



NOV 17 1984

SUMMARY RECORD OF THE 14th MEETING

Chairman: Mr. MADAR (Somalia)

CONTENTS

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)

AGENDA ITEM 86: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 87: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS: REPORTS OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 88: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL

*This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned within one week of the date of publication to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

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 and 2)

AGENDA ITEM 86: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/39/79 and Corr.1, A/39/133, A/39/167 and Add.1 and 2; E/1984/56 and Add.1)

AGENDA ITEM 87: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS: REPORTS OF THE SECRETARY-GENERAL (continued) (A/39/133, 140 and 185, A/39/307, A/39/505 and Add.1)

AGENDA ITEM 88: ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (continued) (A/39/18, A/39/79 and Corr.1, A/39/133, A/39/180 and Corr.1, A/39/459, 460, and 484)

- (a) REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (A/39/18)
- (b) STATUS OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE SECRETARY-GENERAL (A/39/459)
- (c) STATUS OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID: REPORT OF THE SECRETARY-GENERAL (A/39/460)

1. Mr. BORCHARD (Federal Republic of Germany) said that racism and racial discrimination had long been scourges of mankind. His country's people were very aware of the 12 years during which they had been ruled by the totalitarian Hitler régime and which had culminated in the horrors of the holocaust. They were therefore particularly sensitive to racial discrimination and were determined to ensure respect for human dignity and the elimination of racial discrimination wherever it occurred.

2. The basic principle of his country's Constitution was the inviolability of the individual's dignity. All persons were equal before the law and no one was to be discriminated against on grounds of parentage, race or origin. Those constitutional guarantees also protected the more than 4 million foreign nationals living in his country. Similarly, long before his country became a Member of the United Nations, it had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, in 1969, the year of its entry into force. His Government welcomed the fact that the number of ratifications had increased and expressed the hope that universal participation would soon be achieved.

3. In September 1984, his country had submitted its eighth periodic report. In seven previous reports, it had commented on the legal and factual situation in his

(Mr. Borchard, Federal
Republic of Germany)

country in relation to the topic under consideration, showing that the provisions of the Convention had legal force and were complied with in practice. His country was not content with condemning the racism practised in other countries and painting an idyllic picture of its own situation.

4. His delegation welcomed the most recent report of the Committee on the Elimination of Racial Discrimination (CERD) (A/39/18) as another valuable contribution to the achievement of the aims established in the Convention. It appreciated the efforts made by CERD to measure all Governments by the same standard. In view of the somewhat questionable optimism of countries that denied the existence of signs of racial discrimination, it was often a sign of great sincerity when the authorities of a country openly described their efforts to counter expressions of racial discrimination.

5. His delegation especially welcomed the recommendations in chapter IV of the Secretary-General's report (A/38/393) on the reporting obligations of the States parties to the Convention, which it considered to be a step in the right direction, as well as the meeting held in August 1984 with the participation of the chairmen of the four human rights monitoring bodies, in view of the valuable suggestions they had made.

6. His delegation was pleased that the Committee on the Elimination of Racial Discrimination had commenced its work under article 14 of the Convention and that it intended to include in its annual report a summary of the communications examined and of the explanations and statements of the States parties. However, his delegation was concerned that the report once again included a reference to the question of the Falkland Islands (Malvinas) since, as it had already stated, that question was not one of human rights. The mandate of CERD was limited to expressing its views on situations as they related directly to the principles and objectives of the Convention.

7. The implementation of the anti-discrimination provisions of part I of the Convention was the responsibility of States parties alone; it was not appropriate for the Third Committee to direct the work of the Committee on the Elimination of Racial Discrimination, and neither Committee had the powers to expand the obligations of the International Convention on the Elimination of All Forms of Racial Discrimination or to impose on States parties obligations not set forth in the Convention. His delegation wished to stress very strongly that the provisions of the Convention itself were the only legal and acceptable basis for the work of CERD.

8. It was to be hoped that the sponsors of the draft resolution would take into account the views of all members in order to ensure a consensus. His delegation was prepared to contribute constructively to such efforts. It was determined to continue its efforts to comply with its obligations under the Convention and considered the outlawing of racial discrimination a fundamental expression of the obligation to respect human dignity.

