



CONTENTS

	Page
Agenda items 55, 56 and 57:	
Elimination of all forms of racial discrimination (<i>continued</i>):	
(a) Implementation of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination;	
(b) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;	
(c) Programme for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination: report of the Secretary-General	
Measures to be taken against nazism and racial intolerance: report of the Secretary-General (<i>continued</i>)	287
Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of <i>apartheid</i> , in all countries, with particular reference to colonial and other dependent countries and territories (<i>continued</i>):	
(a) Measures for effectively combating racial discrimination and the policies of <i>apartheid</i> and segregation in southern Africa: report of the Secretary-General;	
(b) Report of the <i>Ad Hoc</i> Working Group of Experts on the treatment of political prisoners in South Africa: report of the Secretary-General	
General debate (<i>continued</i>)	

sect. A; A/7660, A/C.3/L.1659, E/CN.4/950, E/CN.4/984 and Add.1-19):

- (a) Measures for effectively combating racial discrimination and the policies of *apartheid* and segregation in southern Africa: report of the Secretary-General;
- (b) Report of the *Ad Hoc* Working Group of Experts on the treatment of political prisoners in South Africa: report of the Secretary-General

GENERAL DEBATE (*continued*)

1. Mr. DUNCAN (Guyana) said that his delegation felt disgust that countries which perpetrated the ugliest forms of racial discrimination were represented in the Committee, and distress that most of the problems of the world were attributable to racist practices and racial conflicts.

2. Those problems were perplexing, in that they resulted from the action of peoples which claimed to have made substantial contributions to culture and civilization and which upheld the rights and freedoms of others at the same time as degrading atrocities against the dignity of citizens were committed in their own countries. His delegation was also concerned at the fact that, when persons in search of opportunities for improvement travelled hopefully to other countries, they found themselves unwanted, unhoused and unemployed, except in menial occupations.

3. Concern for racial equality and justice prevented his country from forgetting the Sharpeville shootings, one of the bloodiest massacres of the century, when South African police had slaughtered and maimed black Africans taking part in a peaceful demonstration against the suppression of their fundamental rights and freedoms by the *apartheid* policies of the white South African minority Government. Yet even after that tragic incident, and even after South Africa's refusal to implement United Nations resolutions on Namibia, that country had been allowed to retain its membership in the Organization.

4. On 21 March 1969—the International Day for the Elimination of Racial Discrimination, and the ninth anniversary of the Sharpeville massacre—the Prime Minister of Guyana had said:

“If the world racial crisis is to be resolved in favour of racial justice, this is no time for mere cynicism. Despite the formidable impediments to total success that the remaining fortresses of racial bigotry and oppression represent, the siege upon them must continue.”

If the crisis was to be resolved lawfully, peacefully and humanely, the Third Committee must place itself prominently among the other forces advocating the implementa-

Chairman: Mrs. Turkia OULD DADDAH
(Mauritania).

AGENDA ITEMS 55, 56 AND 57

Elimination of all forms of racial discrimination (*continued*) (A/7649 and Add.1, A/7667, A/7688, A/C.3/L.1733):

- (a) Implementation of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination;
- (b) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
- (c) Programme for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination: report of the Secretary-General

Measures to be taken against nazism and racial intolerance: report of the Secretary-General (*continued*) (A/7581/Rev.1, A/7603, chap. IX, sect. C; A/7683, A/C.3/617, A/C.3/618)

Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of *apartheid*, in all countries, with particular reference to colonial and other dependent countries and territories (*continued*) (A/7603, chap. IX,

tion of sanctions and measures to penetrate the consciences of those who felt that racial discrimination and oppression were the best means of ensuring domination of some races by others.

5. The definition of racial discrimination in the International Convention on the Elimination of All Forms of Racial Discrimination was sufficiently wide to condemn and prohibit discrimination ranging from subtle forms to cruder kinds like xenophobia and genocide.

