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SUMMARY RECORD OF THE 26th MEETING

Chairman: Mrs. SHAHANI (Philippines)

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The meeting was called to order at 3.10 p.m.

AGENDA ITEM 76: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO COLONIAL AND RACIST REGIMES IN SOUTHERN AFRICA: REPORT OF THE SECRETARY-GENERAL (continued) (A/33/269; E/CN.4/Sub.2/383/Rev.1; A/33/151)

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AGENDA ITEM 74: WORLD CONFERENCE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/33/262, A/33/206)

1. Mrs. WILMOT (Ghana) said that the items before the Committee were of paramount importance to her delegation. In the 21 years since its independence, Ghana had always been in the vanguard of the fight against racism, racial discrimination and apartheid, which were violations of human rights and dignity wherever they occurred but took on their most virulent form in Africa, where they were undermining international peace and security and threatening the sovereignty and identity of African countries. Her delegation therefore welcomed the World Conference to Combat Racism and Racial Discrimination, which marked the beginning of a serious global effort to eradicate, through concrete measures and strategy, a political and social cancer which had plagued the world for centuries.
2. Mere condemnation of racism and racial discrimination was no longer enough; the time had come for the international community to evolve effective plans to eradicate them. Only then could it liberate all the victims, especially those in southern Africa, from the system which had long held them in subjugation and degradation. Accordingly, her country had participated actively in the historic World Conference and fully supported its conclusions.
3. The Commissioner for Foreign Affairs of Ghana, in his opening remarks to the World Conference, had called for a review of progress in the elimination of racial discrimination in order to determine where greater emphasis should be placed, and had stressed the need to examine further how to give broader effect to United Nations decisions, especially Security Council resolutions, in order to achieve greater impact; he had called for more radical action under Chapter VII of the United Nations Charter against the racist régime of South Africa and had called attention to the urgent need to educate peoples on the true facts of the case against racism and racial discrimination. Those objectives were challenges which man's civilized conscience must take up courageously in order to further the cause of justice in the world. The recommendations contained in the Secretary-General's report on the World Conference (A/33/262) would, if implemented, to a large extent meet her delegation's concerns. She drew attention in particular to paragraph 1 (v) of the Programme of Action, which reflected the provisions of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. Racial discrimination was

(Mrs. Wilmot, Ghana)

sustained by the propagation of false information; urgent global action must therefore be launched to stem the flow of such information so that all could see the unacceptability of a socio-political system that dehumanized men and women and threatened collective peace and security. In the pursuit of that goal, much could be achieved under the Convention, to which Ghana was a party and which it found no difficulty in implementing. She appealed to States which had not done so to ratify the Convention and to publicize and implement its provisions.

4. Paragraph 15 of the Programme of Action outlined measures to be taken at the international level to eradicate all forms of racism. The overwhelming majority of the international community opposed collaboration with the racist régimes of southern Africa. All those States which were wittingly or unwittingly fueling the racist engines of suppression should cease their collaboration forthwith in compliance with Security Council resolutions adopted in the context of Chapter VII of the Charter.

5. During the Committee's consideration of items 81 and 82 she had outlined the kind of assistance which Ghana was providing to the victims of racism and racial discrimination in compliance with the measures called for in paragraph 17 of the Programme of Action. Ghana would continue to assist those victims directly and through OAU and other multilateral organizations until the evils of racism were overcome.

6. Her delegation welcomed paragraph 22 of the Programme of Action and hoped that the studies it called for would help to evaluate and update some United Nations studies in order to make their recommendations more effective.

7. With regard to the question of migrant workers, her delegation awaited the studies called for in paragraphs 28 and 29 and would participate fully in their consideration and implementation, as required.

8. Although the World Conference could have achieved more than it had, her delegation was generally satisfied with the results and with the Secretary-General's report (A/33/262). While her country had not expected miracles from that Conference, considering the divergence of views on certain details, it could no longer tolerate unnecessary delay in the final onslaught on the bastions of apartheid, racism and racial discrimination. She therefore appealed to Members to set regional and treaty considerations aside and join in eradicating those practices, which had too long been on man's conscience.

9. The United Nations bore a special and grave responsibility to liberate all subjugated peoples, especially the black majority of South Africa, who were the victims of apartheid. All Member States, the specialized agencies and non-governmental organizations should unreservedly join in concerted action to give the victims of racism, racial discrimination and apartheid material and moral support. Her delegation was prepared to support any resolution reflecting those views.

