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**GENERAL  
ASSEMBLY**



THIRTY-SECOND SESSION

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THIRD COMMITTEE  
4th meeting  
held on  
Wednesday, 28 September 1977  
at 10.30 a.m.  
New York

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SUMMARY RECORD OF THE 4th MEETING

Chairman: Mrs. MAIR (Jamaica)

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The meeting was called to order at 10.50 a.m.

ORGANIZATION OF THE COMMITTEE'S WORK (continued)

1. The CHAIRMAN drew the attention of the members of the Committee to document A/C.3/32/L.2, containing the programme of work adopted at the preceding meeting. In principle there would not be more than seven meetings a week, in order to leave sufficient time for informal consultations. As far as possible, Friday meetings would be avoided. She thought those arrangements would facilitate the work of the Committee as well as of the working group to be set up under item 84 and she was confident that the Secretariat would co-operate by providing any services that might be required for informal meetings. She hoped that the Committee would be able to keep to the programme of work which had been established and she thanked all the representatives in advance for their co-operation in that regard.

AGENDA ITEM 74: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

- (a) DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (A/32/3, chap. III, sect. G, A/32/61, A/32/196; E/5920 and L/5921)
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2. Mr. van BOVEN (Director, Division of Human Rights) said that before introducing agenda item 74 he wished to make a few general observations. First of all, he would like to stress the particular significance which he attached to the work of the Third Committee, which helped to shape the kinds of societies in which millions of people the world over lived their lives. As the Secretary-General had stated in the introduction to his report on the work of the Organization (A/32/1), the question of human rights was a "subject fundamental to the nature of the future world community, as well as to the way in which people live at the present time". The numerous instruments adopted in that field by the General Assembly bore witness to the Committee's efforts to attain the desired goal, namely, to ensure that every human being could live in peace, freedom and dignity, free from fear and free from want. A glance at the Committee's agenda revealed the importance of its long-term work. The Committee must deal with matters relating to fields as diverse and important as structural societal questions - self-determination, freedom of information and crime prevention and control; the elimination of evil practices such as apartheid, racial discrimination, torture and religious intolerance; the relationship of the individual to society, e.g. the question of human rights and scientific and technological development; the special problems of particular groups of persons, such as women, migrant workers, children, youth, the elderly and the aged, disabled persons and refugees; international standard-setting, in particular the elaboration of a convention on the elimination of discrimination against women; and, lastly, respect for human rights, particularly by the implementation of international

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instruments and alternative approaches and ways and means for improving the effective enjoyment of human rights.

3. There was insufficient recognition of the essential importance of human rights and related humanitarian and social factors in reshaping the structures of international society and, to a certain extent also, of national societies. All the great international issues - issues of war and peace, self-determination, colonialism, racism, apartheid, environment, development, population, food, poverty, and the establishment of a new international economic, social and human order - could be viewed in the context of human rights.

4. Everyone must strive to promote the observance of the international standards embodied in the Universal Declaration of Human Rights, the International Covenant on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Declaration on the Elimination of Discrimination against Women and the proposed convention on that subject and other related international instruments if it was desired to establish more equitable structures both nationally and internationally and ensure the immediate enjoyment of civil and political rights and the progressive realization of economic, social and cultural rights.

5. One of the most important challenges of the age was to formulate strategies for solving existing problems in the field of human rights. Promoting and encouraging respect for human rights was a purpose which had a prominent place in the United Nations Charter along with the maintenance of international peace and security and the creation of conditions for economic and social progress and development. The interdependence between human rights, peace and development meant that the human factor should be the central theme of all endeavours; too often it was made subordinate to the whims of power, to economic and financial interests and to military considerations. It was imperative to give constant attention to human rights and fundamental freedoms and to accord that question the highest priority, for otherwise successes achieved in other fields would be hollow indeed.

6. However, it was encouraging to note that a number of recent problems had been examined from the human rights standpoint by human rights bodies, notably the adverse consequences for the enjoyment of human rights of aid given to colonial and racist régimes in southern Africa, the consequences for the enjoyment of human rights of aid given to other oppressive régimes, the adverse consequences of discrimination against women on the development process and the attainment of peace, the implications for human rights of alarming developments in connexion with the application of emergency provisions ("state of siege") and the question of development. It should be recalled in that connexion that at the thirty-third session of the Commission on Human Rights several representatives had stressed that assistance for the economic and social development of developing countries was a moral and legal obligation of the international community in view of the provisions of the United Nations Charter, particularly Articles 55 and 56, of the Universal Declaration of Human Rights and of other United Nations instruments which emphasized the fundamental principle of solidarity between nations. The Commission on Human Rights had deduced the existence of a specific right to

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development, which the United Nations and especially the Commission on Human Rights should promote. The Commission had therefore recommended that the Secretary-General should establish, in co-operation with UNESCO and other competent specialized agencies, a comprehensive study of the question of the international dimensions of the right to development, which would provide the moral and legal framework for the implementation of the Programme of Action on the New International Economic Order. The Economic and Social Council had approved that recommendation.