6. The multiracial Government and people of Guyana, anxious to adhere to the principles of the United Nations Charter, the Universal Declaration of Human Rights and the Convention, had given scrupulous attention to problems which might disrupt national harmony if they became charged with racialist content. Accordingly, a Ministry had been made responsible for supervising the general subject of race relations. It was a criminal offence punishable by imprisonment for anyone to practice racial discrimination or incite racial hostility in Guyana. His country was aware of the need to eliminate and prevent all forms of racial discrimination; it did not believe in condemning white racism while ignoring black, brown, red and yellow racism. Article 15 of the Guyanese Constitution accordingly prohibited all forms of discrimination. Work was in progress for implementing substantial welfare programmes for the indigenous minority communities in Guyana, made possible by generous co-operation from Canada; the programmes were based upon a new policy of true equality with the right to full, equal participation in the country's cultural, social, economic and political life for those minorities.

7. His delegation had little to add to what had already been said by other delegations in condemnation of nazism. It merely wished to recall the words of the Judgement of the Nuremberg Tribunal, which still retained validity as a principle of international law to the effect that crimes against international law were committed by men, not by abstract entities, and that it was only by punishing individuals who committed such crimes that the provisions of international law could be enforced.

8. In the general field of human rights, he said that the Guyanese Constitution protected the fundamental rights and freedoms of the individual, following to a substantial degree the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4 November 1950. In 1968, the Government had launched an intensive, country-wide programme for the celebration of the International Year for Human Rights. The campaign had reminded the people of the significance of the Universal Declaration and of the fact that the freedoms enshrined in the Constitution were essential to their well-being and were protected by law. Guyana had evidenced the sincerity of its contribution to the International Year for Human Rights by signing the International Covenants on Human Rights. The institution of the Ombudsman had also been strengthened, in order to deal more effectively with citizens' complaints against administrative malpractice, including discrimination on political or other grounds.

9. The Committee could not solve by mere discussion the problems under examination. The cause of human rights

and fundamental freedoms and the cause of the innumerable victims of racial injustice and intolerance could not be served by being content only to stand by and suffer silently with those victims. Deeds, actions and example were needed to sustain their courage and to fulfil their hopes of regaining freedom and dignity, so that their great sacrifices would not be in vain.

10. Mr. BABAA (Libya) said that after almost a quarter of a century of discussion on human rights and fundamental freedoms, the international community had reached the radically new stage of adopting binding international instruments and procedures for implementing the provisions and principles of the Universal Declaration of Human Rights. The United Nations had helped to place the question of human rights within international jurisdiction for the first time.

11. However, despite all the Organization's efforts to ensure full respect for human rights, racism continued in many parts of the world, *apartheid* was still practised, and peoples under the yoke of colonialism were still suffering from exploitation and inhumane treatment. Namibia, Southern Rhodesia and the Territories under Portuguese domination were suffering terror and brutality almost every day; human rights were flagrantly violated in the Middle East, in Viet-Nam and in other parts of the world. Palestinian Arabs, who had been refugees twice in their lifetime, were being subjected to untold suffering and misery by the most brutal foreign occupation known to history. Their basic human rights were constantly violated, their rights to their homes and land completely denied. The great Powers that could play a decisive role in ending *apartheid* and bringing relief and justice to the Palestinian refugees had chosen to remain silent. South Africa's trading partners continued to support the Pretoria régime and hence *apartheid*, and other Powers gave the fascist régime of Tel Aviv all the moral and material support it needed in order to continue its racist policy and carry out its expansionist plans in the Middle East. Both régimes were being allowed to defy United Nations resolutions and ignore world opinion.

12. The failure of the United Nations for two decades to deal effectively with the doctrine of *apartheid*, which was based on racial superiority, had had far-reaching consequences. It had already led to the spread of that policy to other parts of southern Africa, namely, to Namibia, a country which, although under the direct responsibility of the United Nations, had been illegally occupied by South African troops. In Southern Rhodesia, *apartheid* was being considered as a possible course, owing to the United Kingdom's failure to act decisively against the unilateral declaration of independence in 1965. The failure of the United Nations to deal effectively with the violation of human rights in the occupied territories of the Middle East and to bring justice to the Palestinian refugees had encouraged the Tel Aviv régime to continue its policy of systematic expansion and deportation.

13. Despite those setbacks, his delegation believed that the United Nations should continue its efforts to combat the evils of *apartheid*, racism, racial discrimination, religious intolerance and similar ideologies, such as nazism and Zionism, until they had been completely eliminated.

