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SUMMARY RECORD OF THE 12th MEETING

Chairman: Mr. MADAR (Somalia)

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ORGANIZATION OF WORK

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

AGENDA ITEM 84: ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA (continued) (A/39/534; A/C.3/39/2; E/CN.4/Sub.2/1984/8 and Add.1-2)

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1. Mr. EVMENOV (Byelorussian Soviet Socialist Republic) said that despite the efforts of the international community and the decisions and resolutions adopted by the United Nations, a final victory over colonialism and apartheid had not yet been won. The Western States were not interested in applying the relevant United Nations instruments, because apartheid furthered the long-term aims of those countries, which in turn provided the Pretoria régime with economic and military assistance. Co-operation between the Western countries and South Africa was increasing every year, as could be seen from documents E/CN.4/Sub.2/1984/8 and Add.1 and 2.

2. The Western banks did not deny that they were granting loans to South Africa. Even IMF, in an unprecedented move, had lent South Africa \$1 million. The economic assistance received by the apartheid régime not only did not contribute to the independence of Namibia, but enabled South Africa to increase its capacity for internal repression and aggression against neighbouring countries, especially Angola. The plundering and irrational exploitation of the natural and human resources of Namibia exorbitantly enriched the transnational corporations. The representatives of the Western countries were seeking to persuade world public opinion that their investments in South Africa and Namibia benefited the black population of those countries. The facts were different, however. There was a high rate of unemployment among the black population, and the wages of black

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(Mr. Evmenov, Byelorussian SSR)

workers were 10 times smaller than those of white workers. Clearly, that unjust situation could be ended only by the total elimination of the apartheid system, which the transnational corporations and the Western Powers were helping to strengthen, although they condemned it in their statements.

3. Israel, which was one of South Africa's closest economic and military collaborators, had abandoned all pretence of moderation with regard to the policy it applied in Palestine. The aim of that policy was to expel an entire people from their land. Israel was seeking to apply the Nazi concept of lebensraum in the occupied Arab territories, thus posing a serious threat to the exercise of Lebanon's right to self-determination. Peace and security in the region could be achieved only through an agreement which took into account the views of all parties including the PLO, the establishment of an independent Palestinian State, and Israel's withdrawal from the occupied Arab territories.

4. Imperialism was still seeking to impose an alien order on all peoples. That could be seen, for example, in the case of the invasion of Grenada, where efforts were being made to re-establish an exploitative régime. That situation constituted a violation of international law. Imperialism was currently bragging openly about the organization of military manoeuvres against the lawful Government of Nicaragua, which was the victim of an undeclared war. The Declaration on the Granting of Independence to Colonial Countries and Peoples should also be applied to Micronesia, which imperialism was using as a military base and nuclear-test site.

5. Mr. RODRIGO (Sri Lanka) said that colonialism in its classical form had evolved as a method of political and economic exploitation of the "native" peoples. Consequently, the colonizer, through a virulent assertion of assumed racial superiority, had sought to subjugate and break down the socio-cultural integrity of the colonized. Racism currently manifested itself in many forms (irrational and even violent actions born of prejudice, and organized activities by groups to help dominate and control other groups). In South Africa, racism was a calculated enterprise aimed at installing an elaborate system of racial repression powered by brute force. It had been set up with some efficiency in order to maintain continuing political and economic control over the people of South Africa. Its resources served the interests of a tyrannical minority. Doctrines of racial bigotry had been institutionalized in South Africa through legislative measures that destroyed the human and political rights of the people. The recent constitutional reforms in South Africa had earned universal condemnation as a hypocritical ploy to prolong the apartheid system, under which more than 70 per cent of the people of South Africa were denied their human rights.

6. The apartheid system likewise remained the obstacle to the self-determination and independence of Namibia. The parallels and links established between the independence of Namibia and the withdrawal of Cuban troops from Angola had been rejected as a fallacy by most delegations, including his own, because it impeded the application of the plan for the independence of Namibia established under Security Council resolution 435 (1978). The Namibian people, led by their liberation movement, SWAPO, had remained patient in the face of South African

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(Mr. Rodrigo, Sri Lanka)

sabotage of their right to self-determination. Meanwhile, their human rights remained suspended. A peaceful solution to the question of Namibia could not be found unless South Africa was pressured into yielding to the universal cry for self-determination and independence for Namibia.

7. With regard to the question of the Middle East, the Palestinian people were still unable to exercise their right to self-determination and independence and continued to be subjected to discrimination and denial of their basic rights. The inalienable rights of the Palestinian people included the right to return to their homeland, the right to self-determination and independence and the right to establish an independent State in Palestine. The PLO was the sole legitimate representative of the Palestinian people and its participation on an equal footing was essential in any negotiations or conference aimed at bringing a just and lasting peace to the Middle East.

