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THIRD COMMITTEE
44th meeting
held on
Wednesday, 10 November 1976
at 10.30 a.m.
New York

SUMMARY RECORD OF THE 44th MEETING

Chairman: Mr. von KYAW (Federal Republic of Germany)

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 69 (b): REPORTS OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (A/10018; A/31/18; A/C.3/31/7, A/C.3/31/8; E/5813; A/31/151 (S/12144), A/31/178 (S/12179); A/C.3/31/L.18 and L.20) (continued)

1. Mr. GUSTAVSEN (Norway) expressed appreciation of the work done by the Committee on the Elimination of Racial Discrimination. His delegation had been impressed with the thorough and dedicated way in which the members of the Committee were conducting their examination of the reports of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination when it had participated in the discussion of Norway's third periodic report. The members of the Committee were carrying out their task with competence and impartiality, thus creating the atmosphere of confidence which was conducive to the dialogue between it and the States parties to the Convention on which its usefulness depended. The Norwegian Government supported the Committee's efforts to ensure that the periodic reports submitted by States were as comprehensive as possible. That was vitally important, since the quality and quantity of the material placed before it determined the quality of its work. In that connexion, he announced that Norway had submitted an addendum to its most recent periodic report in response to the Committee's request for additional and more comprehensive information on the implementation of the Convention in Norway.

2. Norway was deeply interested in the development and reinforcement of the United Nations machinery for dealing with violations of human rights, and it considered the work of the Committee to be of great value in that respect. It hoped that the Committee might set an example for future committees of a similar kind concerned with the implementation of other international instruments on human rights. There was no doubt that the Committee could make a useful contribution to the Decade for Action to Combat Racism and Racial Discrimination; it should co-operate closely with other organizations participating in the activities of the Decade. Wider publicity might be given to the provisions of the Convention and the work of the Committee during the Decade.

3. His delegation noted with satisfaction that the number of States parties to the Convention had now risen to 92. The protection of individuals and groups against racial discrimination was of the utmost importance in the world of today and he therefore appealed to Member States which had not yet done so to ratify or accede to the Convention. In the meantime, there was nothing to prevent States which had not yet become parties to it from enacting legislation in conformity with its aims and purposes.

4. In March 1976 the Norwegian Government had made a declaration in accordance with article 14 of the Convention recognizing the competence of the Committee to

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(Mr. Gustavsen, Norway)

receive and consider communications from individuals or groups of individuals within the jurisdiction of Norway claiming to be the victims of a violation by Norway of any of the rights set forth in the Convention. Only a few countries had made that declaration. As the Committee could not carry out its functions under that article until at least 10 States parties had recognized its competence to do so, it was the firm hope of his Government that that condition would be met as soon as possible.

5. Mrs. KIKINE (Lesotho) said that her delegation was pleased that the agenda item under discussion had been given priority and commended the report of the Committee on the Elimination of Racial Discrimination contained in document A/31/18. The problem of racial discrimination was especially important to Lesotho because it was an enclave within the Republic of South Africa and therefore a witness to racial discrimination in its worst form. Lesotho was a party to the International Convention on the Elimination of All Forms of Racial Discrimination and remained firm in its condemnation of the brutal racist oppression which prevailed in the country which surrounded it.

6. Basic human rights had been assured in her country after it achieved independence. Its laws fully protected the rights referred to in article 5 of the Convention and no case of racial discrimination had been brought before its courts. It would continue to combat apartheid and provide asylum for the victims of racial oppression in neighbouring South Africa.

7. Lesotho remained firmly committed to the provisions of the Convention. It supported the draft resolution in document A/C.3/31/L.18 and it attached special importance to paragraph 8 of that text.

8. Mr. SHERIFIS (Cyprus) said that Cyprus was a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, which it viewed as an excellent document reflecting the most commendable objectives. His delegation firmly maintained, however, that resolutions and declarations were meaningless unless they were implemented. Many of the major problems dealt with in the Committee on the Elimination of Racial Discrimination, such as South Africa, the Middle East and Cyprus, could have been solved had Governments understood that their responsibilities did not cease with the adoption of resolutions.