14. Libya, as a former colony, had experienced racial segregation and colonial tyranny. It had always supported steps taken at the international level to guarantee respect for human rights and fundamental freedoms. It had always condemned *apartheid* and supported all United Nations resolutions recommending effective measures against South Africa, Portugal and Southern Rhodesia. It had no diplomatic or commercial relations with the régimes of those countries. It supported the legitimate struggle of the peoples of southern Africa and of oppressed peoples everywhere for freedom, dignity and self-determination, and would continue to give them moral and material support to enable them to fulfil their aspirations. Libya had been among the first countries to accede to the International Convention on the Elimination of All Forms of Racial Discrimination, and had been particularly pleased to learn that the Committee entrusted with the task of implementing its most important provisions was about to start its work.

15. His delegation would support all the recommendations in the documents before the Committee that aimed at the elimination of all forms and manifestations of racism, including *apartheid* and similar ideologies based on terror, territorial expansion and racial superiority. It also endorsed the programme suggested by the Secretary-General for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination (A/7649). However, the Year would be different from previous International Years proclaimed by the United Nations, in that it would be a year for action. His delegation therefore wished more concrete suggestions and stronger and more effective measures to combat racism and eliminate racial discrimination to be included in the programme, and Libya was ready to co-operate in whatever action the United Nations recommended to achieve that end.

16. He suggested that, in view of the fact that racial discrimination was sometimes practised on religious grounds, the word "religion" shall be inserted after the words "national or ethnic origin" in part I (Purpose of the International Year) of the programme suggested by the Secretary-General and after the words "national or ethnic origin" in sub-paragraph (i) of suggestion F of the same document (see A/7649). He also suggested that, in the draft resolution recommended by the Economic and Social Council in its resolution 1417 (XLVI), which appeared in the annex to document A/7581/Rev.1, the word "expansion" should be inserted between the words "terror" and "and racial intolerance" in the third preambular paragraph and in operative paragraph 4. His delegation would vote for the other draft resolution recommended by the Council in its resolution 1415 (XLVI), which appeared in paragraph 10 of document A/7660, and it hoped that both of them would be adopted unanimously.

17. He wished to draw attention to a specific case of an area where human rights had been constantly violated, namely, the occupied Arab territories. Israel had openly defied all the efforts of the United Nations to bring justice and dignity to the Palestinians, and its military authorities had violated all the Geneva Conventions. He agreed with the representative of Norway concerning the need to provide protection for both military and civilian victims of armed conflicts. The Palestinian victims of Israel brutality

needed protection, and the United Nations should take all necessary measures to ensure the observance of the Geneva Conventions in the occupied territories.

18. The Covenant of the League of Nations, the Charter of the United Nations and the principles of international law accepted by civilized nations had outlawed war and conquest. The United Nations had reaffirmed the principles of the Nuremberg Charter relating to war crimes and crimes against humanity, and had condemned genocide, *apartheid* and persecution on political, racial or religious grounds. In the Universal Declaration of Human Rights, Member States had pledged themselves to achieve the promotion of universal respect for and observance of human rights and fundamental freedoms. The Geneva Convention of 1949 relative to the protection of civilian persons in time of war, which Israel had signed, was designed to protect the inhabitants of occupied territories from forcible expulsion, physical or moral coercion, acts of brutality, pillage and destruction of property.

19. In order to understand why Israel had deliberately violated the Geneva Convention, it was necessary to examine the historical facts. Israel had never accepted any frontiers other than those of the Zionist concept of the land of Israel, which Theodor Herzl had defined as extending from the brook of Egypt to the Euphrates. Herzl had also asserted: "We will demand the land we need; the more immigrants the more land." It could only be concluded that Israel's 1967 conquests still fell short of the minimum territorial goals planned by the Zionist leaders. Moreover, Israel had been established not by decision but by force. Israel's leaders were the first to proclaim that they owed nothing to the United Nations, which explained why they had violated all the United Nations resolutions on the Palestine question. Finally, Israel and the Zionists had never recognized the rights of the indigenous Arab population, nor acknowledged the injustice done to them; they had proved incapable even of a human gesture in their direction. When Albert Einstein, who had opposed the establishment of a Zionist State, had asked the so-called moderate Zionist leader, Chaim Weizmann, what would happen to the Arabs if Palestine were given to the Jews, the answer had been that the Arabs were hardly of any consequence.