10. Ms. PATEL (Mozambique) said that her people's victorious struggle against Portuguese colonialism had made it an active participant in the fight for freedom and dignity. Mozambique had thus become aware of those who hypocritically spoke about human rights while supporting colonialism, imperialism, racism and the misfortunes they engendered. Geographically situated on the frontier between colonialism and liberty, racism and human dignity, Mozambique was committed to support of the peoples of Zimbabwe, Namibia and South Africa in their struggle for independence, as well as the peoples of Western Sahara, Palestine, East Timor and other parts of the world who were fighting heroically for self-determination. Because of that commitment, Mozambique and its like-minded neighbours were daily being subjected to attacks by the racist minority régimes of southern Africa. Because the Mozambican people had rejected exploitation, colonialism and foreign domination, imperialism was treacherously manoeuvring to destroy their revolution and their proletarian internationalism. It was not surprising that colonialism, racism, apartheid, poverty, hunger, racial discrimination and exploitation still persisted, for they were supported by the frantic propagandists of human rights and defenders of "Western civilization" while human dignity and human rights continued to be despised. Only persistent struggle and militant solidarity would bring an end to imperialist domination and exploitation. In the clash between freedom and oppression, dignity and discrimination, the people could easily distinguish between their allies and their foes. In those parts of the world where racism and foreign domination persisted people were no longer misled as to the enemy that must be fought. Neither "peace initiatives" nor "struggles for human rights" would sway them from their determination to eradicate colonialism, racism and exploitation, especially in Africa, where those ills were age-old. In Zimbabwe, the people had taken up arms and their irreversible struggle must continue to final victory. In Namibia, the people and SWAPO, despite the farce being staged by the Pretoria racists, were aware of the purposes of their struggle and the sacrifices of their finest sons. In South Africa, from Sharpeville to Soweto the determination of the long-suffering South African people to eradicate apartheid and exploitation had become unmistakably clear. It was the reality of those struggles that must guide and inspire the work of the Committee. Only thus could it contribute to the realization of human rights and to the struggle against the evils still afflicting a great part of mankind. As Mozambique's Minister of Finance had recently stated, it was a message of struggle that Mozambique wished to bring to the General Assembly; it was that same message of determination to fight the ills inherited from colonial society that she wished to bring to the Committee's debate. The fight for self-determination and independence would continue until all forms of discrimination and domination were liquidated.

11. Mr. ARMALIE (Observer for the Palestine Liberation Organization) said that the peoples of South Africa, Namibia and Zimbabwe were victims of a racism that was seeking to destroy Africans physically and spiritually, and he stressed the unity and indivisibility of the struggle being waged by the African and Arab peoples against that scourge. It was natural that, in the face of their united oppressors, the oppressed should join ranks to achieve their goal, namely, the restoration of human dignity and the victory of the principles of the Charter and of the Universal Declaration of Human Rights. The international community would soon commemorate the thirtieth anniversary of that Declaration and he believed that that observance should take the form of a day of mourning. So long as apartheid and zionism existed and continued to violate and scorn fundamental human rights, so long as both could count on the active complicity of certain world Powers which were openly providing them with economic and military assistance, the flags of freedom, independence and self-determination must remain at half-mast.

(Mr. Armalie, Observer, PLO)

12. The Zionist entity of Israel owed its survival to outside help, especially from the United States, and the same was true of the minority régimes of southern Africa. The report presented by the Special Rapporteur on item 76 made that abundantly clear. The irrefutable facts it set forth confirmed what world opinion had known for years. The continued existence of economic, financial and military relations between Western countries and the apartheid régime could not fail to have adverse consequences for the peoples of southern Africa. The high-sounding words spoken by representatives of those countries in the United Nations and elsewhere advocating human rights and denouncing the apartheid régime which trampled them underfoot no longer convinced anyone. Those countries' shameless double-dealing disqualified them from advocating or implementing any solution aimed at restoring the rights of the peoples of Azania, Namibia and Zimbabwe. The only alternative for countries which sympathized with the struggle against apartheid was the complete severance of all links with the régimes of Botha and Smith. International opinion, even in the countries in question, was calling for such severance and rejecting all the pretexts and subterfuge used to evade it.