8. The General Assembly should carefully consider at its current session the report of the Secretary-General on the revised plan of activities for the period 1985-1989, in accordance with General Assembly resolution 38/14. There was no more effective way of mobilizing international action than to finalize the plan on the basis of consensus. The plan of activities also recognized, inter alia, the considerable importance of education and teaching and the role of the mass media and international agencies in creating a climate and broad cultural framework conducive to the eradication of racism and racial discrimination, and in particular to the destruction of myths, fallacies and pseudo-philosophies such as apartheid, which exploited differences in colour and racial and ethnic origin to create hatred, prejudice and racial discrimination.

9. His country had ratified both the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, and considered that universal ratification of their provisions was necessary for the realization of the objectives of the Decade.

10. The Committee on the Elimination of Racial Discrimination should pay due attention to the characteristics and particular situation of each State when considering reports. His delegation had volunteered clarifications concerning its position relating to ethnic issues in Sri Lanka and the application of the Constitution and other measures aimed at promoting ethnic harmony in the country and strengthening national unity. Unfortunately, that process was being hampered by a violent campaign conducted by a numerically small group of terrorists aimed at dividing Sri Lanka, destroying its multiracial, multireligious and multilingual status and setting up a separate State based on racism, which the international community universally opposed.

11. Mrs. SHERMAN-PETER (Bahamas) said that the most serious challenge to the principles enunciated in the human rights instruments, and to the very foundations of the United Nations, was the system of apartheid of the Government of South Africa. The white minority continued to declare the superiority of one race over

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(Mrs. Sherman-Peter, Bahamas)

another. Through bantustanization and inhumane policies and practices, the black majority was being subjugated and denied its basic human rights and fundamental freedoms. With the new Constitution, which had been rejected by the international community and the black majority, the intention of the racist régime had been made clear: apartheid must be maintained.

12. The Bahamas supported the countries which opposed régimes that fostered racial discrimination and segregation. It had never contemplated the possibility of establishing diplomatic, economic or other relations with the racist régime of South Africa and was convinced that that was the only way to change the status quo in that country. The Bahamas continued to support the adoption of comprehensive and mandatory sanctions against South Africa, balanced by the provision of moral and material support for its black majority, and recommended that all States did likewise. Her delegation had carefully studied the report of the Special Rapporteur (E/CN.4/Sub.2/1984/8 and Add.1 and 2) and agreed with its main thrust. However, her delegation believed that, if the report was to continue to be meaningful, it should contain current information on collaboration with the South African régime, instead of outdated information which did not accurately reflect the prevailing situation. Her delegation agreed with the Special Rapporteur's view that computer facilities would help him to improve the way he carried out his task.

13. Her delegation observed a gap between the theories set out in the human rights instruments and the practices of some Member States. Although the first Decade for Action to Combat Racism and Racial Discrimination had not been a resounding success, some progress had been made, and the international community's determination to eradicate racism was evident in its declaration of a Second Decade. It was important to recognize in that regard that inaction in the face of racism, racial discrimination and apartheid was morally objectionable. In that connection, it was encouraging that resolution 38/14 and resolution 3057 (XXVII) had both been adopted without a vote. Continued consensus was desirable.

14. The Bahamas wished to reiterate its unequivocal commitment to the goals of the Second Decade. Her country would continue to make significant strides towards the implementation of its Programme of Action at the local and international levels.

15. Racism, as an attitude, was less tangible and more difficult to eradicate than institutionalized racism. Consequently, Member States must ensure that, within their jurisdiction, there existed the harmonious racial relations essential for social, economic and political development. In the Bahamas, the mass media (including the broadcasting corporation of the Bahamas), the National Assembly, the non-governmental organizations (including the Church), the Bahamas Bar Association, the Professional Women's Association and the Bahamas Committee on South Africa played a significant role in raising Bahamian public consciousness against racism and racial discrimination. In the field of education, a civics programme had been included in the public high school curriculum. Several sections addressed problems of racial discrimination. The Bahamas had ratified both the International

(Mrs. Sherman-Peter, Bahamas)

Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

16. To reinforce and safeguard the guarantees contained in its Constitution and to comply with its international obligations, her Government had recently completed draft legislation prohibiting and preventing the dissemination of ideas based on racism and apartheid.

