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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Report of the Third Committee (Part II)

Rapporteur: Mr. Ibrahim BADAWI (Egypt)

I. INTRODUCTION

1. The Third Committee considered subitem (a), (c) and (d) of item 69 at its 3rd to 12th meetings, from 28 September to 8 October 1976 (see A/31/273).
2. The Committee considered subitem (b) at its 38th, 43rd to 45th, 48th and 50th meetings, from 3 to 15 November. The views expressed by the representatives of Member States on this subitem are contained in the summary records of those meetings (A/C.3/31/SR.38, 43-45, 48 and 50).
3. In connexion with subitem (b), the Committee had before it the following documents:
 - (a) Reports of the Committee on the Elimination of Racial Discrimination for the years 1975 and 1976; 1/
 - (b) Letter dated 22 October 1976 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/C.3/31/7);
 - (c) Letter dated 2 November 1976 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General (A/C.3/31/8);
 - (d) Letter dated 26 April 1976 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General (E/5813);

1/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 18 (A/10018); *ibid.*, Thirty-first Session, Supplement No. 18 (A/31/18).

(e) Letter dated 15 July 1976 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General (A/31/151-S/12144);

(f) Letter dated 17 August 1976 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General (A/31/178-S/12179).

4. The Director of the Division of Human Rights introduced the subitem at the 38th meeting, on 3 November.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/31/L.18

5. At the 45th meeting, on 10 November, the representative of Yugoslavia, on behalf of Egypt, Ghana, Jordan, Nigeria, the Philippines, the Syrian Arab Republic, Yugoslavia and Zambia, subsequently joined by India, Madagascar, Mali, the Sudan and the United Republic of Tanzania, introduced and orally revised a draft resolution on the reports of the Committee on the Elimination of Racial Discrimination (A/C.3/31/L.18), which read as follows:

"The General Assembly,

"Recalling its resolutions 3057 (XXVIII) on the Decade for Action to Combat Racism and Racial Discrimination, resolution 3266 (XXIX) on the Report of the Committee on the Elimination of Racial Discrimination, and resolution 3225 (XXXI) on the Status of the International Convention on the Elimination of All Forms of Racial Discrimination,

"Having considered the reports of the Committee on the Elimination of Racial Discrimination on the sixth and seventh years of its activities submitted under article 9, paragraph 2, of the International Convention on the Elimination of all Forms of Racial Discrimination,

"Noting with appreciation the interest of the Committee, when performing its functions under the Convention, to contribute to the achievement of the objectives of the Decade for Action to Combat Racism and Racial Discrimination,

"Mindful of the undertaking of States parties to the Convention to engage in no act or practice of racial discrimination against any person, groups of persons or national or ethnic minorities, and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation, in accordance with relevant provisions of the Convention,

"Noting the decisions adopted by the Committee at its eleventh to fourteenth session,

"1. Takes note with appreciation of the reports of the Committee on the Elimination of Racial Discrimination;

/...

"2. Takes note also of the part of the reports of the Committee concerning petitions and other information relating to Trust and Non-Self-Governing Territories and to all other Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies, and draws the attention of the relevant United Nations bodies to the Committee's opinions and recommendations relating to these Territories;

"3. Expresses its appreciation to the Committee for the work it performs in pursuance of its provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, thus contributing significantly to the elimination of all forms of racial discrimination;

"4. Calls upon the parties to the International Convention on the Elimination of All Forms of Racial Discrimination to observe fully the provisions of the Convention and other international instruments and agreements to which they are parties concerning the elimination of all forms of discrimination based on race, colour, descent or national or ethnic origin;

"5. Welcomes the co-operation of the States parties with the Committee in submitting their reports and designating representatives to be present at the meetings of the Committee when it considers their reports;

"6. Calls upon all States parties to the Convention on the Elimination of All Forms of Racial Discrimination to provide all necessary information to the Committee in accordance with article 9 of the Convention, taking also into account the relevant recommendations and requests of the Committee;

"7. Welcomes the Committee's participation in the realization of the objective of the Programme for the Decade for Action to Combat Racism and Racial Discrimination in accordance with its decision 1 (XI);

"8. Invites the States parties to include in their reports, under article 9, paragraph 1, of the Convention, information on the status of their relations with the racist régimes of southern Africa in accordance with decision 2 (XI) of 7 April 1975;

"9. Reminds the States parties of their obligations, under the Convention, as recommended by the Committee in its decision 4 (XI) of 14 April 1975, to adopt appropriate legislative, judicial, administrative or other measures with a view to putting an end to racism and to the vestiges or manifestations of such ideologies wherever they exist;

"10. Reiterates its appeals to States which are not yet parties to the International Convention on the Elimination of All Forms of Racial Discrimination to ratify or accede to it and, pending such ratification or accession, to be guided by the basic provisions of the Convention in their internal and foreign policies."