20. Such an attitude, typical of a racist settler movement, resembled that of *apartheid*. Systematic Zionist expulsion of the Palestinians had started even before 1948. He would not, however, enumerate the crimes against humanity committed by Israel before the June 1967 war, but only those committed after the war in order to achieve that country's expansionist goals in the Middle East. The measures carried out to achieve that goal had been confirmed by news reports, including one in *The Times* of London of 28 October 1969, to which reference had already been made by the representative of Lebanon. The first of those measures was mass deportation. After the 1967 war, one third of the population of the west bank of the Jordan, who then numbered 981,000, had been driven out of their land to join the hundreds of thousands previously evicted. Out of the 350,000 evicted Palestinians, only 30,000 had been granted conditional permits to return to their homes, and few of them had been able to surmount the obstacles to their return. Some of those who had been pushed over the border into Jordan by the military

authorities were Palestinian civilians who had made peaceful marches in protest against the occupation of their land. They included mayors, judges, doctors, lawyers, and teachers. The presence of those educated people was apparently undesirable to Israel because it helped the population to maintain their morale and cohesion.

21. The second measure was the massacre of civilians by the Israel military authorities, who had committed cold-blooded genocide against hundreds of Palestinians, including prisoners captured, imprisoned and shot without trial. The Israel press had reported that on 29 December 1967 fifteen Arabs had been killed at Kahzaa near Khan Yunis; the Israel newspaper *Haaretz* had reported on 12 October 1967 that two Arabs had been killed by an Israel sergeant. It had never been suggested that those victims had any connexion with the *fedayeen*.

22. Mr. John Reddaway, the former Deputy Commissioner-General of UNRWA, in a letter published in *The Times* of London on 3 November 1969, had given a description of the repression by Israel forces in the occupied areas. A whole section of a refugee camp containing the wretched homes of 144 families had been systematically razed to the ground in reprisal for the throwing of a grenade against an Israel military vehicle. About forty people—men, women and children—were said to have died in the attack.

23. The third measure used by the Israel military authorities to achieve Zionist expansionist goals in the area was the destruction of houses, over 8,000 of which had already been blown up to force the Palestinians to leave the west Bank, Gaza and the Golan heights. The Western press had reported that between 11 June and 12 July 1967, for example, five villages and towns with a population of over 10,000 had been wiped out. The most recent example had been the destruction of the west bank town of Halhul on 24 October 1969—United Nations Day—when, according to a Reuters cable, 2,000 Arabs had been made homeless. Those Arabs had been given the choice of going to Jordan or to a camp in the Negev desert near Beersheba.

24. The fourth measure used by Israel to force Palestinians to leave was imprisonment and torture. Concentration camps for Palestinian men, women and children had been set up all over the occupied areas and in the Negev. An eyewitness report on the maltreatment and torture of Arab prisoners in those camps had appeared in *The Times* of London on 1 November 1969. The writer, Mr. Christopher Walker, had spoken to close relatives of three men who had been maltreated in the detention centre in Ashkelon. The men had been guerrilla fighters captured near Ramallah, convicted and sent to Ramle gaol, where their relatives had visited them. However, because of their defiant behaviour and refusal to recognize the legality of the Israel judgement, or of Israel itself, they had been moved to Ashkelon. When their relatives visited them again they had noted an appalling change. One man had a swollen and badly bruised shaven head; another had hardly been able to speak; the third had seemed to have difficulty in hearing. The personalities of all of them had seemed to be utterly changed, and it was impossible to avoid the conclusion of torture—torture, moreover, after trial and conviction.

25. Another Palestinian eyewitness had written a letter, published in the same issue of *The Times*, relating how she had taken part in a women's demonstration in Jerusalem in April 1968 against an Israel military parade. The objective had been to deliver to the military governor a protest signed by all the women of Jerusalem. The Israel forces had beaten, kicked and punched the women, who had then been arrested and told that they were no better than prostitutes. The writer of the letter had been taken to an underground cell and interrogated for three hours. Women who had been wounded at 9.30 a.m. had been offered first aid at 3 p.m. They had been treated as criminals, fingerprinted, numbered and photographed.