9. Mr. ROSHANRAWAN (Afghanistan) said that the right of peoples to self-determination, which was a basis for other principles of international law, was being denied to a number of peoples in different parts of the world. In Namibia, the racist and colonialist Pretoria régime was continuing its illegal rule, which was coupled with the cruelty, injustice and immorality of the apartheid system. His country condemned the Pretoria régime and all those assisting it and denounced South Africa's attempts to link the independence of Namibia to totally irrelevant issues, such as the withdrawal of Cuban troops from Angola. His delegation demanded the immediate and unconditional independence of Namibia under the leadership of the South West Africa People's Organization (SWAPO), the sole and authentic representative of the Namibian people. The plunder of the wealth of the Namibian nation by transnational corporations constituted a gross violation of Decree No. 1 of the United Nations Council for Namibia. In the Middle East as well, the rights of the Palestinian people were being denied as a result of the continued occupation of the Arab territories by Israel, with the assistance of its "strategic ally", the United States. Israel must withdraw immediately and unconditionally from all Arab territories, including Jerusalem, the Golan Heights and southern Lebanon.

10. The convening of an international conference with the participation of all interested parties, including the Palestine Liberation Organization (PLO), the sole legitimate representative of the Arab people of Palestine, could be a solid basis for the restoration of the rights of the Palestinians. Afghanistan also supported the just struggle of the people of the Sahrawi Arab Democratic Republic for self-determination and independence.

11. In the the Indian Ocean region, the United States maintained its military presence on the island of Diego García in violation of the legitimate sovereignty of Mauritius over the Chagos archipelago. The fact that nuclear weapons were included in the United States arsenal on the island was a cause of great concern for all the littoral and hinterland States. Those States were also concerned over the threat posed by the United States Central Command "CENTCOM" and the establishment of the "Rapid Deployment Forces" to defend the so-called "zones of US vital interests". That threat hung over 24 countries in the region.

12. The illegal attempts of the United States to establish its complete domain over the Trust Territory of the Pacific Islands in disregard of international law were of special concern to the international community. Afghanistan also supported the United Nations resolutions on the independence of Puerto Rico.

13. With respect to the tense situation in Central America, the Government of Afghanistan condemned the invasion of Grenada and the plots hatched against Nicaragua, and demanded the return of the Guantanamo base to the Republic of Cuba and denounced the activities against that revolutionary State.

14. The people of Afghanistan had exercised their right to self-determination, perhaps for the first time, by carrying out the national democratic April revolution which had toppled the despotic régime of Prince Daoud. With regard to the Soviet presence in Afghanistan, armed intervention and other forms of interference in its internal affairs had forced Afghanistan to invoke the Treaty of

(Mr. Roshanrawan, Afghanistan)

Friendship Co-operation and Good-Neighbourliness between the Democratic Republic of Afghanistan and the Union of Soviet Socialist Republics. That step was fully consistent with Article 51 of the Charter.

15. With regard to the so-called Afghan refugees, both the report of the Office of the United Nations High Commissioner for Refugees and many independent studies showed that their number had been grossly exaggerated. Most of the so-called refugees were in fact nomads who had been forcibly registered by various fraudulent means. The Government of Afghanistan had decreed a general amnesty for all bona fide refugees, many of whom had availed themselves of it and were returning to their homes in increasing numbers.

16. He concluded by reiterating that his country had been, was and would continue to be a non-aligned country and that it would continue its efforts to find a peaceful solution to the conflict in Afghanistan.

17. Mr. RIACHE (Algeria) said that the first Decade for Action to Combat Racism and Racial Discrimination had raised great hopes, symbolizing, as it did, a universal awareness of the vile nature of those evils. The result of the Decade had not, however, lived up to the expectations. In general, more vigorous action had been taken in the legal sphere to punish racism and racial discrimination, but in practice, it had not changed the lot of oppressed and exploited peoples, such as those of South Africa, Namibia and Palestine. The racist régimes in Tel Aviv and Pretoria had benefited from the failure of that Decade to achieve its objectives. The Pretoria régime was using deceitful schemes in its attempt to turn its oppressed people into foreigners in their own land. Zionism, with an impunity made possible by the support it received from certain countries, was pursuing the same objectives in the occupied territory of Palestine. The principal reason for the failure of the first Decade had been the narrow, partisan and politically and economically biased vision of certain Western countries which proclaimed their complete adherence to the Universal Declaration of Human Rights while at the same time hindering its application.

18. It was essential for the future of the Second Decade to Combat Racism and Racial Discrimination that all partisan interests be subordinated to the need for genuine support for those peoples who were victims of racial discrimination, apartheid and zionism. The measures adopted by the United Nations should aim primarily at intensifying the political, economic and military isolation of the racist régimes by the international community.