9. Unfortunately, Governments which pursued racist policies were never eager to abide by such **resolutions** and it was therefore the duty of the world community to take determined and positive action to ensure their implementation. Rhetorical support of and expressions of sympathy for the victims of racial discrimination, even when embodied in international instruments, were not sufficient. Even countries which practised racial discrimination tended to vote for such resolutions, only to treat them as scraps of paper once they were adopted. While paying lip-service to the principles embodied in such international instruments, they would resort to such pretexts as problems arising from economic differences between racial groups or the need to protect certain racial groups in order to continue to persecute them and deprive them of their human rights.

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(Mr. Sherifis, Cyprus)

10. The significance of the Convention lay in the fact that it had codified certain goals and principles in an international instrument and, in articles 8 and 9, had established machinery for implementing them and his delegation hoped that all countries which had not yet done so would accede to it.
11. Mr. SOYLEMEZ (Turkey) said that his delegation felt obliged to make some comments on the sections of the reports of the Committee on the Elimination of Racial Discrimination which dealt with the question of Cyprus. Both of those reports referred to the "representative of the Government of Cyprus". His Government, however, had always maintained that the Greek Cypriot administration in Cyprus did not possess any legal or moral right to represent the whole of Cyprus. The Greek Cypriot administration continued to usurp the Turkish community's right of representation and was purporting to act as the "Government of Cyprus".
12. Mr. SHERIFIS (Cyprus), speaking on a point of order, said that the representation of Cyprus was not at issue in the Third Committee. That was a matter for the Credentials Committee and the General Assembly, where the Cyprus problem was under consideration. The Third Committee should confine itself to the issues of racial discrimination and human rights and not engage in political polemics or the endless exercise of the right of reply would result and undermine its work.
13. The CHAIRMAN said he realized that a sensitive problem was involved but felt that as long as the Turkish representative's remarks were not actually out of order he had the right to say what he wished.
14. Mr. SOYLEMEZ (Turkey), continuing his statement, said that no "Government of Cyprus" had existed as a legal entity since 1963 because the Turkish Cypriot community had been forcibly ousted from partnership in the State of Cyprus and because the Government had been illegally usurped and monopolized by the Greek Cypriot community.
15. Mr. SHERIFIS (Cyprus), speaking on a point of order, said that the legality of the Government of Cyprus was not really an issue before the Committee. The General Assembly had already pronounced itself on that matter. He therefore appealed to the Chairman to ask the Turkish representative not to raise the extraneous question of legality, which could only lead the Committee astray.
16. The CHAIRMAN said that delegations were entitled to make such statements as they felt were necessary. The legality of the Government of Cyprus was not in question in the Third Committee, but if the Turkish representative felt that he had to mention the matter in conjunction with the item under discussion, he was free to do so.

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17. Mr. SOYLEMEZ (Turkey), continuing his statement, said that since the Greek Cypriot administration had violated the principle of constitutional and governmental authority based on the participation of both communities, such authority had ceased to exist in Cyprus and had been replaced by two de facto communal administrations. That fact had been recognized by the three guarantors of the Geneva Declaration of 30 July 1974, namely, Turkey, Greece and the United Kingdom. Furthermore, the General Assembly, in resolution 3212 (XXIX), had also recognized the existence of two communities in Cyprus and stressed that the constitutional system of the Republic of Cyprus was the concern of both the Turkish and the Greek communities and should be determined through negotiation. It was obvious that while such negotiations were under way the Greek Cypriot administration did not possess legal authority to act for or represent Cyprus as a whole. The insistence of Greek Cypriots on posing as the "Government of Cyprus" could have only one purpose, namely, to undermine the existence of the Turkish community on the island.

