) and (7) of the Programme of Action: As the head of the Swiss delegation stated during the general debate, the Swiss Government is bound to condemn apartheid, as well as all forms and manifestations of racism and racial discrimination. However, the freedom of trade and of industry embodied in the Swiss Constitution sets limits to the direct influence which the State can exercise on economic activities, including investments made by its nationals.

In this context, the Swiss delegation wished to point out that economic co-operation with South Africa also has positive consequences for the populations concerned.

4. Paragraph 24 of the Declaration and paragraphs 12 and 13 of the Programme of Action: The Swiss delegation wishes to point out that the objective of the present Conference is not to define a legal status for migrant workers but to establish the measures which should be adopted, where necessary, to combat certain forms of racism and racial discrimination which might be caused by the presence of foreign workers in the territories of States. The provisions in question will be implemented in the light of the objectives defined in the bill on aliens which has just been submitted to the Swiss Parliament.

5. Paragraph 20 of the Programme of Action: The Swiss delegation wishes to point out that this passage should be interpreted in light of the decisions adopted by the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflict with regard to additional protocol I to the Geneva Conventions.

TURKEY

/Original: English/

I wish to refer to the statement made by my delegation both in the drafting group and the Second Committee with regard to paragraph 30 of the Programme of Action and hereby confirm our position that my Government cannot accept the above-mentioned paragraph and that its acceptance of the final document in the plenary is subject to this position.

Paragraph 30 through its purposely selective approach to United Nations resolutions on the subject matter of the Conference reflects a political motivation rather than a sincere attempt to contribute to the objective of the Conference. It is the firm position of my Government that the noble objective of this Conference should not be undermined by actions of obvious political exploitation. As it stands, paragraph 30 does not constitute any contribution to the work of the Conference. On the contrary, it bears the risk of creating an undesirable precedent for attempts to exploit for political purposes and through misrepresentation the sincere concern of the international community for this humanitarian cause.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

/Original: English/

1. The delegation of the United Kingdom has certain reservations on the draft Programme of Action which has been considered by the Second Committee. In addition to those expressed on behalf of the nine members of the European Community, the Government of the United Kingdom has reservations on the following paragraphs:

Paragraph 1, subparagraphs (v) and (vi)

2. The Government of the United Kingdom has recently strengthened the law against incitement to racial hatred, in Section 70 of the Race Relations Act of 1976. The Government does not consider it justifiable in a democratic society to interfere with freedom of expression except when it is essential to do so for the prevention of disorder or for the protection of other basic freedoms.

Paragraph 1, subparagraph (x)

3. The Government of the United Kingdom is in sympathy with the spirit of this subparagraph, but is in no position to prescribe the policies of the mass media and other non-governmental agencies and organizations in the United Kingdom.

Paragraphs 2 and 3.

4. Under the system of education in the United Kingdom, local education authorities and the schools themselves are responsible for the content of curricula.

/...

Paragraph 4 (a): Mercenaries (Interpretative statement)

5. The delegation of the United Kingdom regards this provision as being recommendatory as to the sort of measures which individual countries might adopt. The Government of the United Kingdom is giving consideration to what measures would be appropriate in the case of the United Kingdom.

Paragraphs 12-13: Migrant workers

6. British legislation seeks to ensure that overseas workers in the United Kingdom enjoy the same treatment in all appropriate fields as British nationals. This is, however, subject to certain limitations such as any sovereign State has the right to impose. The United Kingdom Government cannot recognize family reunion (recommendation No. 3) as a fundamental right, owing to considerations of public policy and national security; nor does the Government of the United Kingdom intend to ratify International Labour Organisation Convention 143, since this would provide social security advantages for migrant workers greater than those enjoyed by United Kingdom citizens.

Paragraph 14: Immigrants

7. The Government of the United Kingdom sympathizes in principle with this section, but must continue to give nationals of the United Kingdom and the European Economic Community priority over work permit holders as regards employment. The Government cannot assume responsibility for giving all individuals immigration documentation; nor is it in a position to alter the property qualifications laid down by the authorities of the Channel Islands.

Paragraph 20: Freedom fighters

The Government of the United Kingdom does not regard this provision as imposing any commitment going beyond the obligations which may be incurred by parties to the relevant international instruments.

Sections B and D

The policy of the Government of the United Kingdom on apartheid has been clearly stated in numerous international forums and in the United Kingdom statement in the plenary session of this Conference. The United Kingdom is committed to work for and promote rapid fundamental and peaceful change in South Africa but the Government of the United Kingdom cannot endorse the proposals relating to mandatory sanctions against South Africa in paragraph 15 and the isolation of South Africa in subsections 5, 6 and 7 of paragraph 37. The Government of the United Kingdom also has difficulties on the proposals in paragraphs 16 and 19.

URUGUAY

/Original: Spanish/

1. Although the delegation of Uruguay voted in favour of the Declaration, it made reservations on the fifth and sixth preambular paragraphs.
2. It made a reservation on the fifth preambular paragraph because it mentions the International Convention on the Suppression and Punishment on the Crime of Apartheid to which only 40 States are parties at the present date and to which Uruguay has not acceded because it still warrants reservations with regard to the jurisdictional competence of the States parties with respect to acts committed outside their territories by persons who are not their nationals, even in cases where there is no connexion between the alleged offence and the State concerned. In addition, the definition of "crime of apartheid" is in its opinion very vague. Moreover, article 9 grants competence to implement the Convention to a United Nations organ, many of whose members are not parties to the Convention.
3. The delegation of Uruguay made a reservation on the sixth preambular paragraph because it mentions the International Seminar on the Eradication of Apartheid and in Support of the Struggle for Liberation in South Africa, held at Havana, Cuba, in 1976. Both the Declaration and the Programme of Action contain appreciations and conclusions which Uruguay rejects and consequently cannot endorse. The inclusion of this Seminar in the list of antecedents of the present Conference does not correspond to the latter's objectives, which are to attain the aims and objectives of the Decade for Action to Combat Racism and Racial Discrimination. Moreover, and for those reasons, the delegation of Uruguay cannot agree to the introductory formula of the paragraph ("Endorsing").
4. Finally, the delegation of Uruguay abstained in the roll-call vote on paragraph 18 of the Declaration, because the content and drafting of the text, in addition to being confused and vague, contains in its opinion expressions which tend to identify racism with certain States and régimes and which the delegation of Uruguay cannot accept.