19. Algeria had always given its unreserved support to the peoples struggling for their inalienable right to dignity, freedom and self-determination and had, in that spirit, participated in the Second World Conference to Combat Racism and Racial Discrimination. In order, however, for the Second Decade to contribute effectively to the eradication of racism and apartheid, it was necessary to adopt appropriate measures which reflected the real importance of the problems that needed to be solved. His Government supported parts of the draft plan of activities contained in document A/39/167/Add.2. The draft plan, was not, however, fully consistent with resolution 1984/43 of the Economic and Social Council, since, in the addendum,

(Mr. Riache, Algeria)

no account had been taken of the relevant provisions of resolution 34/24 of the General Assembly as recommended by the Council. The draft plan should therefore be complemented by additional measures, including, for example, support for other peoples who were victims of repression and discrimination resulting from fundamentally racist ideologies.

20. The report of the Special Rapporteur was extremely useful and highlighted the scale of the co-operation taking place between the apartheid régime and certain Western countries in violation of the relevant resolutions of the General Assembly. Nevertheless, some delegations were once again calling into question the usefulness of that report to the struggle against apartheid and were maintaining that such co-operation was beneficial to the oppressed peoples of South Africa and Namibia. The only beneficiaries of that co-operation were the racist minority in Pretoria and their Western economic partners, who bore the responsibility for the sufferings of the peoples of southern Africa.

21. His delegation welcomed the decision that the Special Rapporteur should continue his work and appealed to those countries which had not yet done so to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid. It would like the Committee on the Elimination of Racial Discrimination to pay more attention to other forms of racism, particularly those recognized by the General Assembly.

22. The Government of Algeria reaffirmed its support for the just struggle of the people of Namibia and their legitimate representative, SWAPO, and for the cause of the people of Western Sahara, whose normal progress towards independence had been held up by occupation by a new foreign Power. Finally, Algeria wished to express its support for the inalienable right of the Palestinian people to establish a national State in Palestine under the leadership of the PLO.

23. Mr. SEIFU (Ethiopia) said that Africa and the Africans - and their descendants - more than any other continent or people, had suffered from the scourge of racism and racial discrimination and had been denied their right to self-determination.

24. The so-called "constitutional reforms" recently introduced in South Africa demonstrated the determination of the racist régime not to abide by the rules of international law nor world public opinion. There had been no dearth of verbal condemnation of the policies of apartheid; however, what was lacking was a programme of concrete and meaningful measures to eliminate that abhorrent system once and for all. Economic, political and military assistance was still being extended to South Africa, as the excellent report of the Special Rapporteur pointed out.

25. The Government of Ethiopia firmly believed that the international community must intensify its collective efforts and institute, as a matter of urgency, enforcement measures and mandatory sanctions under Chapter VII of the Charter to end the threat to peace and international security posed by the apartheid régime. His delegation stressed the responsibility of the States which had systematically

(Mr. Seifu, Ethiopia)

blocked that course of action for the violence that appeared to be imminent in South Africa. The oppressed of that region had no other choice but to intensify their armed struggle.

26. The international community should also use all available diplomatic channels to isolate the racist régime. It was extremely important that more States should accede to and ratify the relevant international Conventions. Furthermore, it was imperative to implement fully the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. His Government expressed general agreement with the proposed plan of activities and hoped that all delegations would support its implementation. The misgivings expressed in that respect by certain delegations should not be insurmountable.

27. He emphasized the cardinal importance of the principle of self-determination and reiterated that the immediate implementation of Security Council resolution 435 (1978) was the only acceptable formula for the exercise by the people of Namibia of their inalienable right to self-determination and independence. Furthermore, his delegation believed that the convening of an international peace conference on the Middle East would be the appropriate way of ensuring the exercise of that right by the Palestinian people.

28. The right to self-determination did not lapse with accession to political independence. It also involved the development of national unity and of appropriate political, economic and social structures. It was a matter of regret that in certain circles the right to self-determination was being confused with a return to tribalism or was being used to advance territorial ambitions or ill-conceived strategic objectives. Such attempts undermined the principle of self-determination and constituted interference in the internal affairs of States.

29. Mr. BAYONA (Peru), referring to racial discrimination, whose most odious manifestation was apartheid, said that the so-called constitutional proposals approved by the white minority in South Africa in 1983 and recently implemented granted very limited participation in government to people of mixed race and Asian origin and totally excluded the black population. Those provisions in no way changed the basic elements of apartheid and their aim was to divide the deprived majority. The boycott by more than 80 per cent of the population whom the so-called reforms were alleged to benefit was the eloquent response of the South African people to that new fraud by the Government of South Africa.

30. The seriousness of the situation in southern Africa should not, however, blind the international community to the racial discrimination that must also be uprooted in other parts of the world. His delegation supported implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and the draft plan of activities for the period 1985-1989 which, to be implemented, required comprehensive and concerted action by Member States and international and non-governmental organizations.