18. Furthermore, although the Committee on the Elimination of Racial Discrimination had conceded that the political situation in Cyprus was outside its competence, it had nevertheless considered, under article 9, paragraph 1 of the Convention, a statement by the Greek Cypriot representative to the effect that it had been unable to comply with its obligations under the Convention in a portion of its national territory which was under the effective control of another State that was not a party to the Convention. He wished to stress, however, that the present situation reduced that Greek Cypriot claim to total absurdity. The territory referred to as being under foreign occupation was, in fact, under the control and authority of the Turkish Cypriot community in Cyprus. The Turkish community's leadership had been freely and democratically elected and enjoyed the overwhelming support of the Turkish Cypriot people to whom it was responsible. Therefore, the complaint of the Greek Cypriots to the Committee on the Elimination of Racial Discrimination actually related not to their inability to implement the Convention but rather to their being prevented from discriminating against the Turkish Cypriot community, which as a result of the chain of events beginning with the Greek Cypriot coup d'état in 1974 had for the first time in 11 years been able to live in peace and security and free from discrimination. The Greek Cypriot allegations made during the sessions of the Committee on the Elimination of Racial Discrimination had been entirely political in nature and propagandistic in motivation. As the Chairman of that Committee himself had indicated, the Committee should not be a forum for political propaganda and should not deal with questions outside its mandate and, as many representatives in that Committee had agreed, any substantive discussion of the question of Cyprus would require that all sides should be heard.

19. His delegation fully endorsed the humanitarian desire expressed in that Committee that a speedy normalization of the situation in Cyprus should take place so that all Cypriots could enjoy their fundamental human rights without discrimination. For years the Greek Cypriots had exploited their numerical superiority in order to violate the basic human rights of Turkish Cypriots while denying that they were practising racial discrimination. The Turks were ready to forgive and forget the crimes committed against Turkish Cypriots but they did not want attention to be diverted from the real issues for propaganda purposes. His delegation regretted that the question of Cyprus, which was under discussion in the plenary of the General Assembly, was being deliberately introduced, with all of its political ramifications, into the Third Committee.

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20. Mr. MUJEZINOVIC (Yugoslavia) said that his country had always actively combated all forms of racial discrimination based on race, colour, descent or national or ethnic origin and consequently had taken an active interest in the elaboration and implementation of all important international instruments for the protection and promotion of human rights and the elimination of all forms of racial discrimination. At the same time, it had been giving moral and material assistance to the liberation movements struggling for the liquidation of racism, apartheid and colonial and foreign domination. That approach was laid down in Yugoslavia's Constitution of 1974 and in the measures being taken for the implementation of its principles. His country firmly believed that every form of discrimination as defined in article 1 of the Convention was unjustified and must be prohibited. He welcomed the increase in the number of States that had ratified the Convention and expressed the hope that many more would follow suit so that it could be applied universally, which was of great importance for the eradication of discrimination.

21. Compliance with the obligations assumed under bilateral, regional or multilateral treaties and instruments on that subject was important also. In a world characterized by an intense struggle against racial discrimination, the interdependence of States and the need for their co-operation in all sectors, it was impossible to allow the denial of the existence of national, ethnic or other minorities or discrimination against them. That view had been reflected in the Final Act of the Conference on Security and Co-operation in Europe, held in 1975, which had been signed by 35 Governments.

22. His delegation had studied very carefully the two reports of the Committee on the Elimination of Racial Discrimination (A/10018 and A/31/18). Among the decisions adopted by the Committee, his Government welcomed decision 1 (XI), expressing the Committee's readiness to participate in the Programme for the Decade for Action to Combat Racism and Racial Discrimination and recommending that an item on the International Convention on the Elimination of All Forms of Racial Discrimination and the work of the Committee should be included in the agenda of the World Conference to Combat Racism and Racial Discrimination. Decision 2 (XI), inviting all 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, and decision 4 (XI), which reminded Member States of the obligation to adopt appropriate legislative, judicial, administrative or other measures to put an end to racism and to the vestiges or manifestations of such ideologies wherever they existed, were both very significant. That decision, adopted on the occasion of the thirtieth anniversary of the defeat of nazism and fascism, was timely and justified in view of the revival and propagation of such ideologies in certain parts of the world.

23. His delegation noted with regret that some States parties to the Convention were not in a position to apply it in the whole of their territories owing to circumstances beyond their control.