26. The fifth measure employed by Israel in flagrant violation of human rights was the use of curfews. On 26 January 1968, *The Guardian* had reported that the male population at Jabaliyeh camp had been held on a stretch of marshy ground for twenty-five hours without food or water; at Shati camp there had been heavy rain, four days had passed before the Israelis had allowed UNRWA to distribute food, and even then the curfew had been reimposed before the distribution had been completed. Relief workers had found many of the women in the camp, particularly those with small children, in a state of near-hysteria.

27. Every day a new series of curfews was imposed without any reason, except to make life intolerable for the Palestinian refugees and to force them to leave the occupied territories. *The Christian Science Monitor* had that very day reported a dusk-to-dawn curfew in the Gaza strip, the town of Hebron and a number of villages.

28. The conclusion that the Zionists were war criminals was unavoidable. They valued no human lives but their own, and considered that no one except themselves was born free and equal in dignity and rights. Those who had expressed concern for the Jews under nazi occupation and had protested against violations of human rights in other parts of the world should extend their concern and compassion to the Arab victims of Zionism, to Palestinians who had twice in their lifetimes been forced to become refugees and who every year were faced with a harsh, hopeless winter in caves and tents.

29. The gross violations of human rights that were occurring daily in the occupied territories were unknown to the outside world. When the report of the investigation committee which the Commission on Human Rights had sent to the Middle East in 1969 was made public, many facts about the situation would perhaps come to light. Professor Machover, an Israel citizen, in a letter to *The Times* of London on 30 October 1969 regarding recent British press reports on the situation in the occupied Arab territories, had expressed his sense of relief at reading recent factual reports from the Israel-occupied west bank. He had stated that reports received by him from Israel indicated that the situation in the Gaza strip was even worse than on the west bank, and had expressed regret that until then foreign correspondents in Israel had failed to inform their readers of the facts. In a letter to *Maariv* in May 1969, an Israel professor had expressed the view that those who held that to recognize the rights of the Palestinian Arabs would shake Israel's right to exist as a State were misinformed.

30. The world had not learnt that what was going on in the occupied Arab territories was a programme of “de-Arabization”. That was the Zionist concept of a “final solution” to the “Arab problem” in Palestine, and it resembled the Nazi concept of the “final solution” to the “Jewish problem” in Germany. Arnold Toynbee, the eminent British historian, had recently been reported in *The New York Times* as saying that Western civilization had been treating the indigenous population in Palestine and Viet-Nam harshly because it considered them natives who should be wiped out by napalm.

31. The crux of the problem was that some countries were unable to condemn certain violations of human rights. They should have the moral courage to condemn those who were wrong. One of the main conclusions of the International Conference on Human Rights, held at Teheran in 1968, had been to emphasize the fundamental link between peace and the promotion of human rights. As long as there were gross violations of human rights, there would be no peace in many parts of the world.

32. He urged the Committee to translate its theoretical work into action. He supported the suggestion of the representative of Lebanon in that connexion, and the Chairman should be asked to take whatever action she deemed necessary to end the gross violation of human rights in the occupied Arab territories and in South Africa.

33. Mr. JHA (India) said that the discussion of agenda item 57 served as a reminder that another decade had elapsed in the United Nations efforts to remove all forms of racial discrimination and *apartheid* from southern Africa and that it was now necessary to consider the strategy over the next few years.

34. He welcomed the entry into force of the International Convention on the Elimination of All Forms of Racial Discrimination and was certain that the number of accessions would increase greatly in the near future. Similarly, he supported the celebration of 1971 as the International Year for Action to Combat Racism and Racial Discrimination, and the definition given of the purpose of the Year. He was grateful for the suggestions contained in the Secretary-General's report (A/7649), though he felt that suggestion B (f) required further elaboration. His Government would do everything possible to ensure that the celebration of the Year was a great success.

35. Racial discrimination was usually the product of ignorance; he therefore commended UNESCO's efforts to educate the world regarding the myth of racial superiority. Biological data had been shown to stand in open contradiction to the tenets of racism, and racist theories could in no way claim to have a scientific foundation. One of the most obvious causes of prejudice was that it created advantages and material benefits. It furnished an excuse to engage in political domination or economic exploitation of others and, in either case, the consequence was oppression. Sometimes, attitudes of racial superiority were the effect of social isolation, a useful point to bear in mind when considering the situation in the Republic of South Africa. The policy of *apartheid* pursued in that country owed its origin to the extreme isolation of the dominant white group, a minority which was totally impervious to new

ideas and, being remote from the mother country, had developed a sense of isolation sustained by a feeling of racial superiority. The result was that the contemporary world was faced with an intractable problem and a situation made increasingly dangerous by the spread of the ideology of *apartheid* beyond the boundaries of the Republic of South Africa.

