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**GENERAL
ASSEMBLY**

TWENTY-SIXTH SESSION

Official Records



**THIRD COMMITTEE, 1847th
MEETING**

Monday, 25 October 1971,
at 10.55 a.m.

NEW YORK

Chairman: Mrs. Helvi SIPILÄ (Finland).

AGENDA ITEM 54

Elimination of all forms of racial discrimination (continued) (A/8367 and Corr.1, A/8403, chap. XVII, sects. B and F; A/8418, A/8439):

- (a) **International Year for Action to Combat Racism and Racial Discrimination: report of the Secretary-General;**
- (b) **Report of the Committee on the Elimination of Racial Discrimination;**
- (c) **Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General**

GENERAL DEBATE (continued)

1. Mr. BOURGOIN (France) was glad to see that a high priority had been given to the discussion of the problem of racial discrimination in view of the fact that the International Year for Action to Combat Racism and Racial Discrimination was now under way. The French Government had organized two symbolic events as a token of its interest in action to combat racial discrimination and the activities of the United Nations in that field: the President of the French Republic had unveiled a memorial commemorating the proclamation of the Universal Declaration of Human Rights and France had deposited its instrument of accession to the International Convention on the Elimination of All Forms of Racial Discrimination. The National Assembly and the Senate had unanimously approved the parliamentary bill authorizing France's accession. In doing so, the French Parliament kept faith with the tradition established by the French Revolution and the Declaration of the Rights of Man and of the Citizen. Through the French Constitution and laws, regulations and jurisprudence, the principle of racial non-discrimination was embodied in the code and in the country's *mores*.

2. The anniversary of the massacre of Sharpeville on 21 March had been marked by a radio broadcast on the subject of equality among men; and at the seminar on the dangers of a recrudescence of intolerance in all its forms and the search for ways of preventing and combating it, held at Nice from 24 August to 6 September 1971, the participants had had an opportunity to express their views frankly and unequivocally with the sole aim of promoting respect for human rights. In the field of education, the French Ministry of Education had decided to extend and enrich school and university programmes designed to promote the purposes of the United Nations. Several universities had organized series of lectures or courses on racial discrimination and ways and

means of combating it. The French Government had also contributed \$20,000 to the United Nations Trust Fund for South Africa and \$100,000 to the United Nations Programme for the Education and Training abroad of South Africans.

3. The success of the struggle against the evil of racial discrimination would depend as much on collective action by the United Nations as on individual efforts and perseverance. The United Nations had taken up the challenge with enthusiasm. There were nevertheless formidable obstacles still to be overcome. The policy of *apartheid* in particular was a perpetual and systematic violation of all human rights, and for that reason France had always condemned it and now reiterated its condemnation most emphatically and categorically. It was anxious to combat the policy of *apartheid* in an effective manner—which implied in a realistic manner. There must be no truck with any of the forms, subtle or gross, isolated or overt, of segregation and racial discrimination which still subsisted or were likely to crop up again throughout the world. In that connexion, he feared that the present upheavals in world economy would increase and propagate new sources of racial tension.

4. Since the purpose aimed at by all countries, namely the advent of a more just and hence a more human world, required unanimity of effort, the French delegation believed both in the value of recommendations by the United Nations and in the effectiveness of the lessons to be drawn from them. It was not merely a matter of working out juridical and political precepts. What mattered was not so much a formal stand by Governments as human awareness and hence the training and education of that awareness. For that reason, the French delegation urged re-enforced educational action based on methods adapted to the particular circumstances and mentality of the beneficiaries.

5. The International Year for Action to Combat Racism and Racial Discrimination was more than an occasion for reflection; it marked the initiation of realistic action to combat a multiform and universal scourge, and it was to be hoped that that action would be pursued in the years to come.

6. Mrs. MIRONOVA (Union of Soviet Socialist Republics) was glad to see that the Commission had decided to give a high priority to the question of racial discrimination, since racism, like the evils arising from it—*apartheid*, nazism and the doctrine of the “chosen people”—were among the most dangerous existing at the present time. Any manifestation of them was at variance with the principles and ideals on which the United Nations was based. Whatever form it took, racism was an ideology involving the exploitation of

man by man or of one people by another. The evil must be combated by every conceivable means, and in the present year of action to combat racial discrimination, the Member States had decided to intensify their efforts under the programme¹ approved by the General Assembly at its twenty-fourth session in resolution 2544 (XXIV), when it had reaffirmed its firm resolve to achieve the total and unconditional elimination of racial discrimination and racism, against which the conscience and sense of justice of mankind had long been aroused.