24. Yugoslavia's third and fourth periodic reports had been considered during the period covered by the Committee's two reports. The representative of Yugoslavia had attended the meetings at which the Yugoslav reports had been

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(Mr. Mujezinovic, Yugoslavia)

discussed. The dialogue established between the Committee and the States parties to the Convention had proved to be mutually beneficial and had made for the better implementation of the Convention. Yugoslavia would continue to co-operate with the Committee.

25. Some questions arising out of the periodic reports considered by the Committee were causing great concern to his delegation, in particular, the content of paragraphs 50-57 of the Committee's most recent report (A/31/18) relating to Austria. Yugoslavia had pointed out on many occasions that the situation of the Slovene and Croat minorities in Austria was steadily deteriorating and that those minorities were subjected to pressure and threats. Talks between Yugoslavia and Austria had been going on since 1965 but no satisfactory progress had been made. The rights of those minorities and the Austrian territory on which they should enjoy them were precisely defined by article 7 of the State Treaty for the Re-establishment of an Independent and Democratic Austria, of which Yugoslavia was a signatory. According to article 7, paragraph 3, of that Treaty, in Carinthia, Burgenland and Styria, where there were Slovene, Croat, or mixed populations, the Slovene or Croat language was to be accepted as an official language in addition to German, and topographical terminology and instructions were to be in both languages. No preconditions were laid down in the State Treaty for the application of article 7, but the Austrian Federal Government had decided to take a census of a special kind on 14 November 1976 as a precondition for guaranteeing the rights of the minorities. Any census whose basic criterion was linguistic could, when applied to national minorities, result in a reduction of the size of the minorities and a degradation of their languages and the special census obviously limited the rights of the minorities concerned. Furthermore, it was being taken in an atmosphere of pressure and intimidation, particularly by such organizations as the Karntner Heimatdienst, which was pursuing a neo-nazi and anti-minority policy aimed at the assimilation of the minorities. The obvious aim of the census was to bring about a further reduction in the numbers composing the minorities and a lowering of their status and finally to assimilate them completely. The minorities concerned emphatically rejected the imposing of any limits or conditions on their guaranteed rights and they had informed the Austrian Federal authorities of their intention to boycott the special census. Yugoslavia did not accept any of the implications of that census or of any other measures that would result in a limitation of the rights of the minorities and be contrary to the letter and the spirit of the Austrian State Treaty and the International Convention on the Elimination of All Forms of Racial Discrimination.

26. Turning to paragraph 175 of the same report (A/31/18), he said that the assertion that in the past the Slavic population of the region of Macedonia had always been recognized as Bulgarian and had always considered itself Bulgarian had been made in the past by Bulgarian ruling circles to justify their opposition to the Macedonian people's struggle for national liberation. That assertion and the policy it reflected had been condemned by eminent Bulgarians and it was incredible that it could still be advanced today. Paragraph 175 showed that the rights of the Macedonians had been abrogated when the idea of a merger between Bulgaria and Yugoslavia had been abandoned in 1948, as a result of the sudden deterioration in Bulgarian-Yugoslav relations.

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(Mr. Mujezinovic, Yugoslavia)

27. However that might be, according to the official results of the Bulgarian population census of 1956, 172,862 persons had declared themselves to be of Macedonian nationality. As a result of further pressure against the Macedonian minority, the number of Macedonians had fallen to less than 10,000 in the 1965 census. That decline had been accompanied by persistent statements from Bulgarian officials that there was no Macedonian minority in Bulgaria. Thus, there had been attempts over a period of 30 years to declare the Macedonian national minority in Bulgaria to be non-existent. Until the rights of that minority in the fields of education, culture and freedom to profess its nationality were restored, relations and co-operation between Yugoslavia and Bulgaria would suffer. However, Yugoslavia was convinced that, with goodwill and respect for international obligations, the problem could be solved, and it had engaged in bilateral talks with Bulgaria and with Austria with a view to finding solutions to both issues.

28. At the seventh plenary meeting of the General Assembly at the current session, the Minister for Foreign Affairs of Yugoslavia had proposed a detailed formulation of the obligations of States towards minorities with the aim of adopting an international instrument for the protection of the rights and promotion of the status of minorities. If that important question could be settled, understanding, rapprochement and co-operation between the countries where the minorities originated and those where they were living would be promoted. His delegation would participate actively in the drafting and adoption of such an instrument.