36. The United Nations should give massive publicity to the grim circumstances prevailing in southern Africa despite the fact that the relevant United Nations resolutions had been largely ignored by the Powers best placed to exert an influence in the right direction. A formidable obstacle to the Organization's work was the picture of prosperity which the Republic of South Africa had managed to present to the world and which was cited as a reason for maintaining the *status quo*. Needless to say, the vast majority of the population did not share in that prosperity.

37. Any effort to publicize the evils of *apartheid* was bound to have an effect, but it must be made on a continuing basis, for any flagging in the endeavours of the United Nations or its Member States would help to perpetuate the system. In formulating the strategy to combat *apartheid*, racial discrimination and colonialism in southern Africa, it must be remembered that the situation had grown worse, particularly during the past eighteen months. Failure to take immediate action on the problem had disappointed the many people who had submitted testimony regarding the situation in the area. Consideration of the problem by the United Nations contributed immensely to the morale of the non-white majority.

38. He gave details of the growing number of deaths among political prisoners in the gaols of South Africa—which suggested that conditions in the prisons of the Republic of South Africa were fast deteriorating. The report of the *Ad Hoc* Working Group of Experts (E/CN.4/984 and Add.1-19) clearly demonstrated the terrible conditions in the so-called Bantustans. The South African Government had not only totally rejected the facts presented to it by the United Nations, but prosecuted those publishing information concerning prison conditions in South Africa.

39. A further sinister development was the enactment of a General Law Amendment Act whereby all matters relating to the Bureau of State Security were excluded from the public domain and a person might be charged with an offence without ever knowing that he had divulged a security matter. Moreover, the Act contained a provision under which a signed certificate from a Minister was sufficient to prevent a person from giving evidence if it was considered prejudicial to the interests of State or public security.

40. All the laws of the Republic of South Africa had now been made applicable to Namibia, a Territory under the jurisdiction of the United Nations. An observer from the International Commission of Jurists at the trial of thirty-seven Namibians in 1968 had stated that at least 250 additional political prisoners were in detention in Namibia, without access to family or lawyer and without having been charged or brought to trial. Incidentally, the only labour organization permitted to exist in Namibia was the South-

West African Native Labour Association and its sole purpose was to recruit cheap labour for Whites. It was promoting forced labour, and his delegation reiterated the call of the Economic and Social Council earlier in 1969 for the abolition of that organization.

41. Turning to the question of Southern Rhodesia, he pointed out that under the so-called new constitution, only sixteen of the sixty-six seats in Parliament could be held by Africans, although the Whites accounted for barely 5 per cent of the total population. The representation of Africans would be based on their income tax contributions, but Africans would never hold more than half the seats in Parliament even when the tax shares of Whites and Africans were equal, which would not occur for generations. The new Senate would have strictly limited powers to delay legislation even when it considered that an enactment was inconsistent with the Declaration of Rights to be embodied in the Constitution. Moreover, the courts would be unable to declare laws unconstitutional even if they infringed the rights recognized in the Declaration, which would permit preventive detention and other derogations of the right to personal liberty. Under the changes in land tenure legislation, 250,000 Europeans would have 48 million acres of the best land reserved for themselves, while an equivalent amount would be allotted for 4.5 million Africans. Such was the concept of equity in the so-called new Constitution of Southern Rhodesia. He fully agreed with the view that the judiciary of the illegal régime in Southern Rhodesia had long since ceased to be impartial.