7. The United Nations record of concern for human rights and its action in that field had given rise to increasing appeals from various parts of the world for observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion, in accordance with the Charter. The United Nations could live up to the expectations which had been raised by its Charter and by the various international instruments based on it only if vigorous and collective efforts were made by all its organs as well as by other international and national bodies. Governments, intergovernmental and non-governmental organizations and individuals shared the responsibility for joining in a common effort, particularly at the grass roots level, where basic rights and basic needs had their most concrete expression. It was to be hoped that, in that connexion, the thirtieth anniversary of the Universal Declaration of Human Rights, which would be celebrated in 1978, would be a significant factor in making people aware of their human rights and responsibilities, in mobilizing minds and hearts and in devising appropriate strategies.

8. In spite of vigorous efforts by the United Nations through the years to eliminate racism, racial discrimination and apartheid, large groups still suffered from those hateful practices. The Decade for Action to Combat Racism and Racial Discrimination and the World Conference which was to be a major feature of that Decade held great potential for practical action, particularly for public information. An urgent appeal must be made to all States and all national and international organs to lend their full support to the goals of the Decade and to participate constructively in the Conference.

9. It was the responsibility of every individual to spare no effort to put an end to gross violations of human rights wherever they occurred. The responsibility of the United Nations should not be exercised selectively or exclusively and efforts should be renewed at all levels - international, regional and national - to develop more effective ways of monitoring human rights implementation. Moreover, gross violations of human rights were often symptoms of deeper causes of injustice and it was therefore imperative to work for just structures of society. Racism and racial discrimination, political manipulation, economic exploitation and social inequalities necessarily implied violation of human rights and it was therefore of the greatest importance that such manifestations should be analysed in order to develop and apply remedial measures. In that connexion, research, education and information were indispensable means and particular attention should be given, at

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the current session, to ways of informing people at the grass roots level of their rights and of how they could participate in promoting and defending those rights as well as the rights of their fellow human beings. There too, the thirtieth anniversary of the Universal Declaration of Human Rights would provide a suitable occasion to stimulate that process of information and education with a view to strengthening the foundations of the just social and international order to which all persons were entitled.

10. Turning to the question of racial discrimination, he noted that, during the discussion on the organization of work, practically every speaker had stressed that racial discrimination was one of the most urgent social and humanitarian problems of the time. The General Assembly had repeatedly stressed the urgency and necessity of eliminating racial discrimination and it was in that area that the United Nations had used the widest range of approaches: as early as the 1950s, a committee had been set up to investigate the racial policies of the Government of South Africa, the International Convention on the Elimination of All Forms of Racial Discrimination had, moreover, been the first instrument to provide for international measures of supervision. Then there was the International Convention on the Suppression and Punishment of the Crime of Apartheid and the recent World Conference for Action against Apartheid, held in Lagos, at which the international community had re-emphasized its commitment to work for the eradication of apartheid. The Decade for Action to Combat Racism and Racial Discrimination provided for action on various fronts to combat racism and racial discrimination.

11. Many of the activities within the United Nations human rights programme played a major role in combating racial discrimination and each of the human rights organs of the United Nations participated actively in that struggle. Every year the Commission on Human Rights had on its agenda several items concerned with the elimination of racial discrimination, such as the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa; the question of the violation of human rights and fundamental freedoms; and the right of peoples to self-determination and its application to peoples under colonial and alien domination.

12. For several years, the Ad Hoc Working Group of Experts on southern Africa had been investigating the multiple manifestations of racism and apartheid in southern Africa: capital punishment, massacres, forced removal of population, treatment of political prisoners and detainees, the farm labour system, infringements of trade union rights and so forth. On the recommendation of the Commission on Human Rights, the Economic and Social Council, at its sixty-second session, had requested the Ad Hoc Working Group of Experts to examine the treatment of prisoners in South Africa, Namibia and Zimbabwe and to devote particular attention to the deaths and ill-treatment which had recently occurred as a result of the policy of repression, with a view to submitting a report. The tragic death of Steve Biko had once again demonstrated the seriousness of the situation. In its resolution 6 (XXXIII), the Commission had expressed its profound indignation regarding the situation which continued to prevail in southern Africa and which was characterized by a flagrant denial of human rights to the African population and by the brutal and inhuman treatment of political prisoners in that part of the world.

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13. In order to set in motion, in response to a request from the General Assembly, the measures of implementation contained in the Convention on the Suppression and Punishment of the Crime of Apartheid, the Commission had decided that the group of three members provided for in article IX of the Convention should meet for a period of five days before the thirty-fourth session of the Commission to consider reports submitted by States parties.