13. The Committee's attention should focus primarily on the special relationship between the Pretoria and Tel Aviv régimes. Apart from their active trade relations, their close collaboration in the military field and in the development of nuclear weapons was cause for great concern. The Special Rapporteur had, of course, met with difficulty in his task of proving their collusion in those fields, but it was attested by many facts. The visit of Prime Minister Vorster to Israel in 1976 and the talks held there with high-ranking military figures were hardly reassuring. The representative of Israel in the Committee had tried to play down that relationship between the two racist régimes but had been unable to deny that it existed. He had added that the press in Israel published everything with regard to relations with South Africa: what was important was to know what the Israeli press could not publish, either because it did not know it or for "reasons of security". The very nature of the two régimes, based on colonization and usurpation of the rights of indigenous peoples, their ideology, their belief in the superiority of a "chosen people" over another people, their barbarous methods in dealing with other peoples, the fictitious issue of security, which served as a pretext for increasing their military might and pursuing their policy of repression - all attested to the soundness of the conclusions reached by the Special Rapporteur in paragraphs 383 and 384 of his report (E/CN.4/Sub.2/383/Rev.1). In an exclusive interview with a group of Jewish journalists on 18 June 1976 the Israeli Ambassador to South Africa had been asked whether he felt that, because of the special relations maintained by South Africa and Israel, Jewish communities in America, Israel or elsewhere should be favourably disposed to South Africa. The Ambassador had replied that although South Africa had its faults he believed that, at the end of their visit, the journalists would have formed a fairer idea of that country and would be able to distinguish between hostile propaganda and the real situation, which, in his view, was not nearly as bad as propaganda made it out to be; if they presented an exact image of South Africa as they saw it, they would further Israeli-South African relations and render a service to South Africa.

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(Mr. Armalie, Observer, PLO)

14. The World Conference to Combat Racism and Racial Discrimination had grasped the organic link between apartheid and zionism. Both denied the right of peoples to self-determination, both systematically continued to violate human rights, and the Final Declaration and Programme of Action of the Conference reflected that reality. However, much remained to be done and the competent United Nations bodies should forthwith take practical and effective measures to unmask zionism once and for all. A special rapporteur should be entrusted with the task of studying zionism and analysing its doctrine, practices and laws: he would then be able to tell the Committee what to make of the statement of Prime Minister Begin before the Knesset on 20 June 1977 that the Jewish people had an eternal, historic right to Eretz Israel, as the heritage of their fathers, a right that was not to be disputed and undermined. Such a special rapporteur would also be able to explain the import of the statement by Mr. Begin on 19 May 1977 that the term "West Bank" had no meaning because those lands, Judea and Samaria, were Israeli lands belonging to the Jewish people and that it would no longer be necessary to establish colonies, since the Israeli Government would ask the Jewish people to settle on their own land. The special rapporteur would also enlighten the Committee as to why the Israeli Government had always refused to apply the Geneva Conventions of 1949 in the territories occupied since its aggression of 1967, and why Israeli violations of human rights, such as those established in the annual report of the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Population of the Occupied Territories, were being intensified every year. He hoped also that such a special rapporteur would be able to explain the implications of the terms "chosen people" and "promised land" in Zionist thinking, and the results to which they led. Israel's historical and Biblical pretensions were senseless and ridiculous, not to say blasphemous. They violated the humanism of Judaism itself because they implied that the Creator favoured one people over another. Was it possible that God had willed the martyrdom of the Palestinian Arabs, Moslems and Christians, for the sole benefit of the "chosen people"? The name of God was being used without the slightest scruple by Begin and his associates to continue their policies of occupation, expansionism and annexation and to prolong the sufferings and tribulations endured by the Palestinian people for more than 30 years. Everyone had been taught to believe that God created man in his image; the fanatical Zionists had created a god in their image.

15. Ms. SHAHKAR (Iran) said that developing and encouraging respect for human rights and fundamental freedoms for all, and waging a firm and constant struggle against racism in all its forms, constituted one of the primary tasks of the United Nations and was the duty of each Member State. The United Nations had been engaged in that task ever since its establishment. Unfortunately, racism continued to thrive, and in southern Africa where, in complete disregard of human dignity, and contrary to any normal concept of justice and equality, it had become an institutionalized practice, the policy of apartheid had in fact been intensified.

16. In the circumstances, it was permissible to wonder how sincere the international community was in its efforts to eliminate racism. When the General Assembly had decided to proclaim a Decade for Action to Combat Racism and Racial Discrimination, it had undertaken to renew those efforts and to take effective

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(Ms. Shahkar, Iran)

measures to achieve its purpose. The measures were set out in the Programme for the Decade, the major event of which was the convening of the World Conference to Combat Racism and Racial Discrimination.