31. Lastly, referring to the right to self-determination, he pointed out that in many regions colonialism still persisted, imposed by countries which, before they

(Mr. Bayona, Peru)

had won the independence that they were now denying to others, had also been the victims of colonialist domination. The international community should intensify its efforts to ensure that the peoples of Namibia, Palestine, Western Sahara, Afghanistan and Kampuchea, inter alia, could exercise their right to self-determination and independence.

32. Mr. RAZZOQI (Kuwait) said that the violation by certain States of the principles of the Charter of the United Nations was a constant threat to peace and security. The meaning of racism was well defined in various conventions and resolutions of the United Nations as any distinction, exclusion, restriction or preference based on race. His delegation believed that any form of racism which fell within that definition would lead to denial of the principle of self-determination and would constitute a violation of human rights and fundamental freedoms.

33. Thirty-five years after the adoption of the Universal Declaration on Human Rights, the racist régime of Pretoria was stubbornly reinforcing its minority colonialist system of apartheid with which it was repressing the black majority in South Africa and Namibia. The political apparatus in South Africa was aimed at ensuring the supremacy of the white minority by separatism, forced resettlement and constant humiliation and repression of the black majority which constituted 75 per cent of the population. The apartheid régime had intensified its military aggression, economic pressure and acts of terrorism and sabotage against the South African people and against independent African States in the region. The latest trick of the Pretoria régime was the new racist constitution designed to dispossess the African majority and strengthen the apartheid system.

34. Kuwait expressed its solidarity with the oppressed peoples of South Africa and Namibia and their national liberation movements and stressed the need for mandatory sanctions against South Africa, under Chapter VII of the Charter. Unfortunately, such efforts had failed because of the veto of one or several of the permanent members of the Security Council. Kuwait called upon the five Western members of that body to shoulder their responsibilities, to oblige the racist régime of South Africa to end its illegal occupation of Namibia and to ensure scrupulous implementation of the United Nations plan for Namibia set forth in Security Council resolution 435 (1978). Furthermore, the collaboration of certain States with the régime in South Africa must cease in order to prevent even greater violence in southern Africa.

35. Another form of racist ideology existed in the Middle East. Zionism, as defined by its founder Theodor Herzl, was a form of colonialism, racism and racial discrimination. To political Zionists, zionism had always meant that "Jewish nationalism" required Zionist colonialism for its fulfilment. Nationalism, statehood and colonialism thus formed the trinity of the Zionist creed. Without that trinity there would be no political zionism. In order to achieve its objectives, two interrelated programming processes were required, namely, Jews must be separated from their respective countries and transplanted en masse to Palestine and the Palestinians had to be displaced from their lands. Thus according to the concept already referred to, zionism falls under article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination.

(Mr. Razzooqi, Kuwait)

36. With regard to the Second Decade, his delegation would support any plan of action which took into account the best methods of fighting the evils of racism, racial discrimination and zionism. Unfortunately, little progress had been made in achieving those objectives and there was reason to question the validity and effectiveness of what the international community was actually doing. In the opinion of his delegation, the problem facing the United Nations was the lack of an appropriate mechanism for the implementation of solutions put forward in many General Assembly resolutions. The failure to implement those resolutions effectively was due to the opportunism and the selfish short-term national interest of a minority which was overriding the common interest of the majority.

37. Mr. ABDELMAHMOUD (Sudan) said that individuals and peoples must be permitted to live in freedom. That question had been a focal international concern and was reflected in the relevant United Nations documents. Despite the fact that the international community had condemned apartheid and racial discrimination, recent events in South Africa were a cause for concern and should be confronted decisively with a view to affirming the right of peoples to freedom, justice and equality, particularly as the régime continued to prevent the majority of the population from enjoying their rights. South Africa had extended the situation to Namibia in defiance of the will of the international community and Security Council resolution 435 (1978). South Africa continued to place obstacles in the way of a peaceful solution and sought to strengthen apartheid by military and nuclear force, which constituted a threat to peace and security in the region and in the world as a whole. The international community should exert pressure to bring about the independence of those peoples.

38. The situation in the Middle East also gave cause for concern, for, until the problem was solved, there would be neither peace nor stability and violence in the region would increase. Israel had extended its sights to Lebanon, sowing destruction and death. The Tel Aviv-Pretoria alliance increased the suffering of the Arab and South African peoples. The international community must live up to its obligations and adopt practical measures in the face of that situation. Referring to document A/39/167/Add.2, he said that progress had been made, although much remained to be done to improve the plan of activities and make it reflect the international community's aspirations with regard to the struggle against racism and racial discrimination.