6. At the same meeting, the representative of Bulgaria, on behalf of Bulgaria and Czechoslovakia, introduced an amendment (A/C.3/31/L.20) which would add the following new operative paragraphs to the draft resolution:

"Commends the Committee's solidarity with the just cause of the peoples struggling against the oppression of colonialist and racist régimes in South Africa, Southern Rhodesia and Namibia."

"Invites all States to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination."

7. At the 48th meeting, on 12 November, the representative of Yugoslavia, on behalf of the sponsors, introduced changes to the draft resolution, incorporating (in a revised form) the amendments in document A/C.3/31/L.20, as follows:

(a) A new operative paragraph 4 was inserted after operative paragraph 3 and read as follows:

"4. Commends the Committee for focusing greater attention on the just cause of the peoples struggling against the oppression of the colonialists and racists régimes in southern Africa;"

The subsequent paragraphs were renumbered accordingly.

(b) Before the word "States" in operative paragraph 10 (renumbered 11), the words "Reiterates its appeal" were replaced by "Invites all".

8. At the same meeting, amendment A/C.3/31/L.20 was withdrawn by the sponsors.

9. Bulgaria, Czechoslovakia, Kuwait and Morocco joined in sponsoring the draft resolution as revised.

10. At its 48th meeting, the Committee adopted, without a vote, draft resolution A/C.3/31/L.18, as revised (see para. 11 below).

III. RECOMMENDATION OF THE THIRD COMMITTEE

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolution.

Reports of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its resolutions 3057 (XXVIII) of 2 November 1973 and 31/ ... of ... December 1976 on the Decade for Action to Combat Racism and Racial Discrimination, resolution 3266 (XXIX) of 10 December 1974 on the report of the Committee on the Elimination of Racial Discrimination, and resolution 31/ ... on

/...

the Status of the International Convention on the Elimination of All Forms of Racial Discrimination,

Having considered the reports of the Committee on the Elimination of Racial Discrimination on the sixth and seventh years of its activities 2/ submitted under article 9, paragraph 2, of the Convention,

Noting with appreciation the interest of the Committee, when performing its functions under the Convention, to contribute to the achievement of the objectives of the Decade for Action to Combat Racism and Racial Discrimination,

Mindful of the undertaking of States parties to the Convention to engage in no act or practice of racial discrimination against any person, groups of persons or national or ethnic minorities, and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation, in accordance with relevant provisions of the Convention,

Noting the decisions adopted by the Committee at its eleventh to fourteenth sessions,

1. Takes note with appreciation of the reports of the Committee on the Elimination of Racial Discrimination;

2. Takes note also of the part of the reports of the Committee concerning petitions and other information relating to Trust and Non-Self-Governing Territories and to all other Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies, and draws the attention of the relevant United Nations bodies to the Committee's opinions and recommendations relating to those Territories;

3. Expresses its appreciation to the Committee for the work it performs in pursuance of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, thus contributing significantly to the elimination of all forms of racial discrimination;

4. Commends the Committee for focusing greater attention on the just cause of the peoples struggling against the oppression of the colonialist and racist régimes in southern Africa;

5. Calls upon the States parties to the Convention to observe fully the provisions of the Convention and other international instruments and agreements to which they are parties concerning the elimination of all forms of discrimination based on race, colour, descent or national or ethnic origin;

6. Welcomes the co-operation of the States parties to the Convention with

2/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 18 (A/10018); *ibid.*, Thirty-first Session, Supplement No. 18 (A/31/18).

the Committee in submitting their reports and designating representatives to be present at the meetings of the Committee when it considers their reports;

7. Calls upon all States parties to the Convention to provide all necessary information to the Committee in accordance with article 9 of the Convention, taking also into account the relevant recommendations and requests of the Committee;

8. Welcomes the Committee's participation in the realization of the objectives of the Programme for the Decade for Action to Combat Racism and Racial Discrimination in accordance with its decision 1 (XI) of 4 April 1975;

9. Invites the States parties to the Convention to include in their reports, under article 9, paragraph 1, of the Convention, information on the status of their relations with the racist régimes of southern Africa, in accordance with decision 2 (XI) of the Committee of 7 April 1975;

10. Reminds the States parties to the Convention of their obligations, under the Convention, as recommended by the Committee in its decision 4 (XI) of 14 April 1975, to adopt appropriate legislative, judicial, administrative or other measures with a view to putting an end to racism and to the vestiges or manifestations of such ideologies wherever they exist;

11. Invites all States which are not yet parties to the Convention to ratify or accede to it and, pending such ratification or accession, to be guided by the basic provisions of the Convention in their internal and foreign policies.