17. Despite the hopes placed in the Programme for the Decade, it had had to be recognized that, considering the vastness of the problem very little progress seemed to have been made by the time the Conference was to be held. Nevertheless, there had been some advances. For example, the International Convention on the Elimination of All Forms of Racial Discrimination, which was one of the chief international instruments for combating racism and racial discrimination, had been acceded to by 100 States and was gradually attaining the goal of universality. The Committee on the Elimination of Racial Discrimination set up pursuant to that Convention had produced authoritative recommendations and had succeeded in persuading the States parties to it to take the specific measures necessary to comply with their obligations under the Convention. On the Committee's recommendation, new legislation had been enacted in Iran in August 1977 prohibiting the propagation and dissemination of ideas based on racial discrimination and hatred and fixing penalties for incitement to racial discrimination in any form.

18. The importance of the Convention and the impact of the Committee should not be underestimated. They struck at the very roots of racist prejudice and its various manifestations in society. In addition, public opinion was at last beginning to recognize the evils and dangers that racism represented. Nevertheless, much remained to be done.

19. As far as apartheid in particular was concerned, the régimes which practised it found themselves not only unanimously condemned but increasingly isolated. The Lagos Declaration, adopted by consensus, was significant in that respect. It was unfortunate that there had not been a similar consensus on the adoption of the Declaration of the World Conference to Combat Racism and Racial Discrimination. The Programme of Action attached to the Declaration defined specific short- and long-term action that would make it possible to eliminate racism and racial discrimination at last and to lay the foundation for a world in which human rights and fundamental freedoms for all would be respected.

20. The Government of Iran, which had always supported all decisions, resolutions and measures for the elimination of racial discrimination, had reaffirmed that position at the Conference by voting in favour of the Declaration. It fully endorsed the measures envisaged by the Programme of Action and undertook to contribute constructively, to the fullest extent of its powers, to the success of the Decade.

21. Most of the measures envisaged at the national level were based upon the provisions of the International Convention for the Elimination of All Forms of Racial Discrimination, which Iran had ratified 10 years earlier. Others emphasized particularly the mobilization of public opinion, information and education, aspects which the Iranian delegation had always stressed.

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(Ms. Shahkar, Iran)

22. Measures relating to migrant workers also deserved special attention. The phenomenon of migration had spread to nearly all parts of the world, increasing the number of interracial communities which were always susceptible to racist prejudice and reaction and in which minority migrant groups were often economically exploited and socially oppressed.

23. The Iranian Government had also demonstrated its support for the suggested regional and international measures. In particular, it had always stated its readiness to abide by any decisions of the Security Council in that field, as it had already done in regard to Rhodesia, with which it had broken off all political, economic or other relations.

24. Mrs. DIALLO (Observer, Organization of African Unity) said that her organization's charter, its actions and its policies since its establishment were predicated on the understanding that Africa should be free from all foreign domination. Accordingly, it attached great importance to the item under discussion. For over a decade it had been drawing the attention of the international community to the deteriorating situation in southern Africa in general and South Africa in particular. The system of institutionalized racism constituted by the apartheid régime in South Africa must be combated. It was difficult to comprehend the rationale of those countries which continued to collaborate with and provide military and economic assistance to the racist régimes in Pretoria and Salisbury.

25. It was argued by some Western Powers that economic sanctions might actually result in worsening the material situation of the black population in southern Africa. To illustrate the present parlous material situation of the black population in those countries, she quoted from a report on the activities of transnational corporations in South Africa prepared for the Centre against Apartheid showing that pay for black workers in the automobile industry was far below the poverty line. Clearly, the black population were not enjoying the fruits of their labour. The assertion of certain countries that their economic activities benefited the blacks was unacceptable. Members of the black population had repeatedly said that they were prepared to make any sacrifices that economic sanctions might entail.

26. Certain countries claimed that hastening independence for Zimbabwe and Namibia and eliminating apartheid coincided entirely with their goals, yet at the same time they argued that a total trade embargo against South Africa should be adopted only if there was compelling evidence that it would achieve the goal of ameliorating apartheid. It was difficult to understand how it was possible to wish to eliminate and at the same time ameliorate apartheid.