7. The USSR supported the policy of the peoples fighting for freedom and equality among men. That was a basic principle of the Soviet Government and people, and it was confirmed in the Soviet Declaration on Human Rights and in all the country's legislative enactments. Under the Constitution and other legislation, any manifestation of racial intolerance was regarded as a serious crime incurring severe penalties. The economic and social life of the country was such as to eliminate any distinction that might lead to manifestations of racial discrimination. The principle of the equality of all peoples, which made Soviet society a truly multinational society, was likewise a principle of the Soviet Union's foreign policy. There was no need to stress the contribution made by her country to the struggle being carried on by all oppressed peoples.

8. The USSR was one of the sponsors of General Assembly resolution 2544 (XXIV) concerning the programme for the observance of the International Year. It had taken a number of measures to heighten the awareness of the people. Articles, radio broadcasts and television programmes, symposia and meetings during the International Year had been devoted to questions of racial discrimination. A resolution adopted at one international meeting had stressed that racism was responsible for perpetuating colonialism and the situations in Indo-China and southern Africa. The Soviet Union would continue to co-operate in any measures taken to combat violations of human rights.

9. The same could not be said of all States. Some still clung to racism or adopted *apartheid* as the very backbone of their policy. Others continued to maintain Territories under the colonial yoke, on the pretext that they were not yet ripe for independence—which illustrated the very close relationship between racism and colonialism; both were manifestations of imperialism. Other countries again claimed to be bitterly opposed to racism while at the same time propagating it. Under the banner of the doctrine of the "chosen race" they drove oppressed people from the territory they occupied. In yet other countries, in spite of declarations against racism, the non-white population was subjected to vexations and to a fundamentally racial discrimination. In the United States, for example, society was in practice divided into two groups, as was in fact admitted in a recent article in *The New York Times*. As in all racist societies, the blacks were herded into ghettos, unemployment was twice that of the whites, and their schooling figures were distinctly lower. There was, moreover, a real American Nazi Party which affirmed the supremacy of whites over blacks.

10. Racism was likewise infiltrating into all aspects of life in Israel. The Palestine Arabs were its primary victims, although the Jews themselves were not spared. Thus, oriental Jews or black Jews from the United States were discriminated against. Israel accused anyone who did not accept Zionism of being anti-Semitic; yet there was no escaping the fact that the Zionists themselves were the most anti-Semitic of all.

11. South Africa made use of the policy of *apartheid* to keep the whole of the non-white population under its thumb and to subject it to a positively mediaeval form of exploitation. The policy held that the white race was the master race, and denied all rights or fundamental freedom to the blacks, herding them into reserves, which was what the Bantustans amounted to. Any objection or protest against the policy met with severe reprisals. The political parties and the trade unions had been systematically dissolved. The prisons and concentration camps were packed with political prisoners.

12. The example of the South African racists was being followed by the illegal régime in Southern Rhodesia. Since the so-called "Declaration of Independence", blacks were unable to take any part whatever in the country's political life.

13. Portugal's responsibility for the racism which was being practised in the Portuguese colonies was shared by the world imperialism exercised within the framework of NATO. For example, the United States and the United Kingdom supported the reactionary systems of the countries of southern Africa and invested vast sums in those countries. Obviously, the countries which controlled NATO were trying to maintain reactionary forces to combat revolutionary movements in the southern part of the African continent. Thus, the Conservative Government of the United Kingdom had announced that it would resume the supply of arms to the Republic of South Africa.

14. In order to mark the International Year for Action to Combat Racism and Racial Discrimination in an appropriate manner, it might be desirable to supplement the International Convention on the Elimination of All Forms of Racial Discrimination by a new legal instrument, whereby States would undertake the legal obligation firmly to oppose the policy of *apartheid* and discrimination and to take all the necessary measures to prevent racial discrimination. Sanctions would be imposed against any State which did not fulfil that obligation, in accordance with Chapters VI and VII of the Charter of the United Nations. Her delegation was prepared to submit a specific draft to that effect, which, in its opinion, would certainly enhance the effectiveness of the United Nations.