39. The pillar of Sudan's foreign policy was the elimination of all forms of colonialism, as had been reflected in its accession to the relevant international instruments and its support for the cause of liberation and self-determination.

40. Mr. POLICHTCHOUK (Ukrainian Soviet Socialist Republic) said that the General Assembly had emphasized that any relationship whatsoever with South Africa was a hostile act against the oppressed peoples of the region and the main obstacle to the elimination of apartheid. Many Western countries which claimed to condemn apartheid did not implement the resolutions of the General Assembly and the Security Council and, on the contrary, were increasing their co-operation with South Africa, as was proved by the lengthy list of banks, monopolies and transnational firms in the report of the Special Rapporteur (E/CN.4/Sub.2/1984/8

(Mr. Polichtchouk, Ukrainian SSR)

and Add.1-2). Investments in South Africa were an investment in apartheid serving to perpetuate the system of exploitation and oppression. International imperialism considered them a guarantee for its military and strategic interests in the region, under the banner of "constructive engagement". One consequence was the unprecedented strengthening of the repressive apparatus of Pretoria, its army and its military bases. The report of the Special Rapporteur gave examples of co-operation between the States members of NATO and Israel with South Africa in various sectors, including the military and nuclear fields. It should be noted that military and nuclear co-operation between South Africa and Israel was increasing, and that South Africa received 70 per cent of Israel's arms exports. Tel Aviv made weapons, rockets and aircraft available and supplied the required technology and licences, in open defiance of the arms embargo. South Africa received military and scientific support and, according to press reports, was endeavouring to develop weapons of mass destruction, including chemical and bacteriological weapons, which constituted a threat to mankind.

41. His country agreed that co-operation with South Africa should be halted and that the mandate of the Special Rapporteur should be renewed, and supported the sanctions imposed by the Security Council against Pretoria, in particular, the arms embargo.

42. Mr. THWAITES (Australia) said, with regard to the report of the Committee on the Elimination of Racial Discrimination (CERD), that a cursory reading of that Committee's successive annual reports to the General Assembly showed that racial discrimination was a phenomenon which affected all regions. No society could consider itself immune. It was a reality that could not simply be wished away because it intruded upon the utopian ideological constructs with which certain Governments sought to bolster their legitimacy. CERD's work exposed the dangerous fallacy whereby some States claimed a miraculous immunity from the injustice which human beings were capable of inflicting upon each other, not by the colour of their skin but by their nature.

43. Australia was a multicultural society. Its Government sought to ensure to all Australians the rights and protection provided under the International Convention on the Elimination of All Forms of Racial Discrimination and in other international instruments. It recognized the unique value which could derive from a dialogue between Governments and independent experts who could bring a variety of perspectives to the obligations which Governments undertook with the ratification of international human rights instruments. The report submitted by Australia had been complimented on by the Committee for its frankness and comprehensiveness, and the answers provided by Australia's representatives in general had satisfied the concerns and interests of the Committee.

44. The usefulness of the dialogue in which the Committee had sought to engage Governments was dependent in large part on the quality of the reports submitted. The submission of reports could form the basis for a thorough dialogue with the Committee. However, that objective could not be served by a system which required the comparatively frequent submission of reports, with the attendant risks of repetitiousness affecting the proceedings and of overloading the Committee to the

(Mr. Thwaites, Australia)

point that it was unable to give each report the thorough study which it should receive. With that in mind, his delegation had been a sponsor of General Assembly resolutions 37/34 and 38/20. Those proposals had generated considerable interest, but the Committee had preferred not to develop them. His delegation endorsed without reservation the Committee's concern to avoid any steps which might be seen as weakening the obligations existing under the International Convention, and its proposals had been designed precisely to strengthen those obligations in a qualitative, as distinct from a quantitative, sense.

45. It had also taken note with great interest of the fruitful results of the meeting of the chairmen of the various bodies charged with monitoring the implementation of human rights instruments, as set out in document A/39/484. It had been particularly impressed by the conclusions of the meeting regarding the possible co-ordination of guidelines for the submission of reports and the establishment of advisory services and assistance to States experiencing difficulties in fulfilling their obligations under the treaties to which they were parties. While each treaty remained in one sense a law unto itself, there was also a larger interest which could be pursued through that and other relevant organs of the United Nations in ensuring that international human rights obligations were consistent and mutually supportive.