17. While the Bahamas was encouraged by the continued support for the Convention on racial discrimination, it was disturbed by the lack of support for the Convention on Apartheid. Her country therefore supported United Nations efforts aimed at encouraging Governments, particularly those of the world's most important countries, to adhere to the international human rights instruments, in particular the two Conventions.

18. In accordance with article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination, the Bahamas would co-operate in the preparation of full and comprehensive reports. Its fifth periodic report was currently being prepared and would be submitted to the Committee on the Elimination of Racial Discrimination as soon as possible.

19. With regard to agenda item 86, her delegation noted with satisfaction that the admission of Brunei Darussalam to the community of nations coincided with the dusk of decolonization, although some peoples of the world were still being denied their right to sovereignty. Her delegation wished to reiterate that extraneous political issues, which moreover had not been included in Security Council resolution 435 (1978), should not obstruct the independence of Namibia.

20. In conclusion, her delegation appealed to those countries with the influence, power and means to mobilize forces in pursuit of democracy and political freedom to prevent the provision of any form of assistance to the racist régime of South Africa and to provide moral and material support to the black majority. Her Government firmly believed in the principles of justice and equality for all and supported the right of all peoples to self-determination and independence.

21. Mr. SASINGIAN (Papua New Guinea) pointed out that one of the most important areas of work of the United Nations related to human rights, both in their individual aspect and in the collective aspect of the right of peoples to self-determination and independence. He noted that, recently, the international community had witnessed interference by outside forces in the internal affairs of independent and sovereign States. For example, Afghanistan had been the victim of the insecurity felt by the leaders of the super-Powers as a result of their rivalry, and other countries, such as some in Central America and the Middle East, had become the scene of contests between both foreign and domestic forces. Still others had suffered at the hands of forces allied with the super-Powers, or acting for them, as was the case of Kampuchea. For the inhabitants of Papua New Guinea, as for most of the Pacific islanders, colonialism had immediate meaning borne of

(Mr. Sasingian, Papua New Guinea)

recent personal experience. Although they had been spared its worst excesses, which had been experienced by the inhabitants of Africa and Asia, they still attached great value to the right to self-determination and independence and paid close attention to the conditions and rights of people in the remaining dependent territories. Papua New Guinea was opposed to the Vietnamese invasion of Kampuchea and to the Soviet presence in Afghanistan and called for the withdrawal of foreign troops from other countries, including Lebanon.

22. His Government had taken a particular interest in developments in New Caledonia and in the last of the United Nations Trust Territories, the Pacific Islands. In New Caledonia, where a colonial situation persisted, his Government had noted the constitutional reforms approved by the French Parliament in May, but hoped that a referendum on the issue would be held before 1989, that the transfer of political and administrative power from Paris to Noumea would be brought forward and that the rights of the indigenous inhabitants, the Kanaks and other ethnic groups, would be safeguarded by the exclusion of transitory residents from participation in the vote. His Government, which had participated in the visiting missions sent by the Trusteeship Council to the Trust Territory of the Pacific Islands, noted with satisfaction that the Constitution of Palau and the rights of its inhabitants were respected by the Administering Authority. His delegation urged the Governments of Palau and the United States to take the necessary measures to enable the Trusteeship Council and the Security Council to determine the status of free association which the Micronesian people wished to have as a basis for their self-determination and independence.

23. His delegation regretted that, despite the adoption of General Assembly resolutions and Security Council resolution 435 (1978), the abhorrent situation in Namibia persisted. Papua New Guinea would continue to support the efforts of the United Nations to settle the question quickly and peacefully in accordance with Security Council resolution 435 (1978), the only acceptable solution to the Namibian question. His delegation rejected the establishment of a link between the question of Namibia's independence and other extraneous issues.

24. His delegation found it difficult to understand why some Members of the Organization continued to condone and support the actions of a régime which had violated United Nations resolutions. Racism was one of the most serious threats to peace and order in the world today, and his Government supported the declaration by the General Assembly of a Second Decade to Combat Racism and Racial Discrimination.

25. In conclusion, since the circumstances which had led to the inclusion of the items in the agenda still prevailed or had worsened, Member States should demonstrate their political will to solve some of the pressing issues facing the international community.

26. Mrs. KOZAKOU-MARCOULLIS (Cyprus) said that her Government, which had ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1967, had to date submitted eight periodic reports to the Committee and had pursued a consistent policy of eliminating every form of racial

(Mrs. Kozakou-Marcoullis, Cyprus)

discrimination, as defined in article 1 of the Convention. Her Government was thus concerned that a large number of States parties to the Convention had not submitted their reports or had submitted them late. In that connection, Cyprus welcomed the suggestions put forward by the chairmen of the bodies responsible for considering reports under the various human rights instruments at their meeting in Geneva in August 1984, and looked forward to their implementation.