27. Those countries which had helped, or were still helping, South Africa militarily and economically must share the blame for the denial of the rights of blacks in that country. They could not condone double standards: they could not preach human rights in some parts of the world and close their eyes to the denial of those rights in South Africa. It was time to put an end to rhetoric and to

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(Mrs. Diallo, Observer, OAU)

demonstrate by concrete action that the international community was determined to restore the dignity of man in South Africa.

28. The Organization of African Unity strongly believed that the most effective way of bringing about real change in southern Africa would be to isolate the racist régimes completely. Such isolation meant a mandatory arms embargo, a total trade embargo, and the severance of all diplomatic, political, military and cultural relations. OAU therefore urged the invoking of Chapter VII of the Charter of the United Nations. It considered that any co-operation with the Pretoria and Salisbury régimes constituted a clear manifestation of hostility to the African liberation struggle. All true advocates of human rights should join the crusade to isolate South Africa as the only way to force change upon the oppressors.

29. Mr. MAKE (Observer, Pan African Congress) said that his organization placed great faith in the role of the international community in complementing its own struggles for the liberation of the people of South Africa. The General Assembly was meeting at a time when the people were continuing and intensifying their total opposition to the system of apartheid. Their determined opposition could not be thwarted by the self-proclaimed advocates of democracy who continued to prop up the Pretoria régime. Though those Governments paraded as champions of human rights, they used the term selectively. Their protestations were contradicted by their activities on behalf of the racist régimes in southern Africa. Some Western countries, in particular, continued to trade with, arm and give international support to the racist régime of South Africa, despite the appeals of the Organization of African Unity, the decisions of the international community and the demands of the liberation movements. They claimed that economic sanctions would hurt the African population more than they would help them. His organization regarded that as hypocrisy. It was because of the South African régime's economic strength that black people there were still brutalized and humiliated. Their human rights were being sacrificed on the altar of profits and secure investments.

30. Many of those countries claimed to support the liberation struggle and to share the aspirations of the liberation movements. If that was true, why did they not respond to their appeals? Inside South Africa itself, all sorts of groups, including the churches, which could hardly be regarded as subversive, were calling for the withdrawal of support and the imposition of economic sanctions in the belief that it was the only way of solving the situation by peaceful means. Nevertheless, they were told that sanctions would only hurt the African people. As the Special Rapporteur's report showed, the evidence was overwhelming that, far from improving, the standard of living and the economic situation of the Africans was deteriorating. The current boom in South Africa benefited only the white population and in fact the gap in earnings between blacks and whites had widened. Africans in South Africa, therefore, enjoyed none of the fruits of the economic system but only the fruits of oppression. They recognized the need for privation and sacrifice in order to bring down the racist régime and would welcome economic sanctions.

31. In addition to economic support, South Africa was receiving arms from its Western friends and collaborators. There had been many instances of violations of the arms embargo by a number of Western countries. They sought to disguise their

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(Mr. Make, Observer, PAC)

activities by claiming to sell weapons that could not be used against civilians. There was, of course, no such weapon. The arms were in fact being used to suppress the population, as the present Prime Minister, Mr. Botha, had admitted in the South African Parliament when he was Minister of Defence.

32. Those weapons also enabled Pretoria to play the role of international gendarme of imperialism in southern Africa. The weapons were used to terrorize not only the indigenous people of the country but also the independent States surrounding it. For example, South Africa had sought to thwart the independence of Angola through armed intervention. It had assisted Rhodesia in attacks on Mozambique. Only recently, the illegal Rhodesian régime, armed by South Africa and by the West, had attacked the neighbouring country of Zambia. The South African army too had recently attacked what it claimed to be SWAPO bases there, killing innocent Zambian citizens. Rhodesia would have been unable to attack Zambia, or even to exist at all for so long, without the overt and covert support of South Africa. The Bingham Report recently published in the United Kingdom clearly demonstrated the part played by South Africa and the duplicity of the Government of the United Kingdom, in violating the sanctions against Rhodesia.

33. All those activities, orchestrated by the forces of world imperialism, were destabilizing the Governments in that part of Africa, particularly those of the front-line States, and distorting their development. They were forced to commit a very large part of their meagre resources to defending themselves against the racist régimes in South Africa and Rhodesia. Thus, through their assistance, South Africa's collaborators were harming not only the people inside Azania but the interests and the development of neighbouring countries.

34. The Pan African Congress had stated categorically that, given the situation and the intransigence of the South African régime, there was no alternative to taking up arms. In regarding armed struggle as their principal weapon, the people of Azania had the support of the Organization of African Unity, the non-aligned countries and progressive countries and peoples all over the world. Any complementary action in support of the liberation movements would be valuable.