42. In the Territories under Portuguese domination, a small country was endeavouring to retain by force vast areas which did not belong to it and had absolutely nothing in common with it. Portugal was waging a total war with dwindling chances of victory. Its doctrine of a "civilizing mission" proclaimed the theory of the permanent inferiority of those under Portuguese rule and, consequently, the authorities had no hesitation in carrying out severe reprisals against a supposedly "inferior" and "uncivilized" people. Entire villages were razed to the ground and the Portuguese Government published photographs describing such action as the work of "African terrorists". In addition, each farmer had to sell his crop to a designated Portuguese buyer and failure to do so resulted in immediate arrest. Consequently, the primary products of the African peasant or farmer were sold for virtually nothing, thus causing extreme hardship for the population as a whole.

43. His delegation whole-heartedly welcomed the proposal to set up a United Nations radio unit to beam programmes specially to southern Africa. It also supported the draft resolution recommended to the General Assembly by the Economic and Social Council in its resolution 1417 (XLVI) concerning measures to be taken against nazism and racial intolerance. Even a remote chance of the revival of nazism and fascism would seriously threaten world peace.

44. Referring to the territories occupied by Israel, he reiterated that the occupation of territories as a result of armed conflict was morally reprehensible and legally and politically untenable. The human rights of the people of the occupied territories continued to be abused on a vast scale by Israel. He reaffirmed his support for the humanitarian resolutions on the subject adopted by the Security Council

and the General Assembly. It was his hope that the Government of Israel would abide by the terms of those resolutions and, by withdrawing unconditionally from the occupied territories, contribute to the settlement it professed to desire.

45. Miss CAO-PINNA (Italy) said that although there had been much progress in the form of new international instruments, further accessions to existing instruments, and an increasing general awareness of human rights, much still remained to be done. Her delegation appreciated the feelings of those who had drawn attention to specific violations of human rights as a result of racial discrimination or armed conflict. That there were differing opinions on such violations merely emphasized the complexity of the situation.

46. The *Yearbook on Human Rights*, and the periodic reports to the Secretary-General, contained full descriptions of legislative measures concerning human rights which had been adopted in Italy; and she drew particular attention to Italy's forthcoming ratification of the International Convention on the Elimination of All Forms of Racial Discrimination. Respect for human rights was primarily a question of changing minds and hearts. More emphasis should therefore be placed on any action which would promote direct contact between peoples living under different conditions. There should be an exchange of information, not only through documents, but directly, between people. In that connexion, her delegation welcomed the Manifesto on southern Africa,¹ signed at Lusaka, as a positive contribution to a peaceful solution of the problems of southern Africa. There should be a wide range of contacts and exchanges with the people of South Africa, especially young people, at universities in that country and overseas. The World Youth Assembly envisaged as part of the twenty-fifth anniversary of the United Nations should include a debate among young people of all countries, including those of South Africa, on respect for human rights and on discrimination and violation wherever they occurred. The United Nations did not lack an organizational framework for the direct exchange of information and views. Representatives, those responsible for human rights at the various political and administrative levels, journalists, teachers, and members of the general public could all take part in an exchange of views through seminars, study groups, fellowships and any means which might help to establish a dialogue.

47. Her delegation considered that the proposed International Year to Combat Racism and Racial Discrimination would be less effective than an enlarged programme of advisory services in the field of human rights. What was required was not a "year of action", but continuous action to eliminate discrimination.

48. The United Nations was attempting to involve young people in its discussion of human rights. It should not merely adopt resolutions on the problems, needs and aspirations of young people, but should take practical action. Although various ideas had been put forward, none had been put into effect. She therefore suggested that an

¹ Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754.

international seminar of young people should be held in the context of the advisory services on human rights, as a trial run for the proposed World Youth Assembly.

49. Mr. FERNANDEZ (Chile) said that the principles for human rights and fundamental freedoms, without discrimination, were embodied in the legislation and Political Constitution of Chile, and no distinction was made between persons, whatever their race, sex, origin or status. His delegation therefore vigorously condemned any violation of human rights and fundamental freedoms, no matter where it occurred.

50. The Universal Declaration of Human Rights had been drawn up as long ago as 1948, and at the present time it was appropriate to ask what the action of the United Nations had achieved: what the current situation was with regard to racial discrimination in the world, and whether any real progress had been made. In respect of the eradication of discrimination, great advances had been made by those nations in Africa, Asia and Latin America which had reached full freedom and independence in recent years. On the other hand there had been setbacks and the intolerable situations had persisted at times for more than twenty years. Policies of discrimination continued to be practised, sometimes directly and blatantly, as in southern Africa, sometimes in subtle and almost imperceptible forms, as in the case of the various types of trade between the developed and the developing countries. A gigantic effort involving the participation of all peoples and individuals was required for the eradication of discrimination. The international organizations must play a major role in that endeavour, attempting to eliminate practices which were shameful in a world where high levels of culture, civilization and scientific and technological progress had been reached.