27. Despite the consistent efforts of the United Nations to eliminate racism, the progress made during the first Decade for Action to Combat Racism and Racial Discrimination had been minimal. Millions of people continued to suffer oppression, torture, deprivation and the violation of their fundamental rights because of racial, ethnic or religious discrimination.

28. The system of apartheid, institutionalized in the racist South African régime and brutally imposed on the majority people of South Africa, continued to flourish. The international community agreed that it must be eradicated, yet had so far failed to do so, which indicated that what was most urgently needed was not declarations, resolutions and decisions but, above all, concerted international action and the effective implementation of the resolutions adopted to isolate South Africa completely.

29. Nevertheless, the hundreds of thousands of political prisoners in South Africa were not despairing. History had demonstrated that, with very few exceptions, oppressed peoples were finally victorious. In the previous century Simón Bolívar, and, more recently, Nelson Mandela had expressed that conviction and the need to persist in the struggle.

30. Apartheid, although the most abhorrent form of racism, was not the only one. In other parts of the world, such as Namibia, Palestine and the part of Cyprus under foreign occupation, the same policies of forcible displacement, segregation, separation, restriction of the freedom of movement and division along racial or ethnic lines were practised.

31. The Government of Cyprus, which had always been in the vanguard of the struggle against colonialism and oppression, would continue to contribute to the full implementation of the objectives of the Programme of Action of the Second Decade, and of United Nations resolutions, by all Member States without exception.

32. Mr. GLAIEL (Syrian Arab Republic) said that it was regrettable that in the second half of the twentieth century, and despite the unanimous condemnation of the international community, Pretoria's racist and minority régime continued to arrogate to itself privileges detrimental to the black majority, depriving it of its fundamental rights. Further, the régime was continuing its illegal occupation of Namibia and the exploitation of the human and material resources of the Namibian people. None of those crimes would be possible without the firm and unswerving support of world imperialism and its transnational corporations. The report of the Special Rapporteur (E/CN.4/Sub.2/1984/B and Add.1 and 2) was extremely useful and clear on the matter, and Syria therefore recommended the renewal of the Special

(Mr. Glaiel, Syrian Arab Republic)

Rapporteur's mandate so that he could continue to expose the assistance which constituted the apartheid régime's main support.

33. Further, the close alliance and organic links between South Africa and Israel, and their co-operation in the military and nuclear spheres, should be denounced. The forces of Zionist imperialism continued to occupy the Arab territories of Palestine, using the same repressive methods as the apartheid régime and expelling the indigenous population in order to settle Jews from other parts of the world. That expansionist, racist, Israeli policy had been condemned by the General Assembly in resolution 3379 (XXX) of 10 November 1975, in which it had declared that Zionism was a form of racism. With respect to the annexation by Israel of the Golan Heights, the Assembly had also declared, in resolution 37/123 A of 16 December 1982, that Israel was not a peace-loving State and that it had not carried out its obligations under the Charter of the United Nations. Syria had, on a number of occasions, stated its inability to implement the International Convention on the Elimination of All Forms of Racial Discrimination in the Golan Heights owing to the constant violations of the rights of the people of the area by the occupying Power.

34. Like South Africa, the Zionist régime would not be able to perpetuate such crimes and aggression without the moral and economic support of imperialism, particularly of the United States, for which it served as a strategic base for its interests in the region. States which gave assistance to Israel must be viewed as accomplices in the humiliation and oppression of the peoples struggling for self-determination. In contrast to the hypocritical sentiments of such States, Syria had demonstrated its active solidarity with the peoples oppressed by racism through its strict compliance with all the relevant international measures and instruments. Syria welcomed the draft plan of activities contained in documents A/39/167 and Add.1 and 2. Nevertheless, his Government felt that, in order to eliminate all forms of racism once and for all, the plan should include sanctions against the other partner in the Pretoria-Tel Aviv axis. In that connection, Syria was willing to make specific proposals for ensuring full and effective implementation of the plan of activities.

35. Mr. MANSFIELD (New Zealand) said that racial equality was one of the fundamental principles of New Zealand society, in which various peoples had come to join the indigenous Maoris and Pakehas. Hence New Zealand's strong opposition to racism in all its forms. Yet, unfortunately, racial discrimination was a fact, the most glaring example being apartheid, the policy practised by South Africa. In that connection New Zealand was ready to discuss the question of the adverse consequences for human rights caused by certain forms of assistance to the South African régime. It was therefore regrettable that the report of the Special Rapporteur (E/CN.4/Sub.2/1984/8) did not really attempt to address itself to that central question, and that the list appended to the report did not meet the standards of objectivity and accuracy the Committee was entitled to expect.