35. He deplored the obvious collusion between South Africa and the racist régime of Israel. Their tactics were the same. It was strange that a country born of a people which had suffered so much from doctrines of racial superiority should find itself in alliance with the racist régime of South Africa, but that was the nature of imperialism. Those in the liberation movements had no doubt whatever about the ultimate victory of their cause. Despite the present difficulties and the failure of the Western countries to support them, the people of Azania were determined that victory would be theirs.

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AGENDA ITEM 81: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (continued) (A/C.3/33/L.12)
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/33/L.10 and L.11)
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/33/L.14)

36. Mr. KEILAU (German Democratic Republic) introduced draft resolution A/C.3/33/L.14 and announced that the delegations of Djibouti, Haiti, Hungary, Iraq, Somalia and the United Republic of Tanzania wished to join the list of sponsors. The sponsors wished to replace the word "implementation" in the third line of the final preambular paragraph with the word "realization".

37. Thirty years after the adoption of the Universal Declaration of Human Rights, the crime of apartheid still existed. The racist régime in South Africa continued its racist terrorism, harassment and executions in an effort to break the South African people's will to achieve its rights and freedom.

38. The preambular paragraphs of draft resolution A/C.3/33/L.14 reflected the awareness that apartheid constituted a negation of the purposes and principles of the Charter of the United Nations and a crime against humanity and human dignity. The persistence and gravity of human-rights violations under the policy of apartheid and the threat it represented to international peace and security made it a matter of international concern. The Security Council had repeatedly drawn attention to that fact and, in resolution 418 (1977), had imposed a mandatory arms embargo on South Africa, thereby affirming the responsibility of the international community to act against the policy of apartheid with all means at its disposal. The International Convention on the Suppression and Punishment of the Crime of Apartheid placed apartheid on the same level as other international crimes against humanity, established the competence of all States to apply the principles of universality in its prosecution and provided for co-operation among States in the punishment of apartheid criminals. However, the Convention could be fully effective only if as many States as possible became parties to it. Consequently, the draft resolution called upon States that had not yet done so to accede to the Convention, thereby demonstrating their willingness to take concrete steps against apartheid. The sponsors noted with satisfaction that 45 States had now ratified or acceded to the Convention.

39. Since the thirty-second session of the General Assembly, the enforcement procedure provided for in the International Convention had become effective. The sponsors wished to express their satisfaction at the fact that the Group of Three appointed by the Chairman of the Commission on Human Rights under article IX of the Convention had held its first session prior to the thirty-fourth session of the Commission on Human Rights and had begun work on the tasks entrusted to it under

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(Mr. Keilau, German Democratic Republic)

articles VII and IX of the Convention. He commended the Group for its definition of the crime of apartheid (E/CN.4/1286, p. 9) and for the general guidelines it had drafted to govern the preparation of reports by States parties pursuant to article VII (E/CN.4/1285, p. 6), in particular, the invitation to States parties to the Convention to report on the implementation of measures against apartheid adopted by the Security Council and on co-operation between States and United Nations organs.

40. The suggestion incorporated in the guidelines to include in the periodic reports the names of individuals, organizations, institutions and State representatives who had been accused of committing the crime of apartheid or against whom legal proceedings had been instituted on those grounds was important in order to ensure that the Convention achieved its objectives. It would also assist the Commission on Human Rights in compiling a list of apartheid criminals as required under article X of the Convention and provide States with an opportunity to co-operate in protecting and promoting human rights and co-ordinate their efforts in the struggle against apartheid. The list of the principal war criminals of the Second World War had clearly proved the usefulness of such an instrument. Consequently, paragraphs 5 and 6 reflected the sponsors' satisfaction at the steps taken by the Commission on Human Rights in that direction and their expectation that it would continue to give priority to the compilation of such a list.

41. Mr. VERKERCKE (Belgium) introduced draft resolution A/C.3/33/L.10 and announced that the delegations of Angola, Australia, Bolivia, Haiti, Hungary, the Ivory Coast and the Libyan Arab Jamahiriya wished to join the list of sponsors.