15. Mr. SAYEGH (Kuwait) welcomed among the States parties to the International Convention on the Elimination of All Forms of Racial Discrimination Chile, which had just ratified that instrument and the Netherlands and Sweden, which had just announced their intention of ratifying it before the end of the year. He was also glad that Sweden was prepared to make a declaration in pursuance of article 14 of the Convention.

16. His delegation was particularly interested in sub-item (b) of the item under consideration, concerning the report

¹ See *Official Records of the General Assembly, Twenty-fourth Session, Annexes*, agenda item 55, document A/7649.

of the Committee on the Elimination of Racial Discrimination, because a national of Kuwait was a member of that Committee.

17. In the first place, there was the problem of the relationship of the Committee on the Elimination of Racial Discrimination to its principals, namely, the States parties to the Convention and the General Assembly. Where the States parties were concerned, the Committee could only address them individually, through communications. There was no machinery whereby they could give collective instructions to the Committee if necessary. With regard to the General Assembly, the Committee submitted to it a report on its work, but had no way of communicating directly with that body. Machinery should therefore be established to ensure liaison between the Committee and all the States parties to the Convention on the one hand and the Committee and the General Assembly on the other. He did not yet have any official proposal to make, but suggested that the Committee should be represented at the General Assembly, perhaps by its Chairman, when questions falling within the Committee's competence were discussed.

18. Such machinery seemed all the more necessary after the criticisms that had been made in the Third Committee, especially by the New Zealand and United Kingdom representatives (1846th meeting), who had expressed the view that the Committee on the Elimination of Racial Discrimination had sometimes gone beyond its terms of reference.

19. He supposed that those criticisms related to decisions 3 (IV) and 4 (IV) (see A/8418, chap. VII) concerning cases of racial discrimination practised in the territory of a State party to the Convention by a State which was not a party, as in Panama and in the Syrian Arab Republic.

20. Contrary to what the New Zealand and United Kingdom representatives seemed to think, the Committee had not taken those decisions lightly; on the contrary, it had been only after long discussions that the majority of the Committee's members had finally decided that the questions raised by Panama and the Syrian Arab Republic fell within its competence. Those misunderstandings demonstrated the need for the Committee to be represented at meetings of the General Assembly.

21. One of the main questions raised by the Israeli representative, that of the alleged discrimination practised against Jews in the USSR, called for some comments. It would seem that the Israeli delegation did not possess a complete version of the Universal Declaration of Human Rights. Article 13, paragraph 2, stated that "everyone had the right to leave any country, including his own, and to return to his country". Thus, if the Soviet authorities prevented Jews from leaving the USSR, that would constitute a violation of their human rights. But when Palestinians were denied the right to return to their homes, did that not also constitute a violation? Israel invoked one part of article 13 in the case of Soviet Jews, but ignored the other part of the same article in regard to the Palestinians. Accordingly, violation of the human rights of a Jew by a non-Jew was a case of racial discrimination, but violation of the human rights of a non-Jew by a Jew was not. Was that

the doctrine of the chosen people? The Third Committee could not accept that principle.

22. There was yet another consideration. In Israel, discrimination was practised even against Jews; the oriental Jews and black Jews from the United States. That situation had been brought to the attention of the international community by the Black Panther movement. Although oriental Jews comprised 60 per cent of the population, they were represented in the Government by only one minister, held only 3 per cent of high-level jobs and accounted for only 12 per cent of students in higher education. Their housing conditions were deplorable and they were the main victims of unemployment. The black Jews from the United States, for their part, were entitled only to a tourist visa, renewable every three months, and were subjected to worse discrimination in Israel than that which they had suffered in the United States. It might therefore be concluded that in Israel discrimination against Jews by Jews was permissible.