36. While the need to bring an end to the apartheid system tended to dominate discussion, the importance of the constant efforts to eliminate racial discrimination and promote racial harmony in other societies should not be

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(Mr. Mansfield, New Zealand)

overlooked. In that regard, New Zealand took seriously its obligation to submit reports to the Committee and had confirmed from its own experience that the establishment of institutions that promoted racial harmony was no less important than legislation proscribing racial discrimination. The submission of periodic reports was without question a vital element in the international community's efforts to ensure the implementation of the standards established by the Convention. At the same time, the obligation to report at two-yearly intervals was onerous, especially when reporting responsibilities had to be met under other international human rights instruments. It was gratifying that the Committee had adopted a flexible approach to the matter, and it was hoped that the co-ordination meetings of the Chairmen of the bodies which monitored the implementation of human rights instruments would find ways of harmonizing reporting procedures so as to minimize the burden on States parties in any one year.

37. One of the strengths of the Convention was that it applied not only to States parties but also to the peoples and Territories administered by them. In both the 1983 and the current report (A/39/18, chap. VI), New Zealand had noted that there were two anomalies in the relevant chapter, namely, that no mention was made of Tokelau and that, with regard to Atlantic Ocean and Caribbean Territories, there was a reference which did not relate to the principles and objectives of the Convention, since the Committee's responsibilities clearly did not extend to the consideration of political problems outside the scope of the Convention. Finally, the launching of the Second Decade provided an opportunity for the international community to rededicate itself to the task of eliminating racism and racial discrimination. During the Decade, the effectiveness of the efforts made through the United Nations would in large part be determined by the international community's ability to maintain a united approach.

38. Mr. ROSHANRAWAN (Afghanistan) said that the very fact that the United Nations had proclaimed a Second Decade meant that the goals set had yet to be achieved. Apartheid in South Africa still confronted mankind as the most monstrous form of racism. On the basis of a racist ideology, the Pretoria régime was committed to securing, through the use of brute force, the supremacy of South African whites over the indigenous majority, which comprised more than 75 per cent of the population.

39. Racism was closely connected to and was a by-product of colonialism. It was thus no surprise that the Pretoria régime had extended its racial policy into Namibia. Accordingly, the international community as a whole should give priority to the fight for the immediate and unconditional independence of Namibia, under the leadership of SWAPO, not only because of the decolonization process to which the United Nations was committed but also because another Decade to Combat Racism and Racial Discrimination had been proclaimed.

40. The reason for the continued existence of the apartheid régime should be sought in the umbilical cord attaching it to the political, military and economic might of the imperialist Powers and their transnational corporations. The apartheid régime was an advanced imperialist Power in its own right which exploited

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(Mr. Roshanrawan, Afghanistan)

the majority of the country. The so-called policy of "constructive engagement" was thus nothing but an attempt on the part of the United States, in gross violation of the sanctions imposed by the United Nations, to bolster the political, economic and military capability of the apartheid régime to reap the dividends of the exploitation to which the peoples of South Africa and Namibia were subjected. Afghanistan did not maintain any relations whatsoever with the racist, colonialist Pretoria régime and insisted on the imposition of comprehensive sanctions under Chapter VII of the Charter and the relevant resolutions of the Security Council and General Assembly. Furthermore, it supported the efforts by the Special Rapporteur and agreed with the extension of his mandate.

41. What had been said about apartheid in South Africa and Namibia was also true of Israeli zionism. Through aggression, occupation and repression Israel was seeking the same superiority in the Middle East that the apartheid régime sought in southern Africa. An important step in eradicating racism in the Middle East was the restoration of the inalienable rights of the Palestinian people, under the leadership of the Palestine Liberation Organization, and the unconditional withdrawal of the Israeli occupation forces. The similarity existing between the ideological and political objectives of zionism and apartheid had provided Tel Aviv and Pretoria with a solid basis for becoming allies in their drive to defy the will of the international community.

42. Unfortunately, discrimination on the basis of colour or ethnic origin was practised in a great number of countries, particularly in some of the economically and industrially advanced capitalist States. Still more alarming was the fact that in some countries Fascist and neo-Fascist organizations operated, making it necessary to adopt measures to deal with them. Finally, Afghanistan supported the Declaration and Programme of Action adopted by the Second World Conference, and would continue to strive for the implementation of the relevant conventions both nationally and internationally.