29. Mr. BYKOV (Union of Soviet Socialist Republics) said that the elimination of racial discrimination was one of the most urgent tasks facing the United Nations and that the Committee on the Elimination of Racial Discrimination was making an important contribution by helping to ensure the implementation of the relevant Convention. Its examination of periodic reports of States parties to the Convention provided useful and detailed information regarding measures taken to implement the obligations of States under the Convention.

30. In reviewing that Committee's work in 1975 and 1976, his delegation wished to commend in particular its decision 2 (XI) condemning relations with racist régimes, and decision 4 (XI), concerning the thirtieth anniversary of the defeat of nazism and fascism, which served as a reminder that the United Nations was obliged to combat racism whenever and in whatever form it appeared.

31. That Committee's intention to take an active part in implementing the Programme for the Decade for Action to Combat Racism and Racial Discrimination deserved full support, as did its determination to fulfil its obligations under the Convention. Its practical activity should be geared to the Programme for the Decade and should focus its attention on the most flagrant manifestations of racism and racial discrimination.

32. His delegation felt that that Committee's work in 1975 and 1976 had been positive but that it could be further improved by having one annual four- to five-week session. It also felt that the Convention was an extremely important international instrument and that the General Assembly should renew its appeal

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(Mr. Bykov, USSR)

to all States which had not yet done so to ratify or to accede to it. It hoped that the decision which would be taken after a discussion of that Committee's reports would contribute to the further strengthening of efforts to eradicate racism, apartheid and racial discrimination. It therefore supported the draft resolution in document A/C.3/31/L.18 and the amendment to it in document A/C.3/31/L.20, which would contribute to the achievement of that goal.

33. Miss GITTENS (Trinidad and Tobago) said that it was undeniable that the United Nations had played an important role in increasing world-wide awareness of the vicious nature of racial discrimination and the Committee on the Elimination of Racial Discrimination must be given credit for its contribution to that awareness. The Committee's reports were most useful and could serve as a yardstick for measuring how far countries had progressed towards eradicating racial discrimination. The procedure of having representatives of countries which had submitted reports to the Committee present at the meetings where they were discussed was a good one; her country had co-operated with the Committee in that way and would continue to do so.

34. Despite the efforts of the United Nations, racism and racial discrimination were still among the biggest scourges that faced mankind. The full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination could help to diminish such practices. Her delegation was happy to note that, as of 20 August 1976, 90 States had become parties to the Convention. Trinidad and Tobago had ratified the Convention on 4 October 1973 and had already submitted its first report under article 9, paragraph 1. That report had received favourable comment from the Committee, which had noted that the information contained in the report had been comprehensive and that it furnished much information on the implementation of crucial articles of the Convention. Her country's position regarding racial discrimination in general and apartheid in particular, was perfectly clear. It maintained no relations with the racist régimes of South Africa and Southern Rhodesia. Her country had been among the first to break off relations with the Smith régime in Southern Rhodesia after its illegal declaration of independence. Her country's intention to do so had been conveyed to the United Nations secretariat in Addis Ababa within 48 hours of the declaration. Her country had also taken an active part in United Nations bodies dealing with racial discrimination and apartheid.

35. Trinidad and Tobago had striven to ensure racial equality for all its citizens. The concept of equality before the law was deeply rooted in its legal practice and institutions. Racial discrimination in all its forms was prohibited and respect for the rights of everyone, without distinction as to race, colour, and national or ethnic origin was ensured by provisions of the Constitution, legislation, conventions and the common law. Her country was a party to the International Labour Organisation Convention No. 111 concerning discrimination in respect of employment and occupation.

36. Although apartheid was the most glaring example of racial discrimination, there were other lesser-known examples. Governments must therefore enact appropriate legislation to guarantee equality before the law for all persons

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(Miss Gittens, Trinidad and Tobago)

under their jurisdiction. For instance, her delegation was concerned about the racial discrimination against non-whites in some industrialized countries, especially in Western Europe and North America. It was even more difficult to eradicate the subtler forms of racial discrimination, which could be ignored by Governments in their public statements and were not confined to any one part of the globe. Her delegation supported all efforts to eradicate racial discrimination and hence fully endorsed the principles and objectives of the Decade for Action to Combat Racism and Racial Discrimination.