23. Finally, the Israeli representative had referred to the alleged tribulations that Jews were undergoing in the USSR. Whatever the real situation might be, those assertions called for two comments. In the first place, immigration into the occupied territories of Palestine was merely a means whereby the Israeli régime was preventing the return of the Palestinians: indeed, every Jewish settler prevented the return of a Palestinian. Facilitating mass immigration of Jews into Palestine was tantamount to facilitating racial discrimination against the indigenous population. That was the essence of Zionism, the doctrine of the *Judenstaat*, or State of Jews, proclaimed at the end of the nineteenth century and consisting in emptying the territory of its non-Jewish inhabitants and replacing them by Jews from abroad.

24. Moreover, was Israel really concerned with the well-being of the Jews in the USSR, or did it rather have its own interests in mind? If the question was solely that of enabling Jews in the USSR to leave that country, where they were allegedly being subjected to discrimination, it was hard to understand why the President of the Zionist Organization of America had opposed a bill designed to increase the immigration quota for Jews to 30,000 (the Koch Bill) which had been submitted to the United States Congress by certain Jewish representatives and senators. Obviously, the main objective was not to enable Jews to leave the USSR, but to ensure that they settle in Israel. Accordingly, the enormous publicity that had been given to the question had no humanitarian purpose; it was aimed, on the one hand, at maligning the USSR and, on the other hand, at persuading Jews to settle in Israel, thus depriving Palestinians of their homes.

25. *Apartheid* was often cited as the most odious example of racial discrimination. But there were worse examples: on 23 June 1969, the Israeli newspaper *Jerusalem Post* had published an interview with Mr. David Ben Gurion on his return from South Africa. Mr. Ben Gurion had stated that during a conversation with the Prime Minister of that country he had told him that the South Africans had made a mistake in setting up the system of *apartheid* and that they should have followed the example of Israel's *Avoda ivrit*, or "Jewish labour". The Prime Minister of South

Africa had replied that Israel had indeed found the best solution, but that it was too late to apply it in South Africa.

26. That was the third aspect of Israel's attitude: racial discrimination against the indigenous population was an atrocity, but the expulsion of that population was admissible.

27. Mr. BERK (Turkey) said he regretted that unforeseen circumstances had prevented his delegation from announcing Turkey's adherence to the International Convention on the Elimination of All Forms of Racial Discrimination. However, his Government intended to complete the ratification procedure as speedily as possible.

28. He reminded the Committee that his country had always been firmly opposed to all forms of racial discrimination, whatever the circumstances. The fundamental human rights were set forth in the Republic's Constitution, which also contained appropriate safeguards to enable people to exercise those rights. The Constitution stipulated that all persons should enjoy the fundamental rights and freedoms and that all persons were equal before the law without distinction. The State was responsible for removing all political, economic and social obstacles which might restrict the exercise of the rights and freedoms of the individual and for ensuring the implementation of legislation concerning the exercise of those rights and freedoms.

29. His delegation welcomed the large number of reports submitted by States Members of the United Nations and United Nations bodies on measures taken to combat racism and racial discrimination during the International Year for Action to Combat Racism and Racial Discrimination. Those reports drew attention once again to the need for measures to be taken individually and collectively, through the United Nations, to eliminate that scourge as quickly as possible. It would, of course, be easier to assess at the end of the year the effectiveness of the measures taken.

30. Turkey had taken a number of steps to disseminate information in schools and universities and by means of the press and radio on the havoc wrought by racism and racial discrimination and on the need to eliminate those evils.

31. In the past his delegation had condemned the persistence of racism and racial discrimination in the political, social, economic and cultural spheres as one of the most deplorable social phenomena of the present era. *Apartheid* was doubtless the most odious form of racial discrimination. Yet, though it had been unanimously condemned, it was still being pursued and sometimes even extended, despite the decisions taken by the United Nations. The Organization should accordingly continue and intensify its efforts for the total elimination of *apartheid*.

32. Turkey had always supported the measures taken by the United Nations to eliminate the last vestiges of colonialism in southern Africa and in other parts of the world. It had scrupulously respected the sanctions imposed on Southern Rhodesia and was continuing to contribute to the effective functioning of the United Nations Council for Namibia, of which it had been a member since the Council's establishment.

33. In that spirit and in the hope that the ideals set forth in the Charter would prevail, his delegation would consider any proposal submitted to the Committee on that subject.