14. In connexion with the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa, the Commission had requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Special Rapporteur to prepare the necessary material for a provisional general list identifying those individuals, institutions, including banks, and other organizations or groups, as well as representatives of States, whose activities constituted political, military, economic or other forms of assistance to the colonial and racist régimes in southern Africa. The Commission had also requested the Secretary-General to prepare, for submission to the Sub-Commission at its thirty-first session, a preliminary report on the existence of partial lists concerning violations of fundamental human rights in southern Africa drawn up by other United Nations bodies. At its thirtieth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had considered the final version of the report by the Special Rapporteur and had recommended that he undertake a final revision of the report - which was to be submitted to the General Assembly at its thirty-third session - and had invited him to prepare the necessary material for the provisional general list previously mentioned.

15. At the same session, the Sub-Commission had considered its role in the implementation of the Programme of the Decade for Action to Combat Racism and Racial Discrimination and had adopted the report of the Working Group which it had appointed to look into the question. The Working Group had recommended that studies should be undertaken on the following subjects: the role of Governments in eliminating all manifestations of racism and racial discrimination in their societies; discriminatory treatment of members of ethnic groups; the role of private group action in combating racism and racial discrimination; and the role of education in collaboration with UNESCO, including the role of the media, in combating racial prejudice - conscious and otherwise - and in the elimination of racism; particularly important were publications and programmes for children and young people and education in general, including the social sciences. Furthermore, the Sub-Commission had decided in a resolution to consider, as a major part of its own contribution to the Decade, ways and means of using national courts and legislative bodies to help implement United Nations resolutions on racism, racial discrimination, apartheid, decolonization, self-determination and related matters, and had requested the Secretary-General to prepare the necessary documentation for its next session.

16. The role of the Committee on the Elimination of Racial Discrimination in the implementation of the Programme of the Decade was described in chapter VI of the Committee's report (A/32/18), which would be considered by the Third Committee under item 74 (b) of the agenda. As could be seen in document A/32/206, which the Third

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Committee would have before it under item 75, the Committee on the Elimination of Racial Discrimination was closely following the preparations for the World Conference to Combat Racism and Racial Discrimination.

17. Among numerous examples of specific action under the United Nations human rights programme to combat racism and racial discrimination, he mentioned the study on racial discrimination prepared by Mr. H. Santa Cruz, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which had been updated earlier in the year. At its thirty-first session in 1978, the Sub-Commission would have before it another study - a study on the rights of indigenous populations - which was closely connected with racial discrimination and was being prepared by the Sub-Commission's Special Rapporteur, Mr. Martinez Cobo.

18. Thus it could be seen that under the human rights programme action was constantly being taken to combat racism and racial discrimination and new approaches, new techniques and new methods of action were being worked out. The activities in that area were, therefore, sufficient in themselves to justify the entire human rights programme.

19. Miss RICHTER (Argentina) said that the struggle against racism and racial discrimination had reached a crucial phase.

20. The measures which had been taken up to now, useful though they might have been, had not been commensurate with the hopes and objectives of the Decade. The agenda of the General Assembly and that of the Security Council were sufficient proof of the fact that racist practices and policies created situations which were politically very serious and exceeded the Committee's competence. The continued pursuit of those illegal policies in flagrant violation of the international agreements on which the Organization was based reflected the idea of the superiority of certain races, an idea which was intrinsically false and which, moreover, had been condemned by the Conference of Non-Aligned Countries at Colombo, by the General Assembly and by the Security Council. Since the adoption of resolution 1514 (XV), it was universally recognized that a situation such as the one prevailing in southern Africa constituted a threat to international peace and security.

21. It was to be hoped that the various initiatives which had been taken, particularly recent ones, would prevent conflicts in that part of the world from growing more serious. Since other conflicts had erupted elsewhere, it was imperative to redouble efforts to combat the ignorance and prejudice which were at the root of all discrimination.

22. It was to be hoped that an increasing number of States would ratify the International Convention on the Elimination of All Forms of Racial Discrimination so that it could become a truly universal instrument. It was in the hope that all States would - as called for in the Convention - participate in the joint struggle against the scourge of racism that her delegation announced its support for the draft resolution which the Committee traditionally adopted on the item.

(Miss Richter, Argentina)

23. Her delegation would have no objection to incorporating, in the draft resolution sent to the General Assembly by the Economic and Social Council concerning the coming World Conference to Combat Racism and Racial Discrimination, the proposal of the Chairman of the Committee on the Elimination of Racial Discrimination (A/32/206) urging that item 11 (a) of the draft provisional agenda of the Conference should include a reference to the International Convention on the Elimination of All Forms of Racial Discrimination and that all States should be recommended fully to accept the Convention. With regard to the Conference itself, her delegation felt that the Secretariat should be recommended to speed up its preparations so that that international event, which would be the high point of the Decade to Combat Racism and Racial Discrimination, would have all the importance attributed to it by the world community.

The meeting rose at 11.40 a.m.