43. Mr. DAVANE (Mozambique) said that colonialism, racism, racial discrimination and apartheid were not only an insult to the conscience of mankind, but above all a threat to international peace and security. The struggle for the complete elimination of racial discrimination had been one of the foremost concerns of the United Nations since its foundation. Furthermore, the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination and of the International Convention on the Suppression and Punishment of the Crime of Apartheid had provided the legal basis for the elimination of racism and racial discrimination. The proclamation of the Second Decade to Combat Racism and Racial Discrimination had been an important step in that direction. It was regrettable, however, that although the international community had come a long way in eliminating the evils of racism and racial discrimination, they persisted in many parts of the world. The institutionalization of South Africa's policy of apartheid was the most scandalous example of the elevation of racism to the rank of official State policy.

(Mr. Davane, Mozambique)

44. When speaking of racism and racial discrimination in South Africa, delegations were speaking of the situation of millions of human beings deprived of their most fundamental rights, including the right to their own motherland. Delegations were also speaking of arbitrary arrest, torture, the killing of defenceless demonstrators, mass displacement, the assassination of patriots and banishment. The policy of apartheid was based on persistent acts of destabilization, armed aggression and economic blockade carried out by South Africa against its neighbouring States. The eradication of racism, racial discrimination and apartheid in South Africa would be attained only when the entire international community lent its support to the just struggle of the people of South Africa. It was therefore a sacred duty of all peoples and Governments to recognize that struggle as legitimate and to render it all necessary support.

45. It would not be possible to eliminate the evils of racism, racial discrimination and apartheid from the face of the earth as long as some countries continued to support them through military, political and economic assistance. That assistance had enabled South Africa to build a huge modern apparatus for repression which it used not only to oppress the suffering people of South Africa, but also to promote its crusade of terrorism against neighbouring countries. Due to the violation by certain countries of the arms embargo against South Africa, that country had become the largest military Power in all of Africa, had been able to develop its own armaments industry and ranked prominently among the arms-exporting countries. It was believed that, with the help of certain Western countries, South Africa had acquired the know-how to produce nuclear devices.

46. Some countries were trying to convince international public opinion that their activities in South Africa had beneficial effects on the conditions of the blacks. They maintained that they had made great contributions to the so-called constitutional reforms currently under way. However, there was no reforming apartheid; it had to be abolished. The recent developments in South Africa clearly demonstrated that fact. The recent constitutional reforms could not be considered as a path to a new future based on equality and respect for human rights. On the contrary, they were nothing but a ploy to legitimize the apartheid system, which could only lead to more violence and destruction.

47. The people of Mozambique reiterated its condemnation of the apartheid system and the policy of bantustanization. It reaffirmed its political, economic and moral support for the African National Congress (ANC). The international community should compel the Government of South Africa to adopt a policy of dialogue and negotiations with the ANC in order to bring about the establishment of a democratic society in the country.

48. In Mozambique, racism and racial discrimination in all their forms were covered by the provisions of the Law on Crimes against the Security of the People and the State. The ratification of the International Convention on the Elimination of All Forms of Racial Discrimination was another manifestation of Mozambique's commitment to equality, peace and progress.

(Mr. Davane, Mozambique)

49. The right to self-determination, national sovereignty and territorial integrity were absolute prerequisites for the full exercise of human rights. Two decades had passed since the General Assembly had adopted its historic resolution 1514 (XV), which recognized the right of peoples to self-determination and independence. Since then, several countries, including Mozambique, had attained independence and the membership of the United Nations had steadily increased. However, despite all the efforts of the Organization and the international community, the right of peoples to exercise self-determination and independence still remained a challenge for all.

50. The question of Namibia was one of those challenges which had to be met because, in flagrant violation of United Nations decisions and resolutions, South Africa persisted in illegally occupying the Territory of Namibia. With the help of certain countries, South Africa had been able to build up a massive military infrastructure aimed at preventing the Namibian people from attaining their inalienable rights to self-determination and independence. Those same countries which were providing military and economic help to South Africa were actively involved in plundering Namibia's natural resources. Mozambique firmly believed that the implementation of Security Council resolution 435 (1978) constituted the sole peaceful and genuine basis for the solution of the Namibian problem.

51. Mozambique strongly believed that the peoples of Sahara and East Timor had an equal right to self-determination and independence. The Organization of African Unity (OAU) had adopted very concrete and positive resolutions aimed at solving the question of Sahara and it was deplorable that they had not yet been implemented. With respect to East Timor, the tragedy of the Maubere people still persisted. Mozambique called upon Indonesia to cease its acts of genocide against that people and to withdraw its troops from East Timor.