37. Miss GELBER (Canada) said that her country, in accordance with its traditions, wished to support initiatives designed to protect human rights and eliminate racial discrimination. In consequence, her delegation supported draft resolution A/C.3/31/L.18. At the same time, it wished to express its strong reservations concerning certain sections of the report of the Committee on the Elimination of Racial Discrimination in document A/31/18, because they reflected a serious misunderstanding of the principle of freedom of expression in Canada, which was a corner-stone of the country's social structure. While viewing that principle as crucial, Canada had always associated it with the principle of individual rights, and that concept was reflected in the law of the land.

38. Responsible freedom of expression was equally entrenched in international instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination. While article 4 of that Convention outlawed the dissemination of opinion and expression which promoted racial discrimination, article 5 required that States parties guarantee certain rights, including the right to freedom of opinion and expression. It was therefore difficult to understand the critical comments regarding freedom of expression - which apparently had been considered of sufficient validity to be included in the report (A/31/18) - to the effect that Canadian law in that respect did not seem to meet the requirements of the Convention.

39. Other critical comments in that report which conflicted with the existing situation in Canada would be dealt with when Canada's fourth periodic report came before the Committee on the Elimination of Racial Discrimination.

40. Mr. VELESKO (Byelorussian Soviet Socialist Republic) said that his country attached great importance to United Nations activities for the elimination of racism. He noted that the two reports submitted by the Committee on the Elimination of Racial Discrimination (A/10018 and A/31/18) attested to the intensification of efforts by the majority of Governments and world public opinion to secure increased international co-operation in eliminating all vestiges of colonialism and racism, in pursuance of the objectives of the Programme for the Decade for Action to Combat Racism and Racial Discrimination. The decisions adopted by that Committee at its eleventh and twelfth sessions were of fundamental importance. He drew attention in particular to decision 1 (XI), concerning participation in the Programme for the Decade, decision 2 (XI), concerning relations with racist régimes, and decision 4 (XI), concerning the thirtieth anniversary of the defeat of nazism and fascism. In the war against nazism and

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(Mr. Velesko, Byelorussian SSR)

fascism, every fourth inhabitant of the Byelorussian SSR had perished. The Republic, reflecting the will of its people, was pursuing an active struggle, including its struggle in the United Nations, to ensure the eradication of the theories and policy of racial discrimination from the earth.

41. It was perfectly natural that the Committee on the Elimination of Racial Discrimination should attach great importance to revealing the inhuman essence of the policy of apartheid and racial discrimination overtly pursued by the racist régimes in South Africa, Namibia and Southern Rhodesia.

42. The Committee's most recent report (A/31/18) contained detailed information concerning the great efforts made and the measures adopted by 44 States Members of the United Nations to give effect to the Convention. The Byelorussian SSR, as noted in its fourth periodic report, approved by the Committee at its fourteenth session, and in the statements made by the representative of the Republic before the Committee, fully implemented all provisions of the Convention and was actively participating in the struggle waged by the United Nations against colonialism, racism and apartheid. The Byelorussian SSR actively sought the adoption by the United Nations of progressive decisions in that struggle and urged that they should be implemented.

43. The Republic had been among the first to ratify the International Convention on the Suppression and Punishment of Apartheid, the International Convention on the Elimination of All Forms of Racial Discrimination, and the two International Covenants on Human Rights, and unswervingly implemented the ideas which they embodied. It appealed to other States not yet parties to those instruments to sign and ratify them, thereby making an important contribution to the struggle against racism and racial discrimination.

44. Guided by Lenin's principle of foreign policy, the Byelorussian SSR always consistently upheld the principle of equal rights and steadfastly opposed all forms of discrimination and the suppression of nationalities.

45. Every year, various measures were adopted in the Republic to give effect to the objectives of the Programme for the Decade. The International Day for the Elimination of Racial Discrimination, Africa Liberation Day and the Week of Solidarity with the Colonial Peoples of Southern Africa were celebrated throughout the Republic by the public, the trade unions and youth organizations, and the mass media.