34. Mr. FASSOU (Guinea), speaking on a point of order, expressed the hope that the extremely important statement by the Director of the Division of Human Rights at the 1845th meeting would be circulated as a Committee document. That would help representatives to grasp all the aspects of the problem and would save a considerable amount of time.

35. Mr. LUTEM (Secretary of the Committee) said that statements by representatives of the Secretary-General were normally reproduced in detail in the summary records of meetings. If the representative of Guinea pressed for publication of the statement by Mr. Schreiber *in extenso* the financial implications would be the following: the cost of reproduction would be \$11.50 per page in the original language and \$25 for translations. Thus, as a general indication, the circulation of a statement of ten pages in four languages involved a cost, in terms of the value of internal services, of the order of \$900.

36. Mr. STILLMAN (United States of America) said he thought that the summary record would reflect adequately the statement made by the Director of the Division of Human Rights. The Secretary-General had recently stressed that the United Nations was in an extremely precarious financial situation. Members of the Committee should therefore take care to avoid any measure that might entail new expense. His delegation formally opposed the suggestion.

37. Mr. MOUSSA (Egypt) expressed surprise that the United States delegation should consider \$900 for the publication of important statements an excessively high sum. He requested that the United States representative's remarks should appear *in extenso* in the summary record of the meeting.

38. Mr. FASSOU (Guinea) also deplored the negative attitude of certain countries on the publication of statements, in particular those concerning the question of racial discrimination. He too urged that the statement of the United States representative should be published *in extenso*.

39. The CHAIRMAN said that, if there were no objections, she would assume that the representative of Guinea did not insist on his request and that the Committee agreed that Mr. Schreiber's statement should be reproduced in detail in the record of the meeting.

It was so decided.

40. Mrs. ESHEL-SHOHAM (Israel), speaking in exercise of the right of reply, said that she wished to clarify certain points raised by the representative of Kuwait during his long indictment of Israel.

41. The representative of Kuwait was well aware that the problem of the return of the Palestinian refugees could not be solved in a vacuum, independently of the settlement of the Middle East conflict. If the Arab States were so

concerned about the fate of the refugees, there was one way—and only one—in which they could prove it: by co-operating in the achievement of peace in the Middle East. They would not promote peace by persisting, as at present, in their refusal to negotiate.

42. There was neither racism nor racial discrimination in Israel. If the Jews from Arab countries met with difficulties in Israel, that was not due to racism but to the inadequacy of the education they had received in their countries of origin. It would take a long time to bridge that gap, despite the efforts being made.

43. Israel was a democratic State open to all: everyone had the right to freedom of expression and of criticism.

44. The representative of Kuwait had mentioned the Hebrew words *Avoda ivrit* used by Mr. Ben Gurion and had given them his own interpretation. Actually, they reflected the religion of work prevalent in Israel: the need for Jews to perform any task, however humble.

45. In conclusion, she noted with some puzzlement that the representative of Kuwait had played all the roles in the proceedings against Israel in various bodies of the United Nations: accuser, witness, public prosecutor and judge.

46. Mr. SAYEGH (Kuwait), speaking in exercise of the right of reply, said that contrary to the assertions of the representative of Israel, the return of the refugees was the

first condition for peace. That was clear from a large number of resolutions of the Security Council and the General Assembly. Various United Nations bodies had decided that Palestinian displaced persons had the unconditional and unrestricted right to return to their countries. The Israeli Government was openly defying the United Nations, particularly by its repeated statements that the Palestinians could not all return to their country even after peace had been concluded. Peace could be contemplated only when Israel had ceased its discriminatory practices and its policy of exclusion.

47. Regarding the question of the oriental Jews, the Israeli representative had boasted that Israel was a democratic State where everyone had freedom of expression; how then could she explain why all the protests were about the question of racial discrimination?

48. As for the words pronounced by Mr. Ben Gurion, the representative of Israel would have a better understanding of their meaning if she were better versed in the Zionist writings. It was obvious that the aim of the Zionists was not to live with the Arabs in mutual understanding, but to establish nuclei of purely Jewish people, extend their influence and gradually create conditions for eliminating the Arabs. Those words thus described a tactical procedure for expelling the Arab population.

The meeting rose at 12.55 p.m.