52. Mr. ROCHEREAU de la SABLIERE (France) said that his country vigorously upheld the principles set forth in the Universal Declaration of Human Rights, which were the same as those proclaimed in 1789 in the Declaration on the Rights of Man and the Citizen, and would continue to support United Nations activities to combat racism and racial discrimination in all their forms. It had therefore acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and had supported the 1958 ILO Convention concerning Discrimination in Respect of Employment and Occupation, as well as the 1960 UNESCO Convention against Discrimination in Education. In the same spirit, France supported the objectives of the First Decade for Action to Combat Racism and Racial Discrimination and had joined in the consensus on the proclamation of the Second Decade.

53. Although most States probably possessed legislation ensuring the equality of citizens, racism existed in all parts of the world, in different degrees and in a great variety of forms. It could be manifested in attitudes and be based on prejudices, myths and primitive reactions of fear and ignorance. Consequently, legal provisions should be complemented by efforts in the field of education designed to modify as far as possible discriminatory attitudes and practices, through informational and educational activities, especially among young people.

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(Mr. Rochereau de la Sabliere, France)

54. Racism was especially intolerable when it was institutionalized. The only form of racism sanctioned by law which still existed was that practised by the apartheid régime in South Africa, which persisted despite the condemnation of the international community. The United Nations should combat that system, especially through the Special Committee against Apartheid.

55. The recent constitutional reform in South Africa was not acceptable to France, which endorsed Security Council resolution 554 (1984). It was necessary to help the black inhabitants of South Africa and in 1985 France would increase by 25 per cent its contributions to the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund which provided assistance to the victims of apartheid, had decided to co-operate with the Trust Fund Publicity against Apartheid and had instituted a programme of fellowships to enable non-white inhabitants of South Africa to study in France. France was also attempting, alone or in co-operation with the other countries of the European Community, to alleviate the sufferings of the inhabitants of South Africa. It strictly complied with the arms embargo against that country and intended not to supply South Africa with anything connected with nuclear power plants for generating electric power not contracted for prior to 1981.

56. Contrary to the opinion of some States which wished to isolate South Africa completely in the economic sphere, France considered that that would be counter-productive as it had been in the case of Southern Rhodesia. When a country with extensive resources was isolated economically, the results of the embargo and the sufferings affected the weaker neighbouring countries. On the contrary, it was necessary to show the South Africans the intolerable nature of their attitude.

57. His delegation regretted that the consensus reached in the proclamation of the Second Decade to Combat Racism and Racial Discrimination had been broken during the first regular session of the Economic and Social Council, because of the injection of elements that were unrelated to the fight against racism.

58. The position of his delegation with regard to the revised draft plan of activities for the first five years of the Second Decade (A/39/167/Add.2) had been made clear in the statement made by the representative of Ireland on behalf of the European Community. France had certain reservations, however, about the Secretary-General's suggestions and hoped that the draft resolution to be submitted to the General Assembly concerning the draft plan of activities would be the subject of thorough consultations in which all delegations wishing to participate would do so, so that the text would be adopted by consensus, thus underlining the unity of the international community in the fight against racism. As to the International Convention on the Elimination of All Forms of Racial Discrimination, France found it very encouraging that the number of States parties to that Convention continued to grow. Unfortunately, however, there was a tendency for the Committee on the Elimination of Racial Discrimination (CERD) to exceed its mandate, and his delegation felt that the recommendations concerning the studies which CERD had undertaken or wished to undertake were not appropriate.

(Mr. Rochereau de la Sabliere, France)

59. France, which had very strict laws against racial discrimination, had submitted its sixth periodic report the previous year. Within several days, it would submit its seventh report, covering 1982 and 1983. On 16 August 1982, the Government of France had made the declaration provided for in article 14 of the Convention, becoming the ninth country to make that declaration. It had thereby recognized the competence of CERD to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of any of the rights set forth in the Convention. His delegation expressed the hope that, in future, an increasing number of countries would undertake to make such a declaration.

60. Mr. TROUVEROY (Belgium) said that his Government welcomed the consensus reached at the thirty-eighth session of the General Assembly, which had demonstrated that there was a will to achieve the objectives of the Decade. In order to maintain that consensus, the plan of activities for the period 1985-1989 (A/39/167/Add.2) should include practical measures to solve the real problems created by racism and racial discrimination. It was essential not to obscure the objectives of the Decade by injecting political considerations or other issues which should not be dealt with in the framework of the Decade.

61. His delegation felt that the recent violent protests in South Africa reflected the frustration of the black majority of that country at being deliberately excluded from political life. Belgium deplored violence, whatever its source, and expressed its concern over the loss of human lives and the present suffering of the inhabitants of South Africa.