46. He expressed Australia's concern that two members of the Committee had been unable to attend either session of the Committee over the past 12 months. The Committee functioned best when it benefited from the important contributions which all expert members could make and which, taken together, ensured the reflection in the Committee's work of different forms of civilization and the principal legal systems, as provided for in article 8 of the International Convention. None the less, his delegation hoped that, should it become apparent that an elected expert would not be available for future meetings of the Committee, the nominating Government would submit the name of an alternate expert, in accordance with the provisions of the Convention.

47. It had had occasion the previous year to express its regret at a departure by the Committee from its mandate through the inclusion, in its consideration of the situation in non-self-governing territories, of an issue which had had nothing to do with racial discrimination. It was disturbed to see that that action had been repeated in the report for the current year, as could be seen from the reference to the Falkland Islands in the report. He hoped that in the future such aberrations - which were all the more evident because they were so rare - would be avoided.

48. Mr. YAKOVLEV (Union of Soviet Socialist Republics), referring to the statements made by the representative of the United States, said that he would welcome some explanation of what was happening in South Africa and why racial discrimination was growing worse. The statement of the United States representative had been full of digressions concerning the Soviet Union's domestic and foreign policies. The Soviet peoples mentioned by the representative of the United States (Lithuanians, Estonians, Latvians) had their own autonomous States, with their own right to leave the Soviet Union; they were independent and had their

(Mr. Yakovlev, USSR)

own cultures. It was not up to the United States to tell those peoples how they should exercise their right to self-determination. He would also welcome some explanation of the situation regarding American Indians, blacks and immigrants in the United States, and of what was happening in Grenada, Nicaragua, Central America in general and the Middle East. It must be recalled that the United States was the main obstacle to the exercise of the right of self-determination.

49. Many representatives of developing countries had demonstrated that there was close co-operation between the Western Powers and the South African régime and had said that some countries had not only increased their economic and other commitments to South Africa but were also investing in military industries or industries producing or manufacturing military or military-type products. They had also said that those Powers were collaborating with apartheid in denying the right of the majority to self-determination and in monopolizing the fabulous wealth of South Africa and Namibia. The Soviet Union endorsed those statements; if assistance to South Africa was terminated, the régime would collapse. The presence of large monopolies in South Africa was presented to international public opinion as a blessing for the indigenous population because of the investments made in training courses, education, etc. In that context, however, no mention was made of the millions of dollars which left South Africa, or of the exploitation of the people. Nor was there any mention of how South Africa, with the help of transnational corporations, plundered natural resources.

50. As for the political support which South Africa received from the United States, President Reagan himself had said that South Africa was an historic ally of the United States. That was why the United States was opposed to sanctions against South Africa. The United States delegation in the Third Committee also defended South Africa and had gone so far as to accuse of racism those who had talked about the immediate elimination of apartheid. The Soviet Union criticized that policy of "constructive engagement", which was being used as a cover for a policy the ultimate aim of which was to perpetuate the Pretoria régime. That policy enabled the South African régime to maintain its refusal to find a solution to the problem of Namibia or a peaceful solution with regard to neighbouring countries.

51. With regard to the economic alliance between the Western countries, particularly the United States, and South Africa, the Special Rapporteur had said in his report that co-operation only reinforced apartheid, and the United States had been unable to refute that statement. In 1982, United States investments in South Africa had amounted to six or seven billion dollars. Capitalist banks were at the service of the Pretoria régime. The main donors were the big United States banks and the banks of the United States NATO allies. They had set up a fund to supply South Africa with oil and other goods. Transnational corporations had formed a South African state security council which determined South Africa's policy, but they wished to keep those facts a secret.

52. With regard to military co-operation, South Africa's military industrial potential was known to have increased. A complex with nine companies responsible for the manufacture of weapons and 50 subsidiary plants had been established. Eighty-eight South African scientists had received training in United States

(Mr. Yakovlev, USSR)

laboratories. The United States had helped South Africa to set up an experimental station and nuclear reactors and had sold it enough of enriched uranium to make 9 or 10 atom bombs.

53. Co-operation between South Africa and Israel had also increased: in 1983, 35 per cent of Israeli arms sales had gone to South Africa. In 1979, the two countries had co-operated in conducting a nuclear explosion in the South Atlantic. According to the Western press, in 1983 a secret agreement had been concluded between the United States, South Africa and Israel for the deployment of United States manufactured weapons in South Africa. The co-operation between the United States, South Africa and some NATO member countries was tantamount to direct assistance to apartheid and racism. The Soviet Union, together with other socialist countries, African countries and the majority of States called for an end to such co-operation. The Soviet Union supported the request of the African States that the Security Council should adopt sanctions against South Africa pursuant to Chapter VII of the United Nations Charter, with a view to ending South Africa's illegal occupation of Namibia and its acts of aggression against neighbouring States. His delegation was sure that the decisions adopted by the Third Committee on that matter would reflect the opinion of the majority of States.