42. Many delegations had emphasized the importance of the International Convention on the Elimination of All Forms of Racial Discrimination in the context of the international community's efforts to eliminate the unacceptable phenomenon of racial discrimination. Paragraph 2 of the draft resolution expressed the General Assembly's satisfaction at the increase in the number of States which had ratified the Convention or acceded thereto. However, although 100 States, representing two thirds of the States Members of the United Nations, were already parties to the Convention, the sponsors felt that the Convention should be universal, and therefore paragraph 4 contained an appeal to States which had not yet become parties to the Convention to ratify it or accede to it. The commendable activities of the Committee on the Elimination of Racial Discrimination should provide encouragement in that respect. He urged the Committee to adopt the draft resolution by consensus.

43. Mrs. GUELMAN (Uruguay), supported by the representative of Sweden, introduced the amendment to draft resolution A/C.3/33/L.10 contained in document A/C.3/33/L.11. The purpose of the amendment was to incorporate in that draft resolution a new paragraph 5 appealing to States parties to the Convention to study the possibility of making the declaration provided for in article 14 of the Convention, which recognized the competence of the Committee on the Elimination of Racial Discrimination to receive and examine submissions from persons claiming to be victims of contraventions of any of the rights laid down in the Convention. The

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(Mrs. Guelman, Uruguay)

purpose of the amendment was to increase the operational possibilities and competence of the Committee and encourage all States to make every effort to promote the elimination of all forms of discrimination.

44. Miss CAO PINNA (Italy) expressed strong support for the proposed amendment. If it was incorporated in document A/C.3/33/L.10, her delegation would support that draft resolution.

45. Mr. ATTAWHEEL (Jordan) proposed that the word "Appeals" at the beginning of paragraph 4 should be replaced with the word "Requests", which was a stronger term and one which would put greater moral pressure on States that had not yet become parties to the Convention to do so. If that amendment was accepted, his delegation would wish to join the list of sponsors of draft resolution A/C.3/33/L.10.

46. Mr. MATELJAK (Yugoslavia) introduced the draft resolution on the Report of the Committee on the Elimination of Racial Discrimination contained in document A/C.3/33/L.12 and announced that the delegations of Angola, Djibouti, Ethiopia and the United Republic of Cameroon wished to join the list of sponsors.

47. The text was on the same lines as that of the draft resolution on the same subject adopted by the General Assembly at its thirty-second session. The new elements that had been incorporated reflected the work of the Committee at its seventeenth and eighteenth sessions. The sponsors felt that it was important to include in the preamble a reference to the Decade for Action to Combat Racism and Racial Discrimination and to the status of the International Convention on the Elimination of All Forms of Racial Discrimination. He requested the Chairman to submit the draft resolutions on those items to the General Assembly for adoption before draft resolution A/C.3/33/L.12, so that the appropriate references could be incorporated into the first preambular paragraph. The second preambular paragraph had been taken from the resolution adopted at the thirty-second session of the General Assembly. The third preambular paragraph was new; the sponsors had considered it necessary to include it because of the persistence of racism and racial discrimination. The fourth preambular paragraph was on the same lines as that contained in the resolution adopted at the thirty-second session. The fifth preambular paragraph was related to paragraph 7, which was aimed at ensuring the widest possible dissemination of information regarding the work of the Committee on the Elimination of Racial Discrimination. The sixth preambular paragraph referred to co-operation with UNESCO and was related to paragraph 4. It was particularly important to combat discrimination in the fields of teaching, culture and information and to formulate general guidelines that might assist States parties in implementing article VII of the Convention. The seventh preambular paragraph and paragraph 1 had been taken from the resolution adopted at the thirty-second session. Paragraph 2 reaffirmed the need to provide sufficient information relating to Trust and Non-Self-Governing Territories, an area in which the Committee was experiencing difficulties, as had been pointed out at its seventeenth and eighteenth sessions. Paragraph 3 expressed support for the continued efforts of the Committee to focus attention on the just cause of peoples struggling against the oppression practised by the colonial racist régimes in

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(Mr. Mateljak, Yugoslavia)

southern Africa, which the sponsors regarded as the correct orientation of its work. Paragraph 5 was the same as that which had been adopted after long discussion at the thirty-second session. While some delegations would have preferred a stronger and more precise text and others a weaker and vaguer one, he appealed to all delegations to accept the present text in the interest of compromise and with a view to facilitating the work of the Committee. With regard to paragraph 7, the sponsors felt that it was important to give the widest possible dissemination to material relating to the work of the Committee, particularly in States parties to the Convention, with a view to increasing support for its praiseworthy work. Paragraph 8 had been taken from the resolution adopted at the thirty-second session. Although two thirds of the States Members of the United Nations had already ratified and acceded to the Convention, the remainder had not. Consequently, the sponsors considered it important to include an appeal to those States to ratify or accede to the Convention and, pending such ratification or accession, to be guided by the basic provisions of the Convention in their internal and foreign policies. The sponsors considered the text well-balanced and hoped that the Committee would adopt it by consensus.