62. His Government stressed that opposition to policies and practices which helped to strengthen the apartheid régime should be achieved by implementing measures acceptable to all and in conformity with the provisions of the United Nations Charter, particularly through peaceful solutions. It was therefore essential to continue using all available channels of communication to persuade the Government of South Africa to recognize the civil and other rights of the entire population.

63. Belgium had carefully studied the report of CERD (A/39/18). However, he pointed out that the question of the Falkland Islands (Malvinas) should not be dealt with under the International Convention on the Elimination of All Forms of Racial Discrimination and that CERD did not have competence in regard to it. Such intrusion into the areas of competence of other bodies could only undermine the achievement of the objectives of CERD.

64. Mrs. ALI (Trinidad and Tobago) said that her delegation had emphatically rejected the constitutional manoeuvre by which South Africa had attempted to hoodwink the international community into believing that it had introduced reforms into the apartheid system. As the Minister for Foreign Affairs of Trinidad and Tobago had said before the General Assembly, the new Constitution of South Africa was an attempt to divide the dispossessed majority and entrench the racist régime. Apartheid could not be reformed; it must be entirely dismantled.

(Mrs. Ali, Trinidad and Tobago)

65. Her Government had banned all types of relations with South Africa and provided economic support to national liberation movements in South Africa and Namibia through various funds for the victims of apartheid. Trinidad and Tobago's assistance to those peoples included the awarding of scholarships at national institutions and the active participation of her delegation in the various committees involved in the struggle against apartheid.

66. The Constitution of Trinidad and Tobago guaranteed to all citizens the enjoyment of equality and human rights without any distinction whatsoever, and her delegation felt that Governments should support the exercise of self-determination and the elimination of all forms of racial discrimination by example and concrete action. However, action and vigilance at the international level were of crucial importance.

67. Her delegation stressed that principles must not be sacrificed to expediency and urged, therefore, that all forms of assistance currently being given to the racist and colonialist régime of South Africa be stopped.

68. Mr. ZURITA (Spain) said that his Government considered as a priority of its foreign policy the defence of the purposes of the United Nations, inter alia, international co-operation for development and the promotion of respect for human rights, without discrimination on any ground whatsoever. With regard to agenda item 88, regrettably it had to be recognized that racial discrimination still afflicted many societies. It was an evil which must be eliminated, especially where discrimination was officially institutionalized and had been carried to its most shameful and intolerable extreme, the apartheid system. To that end, the work carried out by international organizations was not enough. Member States must reinforce those efforts in their own respective national spheres of competence. In the case of States parties to the Convention, their commitment imposed obligations with which they must comply in order to make that instrument effective. In that regard, it was important to submit reports within the required time-limits.

69. Although his delegation recognized the importance of agenda item 84, it shared the doubts expressed by other delegations about the usefulness, for the debates of the Third Committee, of the procedures followed to date in the reports submitted on the subject, which were limited almost exclusively to lists of companies which had trade relations with South Africa. In the opinion of his delegation, improper selectivity had been exercised in drawing up the lists and, moreover, there appeared to be difficulties in having companies wrongly included removed from the list, concerning which some Governments, among them Spain, had submitted the appropriate communication in good time.

70. As to agenda item 86, the proclamation of the Second Decade was a clear indication of the persistence of the racist phenomenon and the firm resolve of the United Nations to continue to combat it. Such efforts would be fully effective only if action could be taken on the basis of consensus. Lastly, referring to agenda item 87, he pointed out the close relationship between the exercise of self-determination by peoples and effective respect for human rights. Any solution

(Mr. Zurita, Spain)

to the problem of the Middle East must be based on the withdrawal of Israel from all occupied Arab territories, respect for the legitimate rights of all peoples, including the Palestinian people, and the security of all States in the region, including Israel. Spain viewed with concern also the constant violation of human rights by South Africa in Namibia, and condemned the illegal occupation of the Territory and the delaying tactics used by the South African authorities. As for the situations in Afghanistan and Kampuchea, Spain firmly supported the relevant United Nations resolutions.

#### ORGANIZATION OF WORK

71. The CHAIRMAN announced that the list of speakers on agenda items 85, 89, 90 and 91 would be closed on Monday, 22 October, at 6 p.m. If he heard no objections, he would take it that the Committee decided to extend the deadline for the submission of all draft proposals on items 84, 86, 87 and 88 until Friday, 19 October 1984, at 6 p.m., and for the submission of the draft resolution concerning the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination until Friday, 26 October, at 6 p.m.

72. It was so decided.

The meeting rose at 6.05 p.m.