54. Like many delegations, his delegation attached particular importance to the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. It did not agree, however, with those delegations which were requesting that there should be a consensus on the adoption of sanctions; in its opinion, a consensus would weaken the implementation of such sanctions.

55. His delegation was of the view that the draft plan of activities for the period 1985-1989 (A/39/167 and Add.1 and 2), contained only a few elements and was not a comprehensive, structured plan of action for the implementation of the plan of activities. It also considered the order of priorities to be inappropriate. In its opinion, the plan should reflect the provisions governing the Second Decade and give priority to manifestations of institutionalized racism. Pertinent international documents, above all those prepared by United Nations organs on the subject of racism and racial discrimination, should be included in section I. Section II should be more general in nature. Section III should be more detailed and contain provisions relating to the economic, social, political and cultural spheres.

56. His delegation emphasized the need for the entire international community to endeavour to ensure greater acceptance and implementation of the pertinent legal instruments in that sphere. It hoped that the United States would cease to obstruct the implementation of those instruments and ratify them instead. It called for the adoption of urgent measures to eliminate racial discrimination, racist organizations and racist propaganda. It hoped that all States would participate in the implementation of the Programme of Action and that the United States would stop obstructing all activities aimed at the elimination of racism and racial discrimination. It also hoped that the decisions adopted in the Third Committee would reflect the basic objectives of the fight against racism.

57. Mr. TOYAD (Malaysia) said that the inhuman actions resulting from racist policies and practices violated the very principles of the Charter of the United Nations. Malaysia had repeatedly and unequivocally stated its opposition to such policies and condemned the racism and racial discrimination practised in South Africa and the denial of the right of peoples to self-determination and independence in many parts of the world, particularly in the occupied Arab territories, Afghanistan and Kampuchea. Apartheid, which was institutionalized racism, was the most pernicious manifestation of racial discrimination in the present day world. It was a crime against humanity and a threat to world peace and security, and must therefore be abolished immediately.

58. The Government of Malaysia, one of the first countries to have deplored and condemned apartheid, had banned diplomatic, political, economic, cultural and sports relations with the Pretoria régime. Although numerous resolutions had been adopted by the General Assembly, however, certain countries' collaboration with the minority racist régime continued, particularly in the economic and military spheres. His delegation urged those countries to desist from all such collaboration for the sake of humanity and of international peace and security.

59. The right of self-determination was another important issue which was still on the agenda: in many parts of the world that right had yet to be achieved. Malaysia also deplored the fact that peoples under foreign occupation and domination were being deprived of that right.

60. His delegation was concerned at the continuing occupation of the Arab territories and the fact that Israel had not only adopted measures designed to change their legal status and demographic composition, but had also evacuated, deported, expelled and displaced their Arab and Palestinian inhabitants, denying them the right to return to their homeland. That was the root cause of the conflict that was raging in the Middle East. Malaysia would continue to support the Palestinian people and to recognize their inalienable rights to self-determination and to establish their own independent State in Palestine.

61. Afghanistan was another place where the right of self-determination had been violated. Soviet military activities in that country not only denied the Afghan people their human rights and fundamental freedoms, but also undermined the confidence of neighbouring States. Soviet intervention also exacerbated East-West tensions, threatened international peace and security, and had tarnished the Soviet Union's image as a champion of the universal realization of human rights and of the right of peoples to self-determination. The Soviet Union must therefore withdraw its troops from Afghanistan immediately.

62. Kampuchea had likewise been subjected to foreign intervention, occupation and aggression, a situation which was a continuing cause of concern to the international community. The Kampuchean people had been deprived of their right to self-determination and their fundamental freedoms and lived in fear, hundreds of thousands of them having sought refuge in neighbouring countries. The Vietnamese military occupying authorities were subjecting them to hunger and oppression. Viet Nam must refrain from Vietnamizing Kampuchea and conform to General Assembly resolutions by withdrawing from the occupied territory.