AGENDA ITEM 82: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/33/L.15)

48. Mr. NTAKIBORORA (Burundi), introducing draft resolution A/C.3/33/L.15 on behalf of the African Group, said that self-determination was recognized by many international legal instruments as being an essential condition for the enjoyment of other fundamental rights and freedoms. It included the right to participate freely in political life and to enjoy all the basic economic and cultural rights which were implicit in the process of human development. The individual enjoyment of such rights presupposed national unity and territorial integrity. Many States Members of the United Nations had acquired their independence through the application of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

49. Paragraph 9 of the Proclamation of Teheran had condemned the negative impact of colonialism on the prospects of full recognition and enjoyment of human rights and had emphasized the importance of the swift granting of independence to colonial countries and peoples.

50. Draft resolution A/C.3/33/L.15 was based on General Assembly resolution 32/14 of 7 November 1977. Its sponsors were seeking to emphasize the close connexion between the implementation of United Nations resolutions on self-determination and the maintenance of international peace and security. They affirmed that subjugation in any form of the peoples of southern Africa, the Middle East and other areas, foreign domination and exploitation were a denial of fundamental human rights and infringed the purposes and principles of the United Nations Charter. They maintained that the process of decolonization must be continued, in spite of the diplomatic, military and economic relations maintained by some Members of the United Nations with régimes condemned for their racist or expansionist

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(Mr. Ntakiborora, Burundi)

policies. The condemnation of certain policies and States in the draft resolution was a pale reflection of the deep indignation left by its sponsors at the devastation caused by racism, apartheid and the denial of self-determination practised by some Governments. Some delegations, such as those which had participated in the World Conference to Combat Racism and Racial Discrimination, or the recent Conference of Ministers for Foreign Affairs of Non-Aligned Countries at Belgrade, would find the wording of the resolution somewhat moderate. Within the Committee itself, some delegations had described the apartheid régimes in southern Africa as abominable régimes responsible for monstrous and barbaric crimes. The sponsors of the draft resolution were therefore not alone in explicitly condemning the policies of racism, apartheid and the denial of the right to self-determination.

51. It would be inaccurate to attribute all responsibility for the situation of peoples still under colonial domination to the racist leaders themselves; it was the assistance they were receiving from other countries that enabled them to pursue their policies. All those who assisted régimes which thwarted the aspiration to self-determination should be condemned.

52. The draft resolution represented a delicate compromise among its sponsors. They were aware of the growing number of United Nations decisions which had not been applied, and therefore they called on all States to implement fully and faithfully the resolutions of the United Nations regarding the exercise of the right to self-determination. They also reaffirmed the legitimacy of the struggle of peoples for independence and territorial integrity and the inalienable right of the peoples of Namibia and Zimbabwe and of the Palestinian people to national independence. The draft resolution condemned the policy of "bantustanization", the practice of using mercenaries against national liberation movements and sovereign States, the expansionist activities of Israel in the Middle East; it demanded the immediate release of all persons detained or imprisoned as a result of their struggle for self-determination and noted with appreciation the assistance that peoples under colonial and foreign rule continued to receive. The outcome of the vote on the draft resolution would be a revealing indication of the degree of commitment felt by the Committee in relation to the problems of racism, racial discrimination, apartheid and the right to independence and self-determination.

53. There were two minor amendments to be made to the draft resolution: in the French text, the reference to documents in the third preambular paragraph should read "documents A/33/151, A/33/199 and A/33/206"; and the word "settlements" in paragraph 12 of the English text should be replaced by the word "camps".

54. He hoped that the draft resolution would be adopted by a significant majority.

55. Miss DE LA MAZA VASQUEZ (Dominican Republic) said that, in the Spanish text of the draft resolution, the first sentence should be amended to read "Condena la política de aquellos miembros".

56. The CHAIRMAN said that the Ivory Coast and Hungary had been added to the list of sponsors of draft resolution A/C.3/33/L.10; Hungary and Haiti to the sponsors of draft resolution A/C.3/33/L.14; and Mongolia and the Syrian Arab Republic to the sponsors of draft resolution A/C.3/33/L.15.

The meeting rose at 5.10 p.m.