46. The Byelorussian SSR supported the adoption of effective measures against the racist régimes, and strictly implemented United Nations decisions providing for the application of economic and diplomatic sanctions against them. Furthermore, the Republic continued to support the peoples' struggle against racial repression. The successes of that struggle and the increasing support that it received from international public opinion bore witness to the fact that the peoples of the world were determined to put an end to colonialism, racism and racial discrimination.

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(Mr. Velesko, Byelorussian SSR)

47. His country always categorically condemned racism and apartheid and the policy of those countries which, in violation of United Nations decisions, continued to afford assistance to South Africa and Southern Rhodesia. For its part, it sought to ensure that United Nations decisions on the elimination of colonial régimes and racism were implemented by all States.

48. Miss SHAHKAR (Iran) noted that the authority of the Committee on the Elimination of Racial Discrimination, which played an important role in efforts to combat that phenomenon, derived not only from the fact that it had been established under the International Convention on the Elimination of All Forms of Racial Discrimination, but also from the commendable way in which it discharged its task. She congratulated it on the co-operation that it had established with the representatives of States whose reports it examined, on its wisdom and on the way in which it interpreted the Convention. She hoped that that state of affairs would continue.

49. The fourth periodic report of Iran, one of the first States to sign the Convention, had been considered at that Committee's thirteenth session. The Committee had emphasized the seriousness with which Iran fulfilled its obligations under the Convention. She noted, however, that the Committee's report in document A/31/18 did not fully reflect the positive tone of the discussion of Iran's report.

50. A bill embodying penal provisions to give effect to article 4 (a) of the Convention had been presented in the Iranian Parliament. The law would be of a preventive nature, since the courts had not yet had to deal with any cases of racial discrimination. Of more importance in the context of Iranian society had been Iran's ratification of the two International Covenants on Human Rights, especially the International Covenant on Economic, Social and Cultural Rights, which reinforced the obligations of States parties under article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination.

51. Despite its reservations with regard to the reports of the Committee on the Elimination of Racial Discrimination, her delegation supported draft resolution A/C.3/31/L.18.

52. Mr. YEPES ENRIQUEZ (Ecuador) said that he wished to present additional comments to supplement the most recent report which his country had submitted to the Committee on the Elimination of Racial Discrimination in accordance with the International Convention, whose provisions constituted part of the legal system of Ecuador as a State party to that Convention.

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(Mr. Yepes Enriquez, Ecuador)

53. The Third Committee should consider the report of the Committee on the Elimination of Racial Discrimination at every session of the General Assembly, in order to obviate the need to consider two successive reports of that Committee simultaneously, a task which neither facilitated consideration of the item nor served the cause of eliminating racial discrimination.

54. Also, it would be useful if a representative of the Committee on the Elimination of Racial Discrimination, appointed by that Committee, attended discussions in the Third Committee in order to present the annual report and to reply to questions from the members of the Third Committee. Such an arrangement would accord with decision 3 (XII) of the Committee on the Elimination of Racial Discrimination.

55. Furthermore, the States parties should submit their periodic reports within the time-limit established by the Convention and in accordance with the guidelines laid down by the Committee on the Elimination of Racial Discrimination. Since much of the work of that Committee depended on the periodic reports, their timely presentation and preparation in accordance with the guidelines would help the Committee fulfil its obligations. In both its reports the Committee had indicated the difficulties encountered in trying to ensure that States parties submitted their reports regularly. It was intolerable that as many as seven reminders had had to be sent to certain States parties without any reply being received.

56. The States parties in question should take due account of the observations and questions which the Committee on the Elimination of Racial Discrimination or its members formulated in connexion with their reports. Such observations and questions were decisive elements in that Committee's contribution to the struggle to eliminate racial discrimination. Although in many States the phenomenon of racial discrimination did not exist from the juridical or legislative point of view, surreptitious forms of discrimination persisted in the form of prejudices or traditions or in social, economic or cultural inequalities. The co-operation of all States parties was therefore necessary. An essential point in that respect was that which related to the fulfilment of the obligation assumed by all States parties under article 4, subparagraphs (a) and (b) of the Convention. The Committee on the Elimination of Racial Discrimination had stated unanimously that that obligation was binding upon all States parties. A new appeal should therefore be made to those States parties in question to comply with that obligation.