(Mr. Toyad, Malaysia)

63. As a multi-racial society, Malaysia had always valued the basic principles of human rights enshrined in its Constitution, so that every citizen might live in dignity, pride and social justice. To the Malaysian Government, a human being was a sovereign entity limited only by the fact that it was a subject of a larger community.
64. He reaffirmed his country's full support for all United Nations efforts to mobilize public opinion against apartheid, racism and racial discrimination and for the right of peoples to self-determination. It was imperative that the world community act effectively, especially through education and public information activities, to instil respect for human rights and dignity without discrimination based on race, colour or origin.
65. Mrs. PARRALES (Nicaragua) said that, despite numerous United Nations resolutions, programmes and declarations condemning the systematic and persistent violation of human rights by South Africa, the apartheid régime continued its racist and colonialist policy in southern Africa. Imprisonment, torture and murder were the methods which South Africa used against the black majority, which was demanding its legitimate right to justice, equality and self-determination. The international community must realize that, given its very nature, the South African régime was not going to end its policy of apartheid. Significant responsibility therefore rested with those Governments which, because of their levels of technological, economic and military development, had the greatest influence and ability to exert pressure. Those countries must deploy all their resources, on behalf of those countries which lacked that ability, to ensure that the principles enshrined in the Charter of the United Nations prevailed. In that connection, mention should be made not only of the unwillingness and obstructionism of some States but also, and above all, of their overt collaboration with the racist régime.
66. Another situation which aroused the indignation of the international community was the fact the Palestinian people was the victim of the policy of expansion, domination and discrimination practised by the Zionist régime of Israel which, with the support of the United States, had set up a system which was just as contemptible as the South African régime with which it maintained excellent relations. Israel had committed atrocities in Lebanon, the West Bank, the Gaza Strip and the Golan Heights, violating the inalienable rights of the Arab peoples.
67. In pursuance of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, the Movement of Non-Aligned Countries had been one of the main defenders of peoples whose right of self-determination was being obstructed or threatened. Nicaragua therefore was in full solidarity with the peoples of Puerto Rico, Western Sahara, East Timor and Namibia, who were suffering under the yoke of new forms of colonialism.
68. In Central America, the United States Government was threatening and infringing the right to self-determination of certain States which, having achieved independence, were struggling to preserve it. In so doing, the United States was openly violating the principle of non-use of force against the sovereignty, territorial integrity and independence of States, which was one of the few defences left to small countries.

(Mrs. Parrales, Nicaragua)

69. Nicaragua had been subjected to overt and covert military and economic pressures as a result of the policies of the United States military machine ever since the current Administration had taken office in that country. As a result of such acts of aggression, the Nicaraguan people had suffered tremendous loss of human life, as well as the destruction of physical resources which were essential for the country's development.

70. Mr. PHIRI (Malawi) said that most of the human race had had no difficulty in accepting the essential oneness of mankind; examples of that acceptance had been the Universal Declaration of Human Rights and the decolonization process. Malawi opposed colonialism and all forms of racism and racial discrimination, and therefore regretted that colonialism and racial discrimination still existed in numerous regions of the world, for example in South Africa, where the black majority was still being denied the exercise of its basic political rights. Another cause of tension in the region was the question of Namibian independence, which had currently developed into an impasse. Malawi appealed to all the parties concerned to honour and implement Security Council resolution 435 (1978).

71. Malawi maintained open diplomatic and economic relations with South Africa; no one, however, had the right to draw false conclusions about its position on apartheid, racism and racial discrimination. His country believed that negotiation, contact and dialogue, rather than confrontation, should be used to solve disputes among States Members of the United Nations. It therefore renewed its appeal to the international community to solve crises through peaceful and realistic means, in harmony with the letter and spirit of the Charter. Self-determination was not an end in itself, but a means of achieving the objective of restoring human dignity through peace and development.

72. The international community was aware that other countries in southern Africa were in the same, if not a worse, position of historical dependence as Malawi, and had adopted similarly realistic positions on the issue. The crisis in southern Africa was seen as a purely political problem, but for those countries of the region which lived with it, it was also a human tragedy. In his country's view, there was already plenty of scope within international institutions for carrying on a dialogue as to what would constitute a just, effective and workable settlement of all international disputes. Malawi hoped that the United Nations would lend its full support to the process of contact and dialogue among political adversaries which had been taking place in southern Africa.

73. When working out programmes for the elimination of racial discrimination, it was essential to keep in mind the root causes of those evils. Apartheid, racism and racial discrimination fed on fear and ignorance which, in turn, engendered suspicion, doubts, prejudice and hatred. Racism could more easily be eliminated in societies such as South Africa, where it was practised openly and legally, than in societies which practised subtle and deceptive forms of racism and racial discrimination. Malawi appealed to South Africa to use the opportunity created by contact and dialogue to achieve an honourable and permanent peace in the region.

(Mr. Phiri, Malawi)

His delegation had some difficulties with certain parts of the recommendations which the Committee had before it, and would reserve its position concerning action which was either unrealistic or negated the principle of negotiation and dialogue.

The meeting rose at 6.05 p.m.