57. The reports of certain States parties indicated that they had made commendable efforts to put an end in their territories to all vestiges of racial discrimination, in accordance with their obligations under the Convention. Such reports should serve as models to other States parties with similar problems. States parties should therefore, in submitting their reports, indicate that the documents were for general distribution, which would be in accordance with the decision adopted by the Committee on the Elimination of Racial Discrimination to the effect that its summary records should also be for general distribution. Those two kinds of documents in particular must be accessible to the general public and especially to universities and research workers.

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(Mr. Yepes Enriquez, Ecuador)

58. With regard to the fulfilment by that Committee of its obligation under article 15 of the Convention, he wished to emphasize the lack of co-operation on the part of certain administering Powers; that Committee had repeatedly requested information on Trust and Non-Self-Governing Territories, which could have been supplied in the reports submitted by those Powers to the Trusteeship Council or to the Special Committee of 24. It was unsatisfactory that the Committee on the Elimination of Racial Discrimination should, in respect of those Territories, confine itself to stating that it had been unable to verify certain situations through lack of information. Furthermore, the Special Committee of 24, the body most directly connected with the work of the Committee on the Elimination of Racial Discrimination, should afford more effective co-operation through the preparation of special documents in which it would draw attention to cases of such discrimination or possible discrimination.

59. He emphasized the positive contribution of the Committee on the Elimination of Racial Discrimination to the objectives of the Decade. The General Assembly should approve the recommendation embodied in decision 1 (XI) of the Committee, whose knowledge and experience should continue to be utilized in the Programme for the Decade. In the context of the Decade, the General Assembly should also welcome the Committee's decision 2 (IX), especially in view of the political importance of paragraphs 1, 2 and 3 of that decision.

60. With regard to decisions 3 (XI) and 1 (XII) concerning the situation in Cyprus, as well as the decisions adopted at the Committee's thirteenth and fourteenth sessions, he said that he hoped the Convention would soon be fully applied in that country.

61. It would be appropriate for the Committee on the Elimination of Racial Discrimination to hold certain sessions away from Headquarters so that its work could have greater impact and publicity in certain parts of the world. He therefore welcomed the attitude of the Austrian Government in inviting that Committee to hold its following session at Vienna in the spring of 1977.

62. The Committee on the Elimination of Racial Discrimination should establish close co-operation with other United Nations bodies, apart from ILO and UNESCO, in order to strengthen international action. In conclusion, he commended the work of that Committee and expressed confidence that it would continue its work in the same way as it had done thus far.

AGENDA ITEM 79: NATIONAL EXPERIENCE IN ACHIEVING FAR-REACHING SOCIAL AND ECONOMIC CHANGES FOR THE PURPOSE OF SOCIAL PROGRESS: REPORT OF THE SECRETARY-GENERAL (A/10166; A/31/199; A/C.3/31/L.17/Rev.1) (continued)

63. The CHAIRMAN announced that the delegations of Austria, Madagascar and Poland had joined the list of sponsors of draft resolution A/C.3/31/L.17/Rev.1.

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64. He said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

65. It was so decided.

66. Mr. HEINEMANN (Netherlands), speaking on behalf of the nine members of the European Communities, explained that they had supported the adoption of draft resolution A/C.3/31/L.17/Rev.1 on the co-operative movement. He recalled that in their countries the movement received its impetus from both the State and the private sector, and that the latter played a very important role in the striking development of the movement. The Nine wished the reports that were to be submitted by the relevant specialized organizations and by the Secretary-General to take account of both State and private sections of the co-operative movement.

67. Ms. PICKER (United States of America) emphasized that her country's participation in the consensus connoted no change in its position with regard to resolutions of the sixth special session of the General Assembly on related matters.

68. The CHAIRMAN explained that consideration of the item had not yet been concluded, since at least one other draft resolution was expected to be submitted shortly.

The meeting rose at 12.50 p.m.