51. He felt that the question of the treatment of prisoners of war should be dealt with under item 61 of the agenda (Respect for human rights in armed conflicts). However, since the matter had been raised in the Committee he was compelled to state that although war was a totally unsatisfactory method of solving international problems, until such time as combatants settled their disputes by peaceful means there was an obligation to alleviate in some way the disastrous effects of war, not only in relation to the treatment of prisoners but in respect of innocent civilian populations. His delegation firmly supported resolution XXIII of the International Conference on Human Rights² and General Assembly resolution 2444 (XXIII) concerning respect for human rights in armed conflicts. Chile had ratified and incorporated in its legislation both the 1925 Geneva Protocol and the 1949 Geneva Conventions.

52. Mr. BASELE (Democratic Republic of the Congo) said that his country strongly condemned racism, which represented a belief in the superiority of one race over another, an idea handed down from one generation to another and leading to persecution, slavery and war, because racial discrimination inevitably provoked resistance.

53. Since there were many aggressive racist ideologies in the world and new forms of racism were occurring constantly, there were repeated and flagrant violations of human rights and fundamental freedoms. The political and economic consequences of racism were being felt in various parts of the world. Colonialism, which was based on racial discrimination, still existed in southern Africa, in defiance of the numerous resolutions adopted by the United Nations and the specialized agencies.

54. His delegation reaffirmed its support of all General Assembly resolutions designed to eliminate racism. To that end, action could be taken at both the national and the international level. The Congolese Constitution, based entirely on respect of human rights and fundamental freedoms, forbade any form of discrimination in the country. At the international level, his country had always associated itself with efforts by the United Nations to find more effective means of combating all forms of racial discrimination; it had participated in the International Conference on Human Rights and would take positive action on the Final Act and resolutions of that Conference. It had condemned violations of human rights and would continue to work for the elimination of all forms of racial discrimination throughout the world. There would not be universal peace until racism was eliminated.

55. Unfortunately, human rights could hardly be said to exist in southern Africa, where discrimination against the coloured population took many forms and amounted to exploitation and slavery. The result was a society in which a racist minority enjoyed prosperity and looked with indifference on the poverty of millions of their coloured compatriots. Since poverty constituted a danger to all, his country was doing its best to eliminate injustice in Africa and all other parts of the world subjected to exploitation. If the racist Powers in South Africa failed to acknowledge their share of responsibility for the denial of human rights in that country, the situation there could become highly explosive.

56. His delegation supported the proposed International Year to Combat Racism and Racial Discrimination in the hope that it would publicize human rights and minimize racism.

57. Mr. TOMEH (Syria), exercising his right of reply, said he must impress upon world public opinion that the situation in the Middle East was constantly deteriorating. The Zionists in Israel had committed grave violations from the start and were continuing to do so. Furthermore, they were distorting the facts of the situation in the Arab countries of the Middle East; the Israel propaganda machine was obviously failing.

58. General Assembly resolution 2452 A (XXIII) called upon Israel to enable those who had fled from the occupied territories to return. The Third Committee had every right to inquire what Israel had done to implement that resolution. The representative of Israel claimed that certain articles of the Geneva Convention relative to the treatment of prisoners of war authorized it to continue, on the grounds of military necessity, to occupy the territories it had conquered. He read out a list of seventeen barbaric tortures to which he had evidence to show that detainees

² See *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No.: E.68.XIV.2), p. 18.

had been subjected by the Israel occupiers. Israel had burned or demolished seventeen Syrian villages, again on the grounds of "military necessity", and some ten Israel settlements had been established with financial support from United States Zionist organizations. Between 1 August 1969 and 28 October 1969, his delegation had sent to the Secretary-General and the President of the Security Council a total of six letters concerning such violations, to which no reply had been received from the Israel authorities. Atrocities could not be justified by military necessity. Israel could not legally claim that it did not have the obligation to protect the civilian population of the occupied territories. Despite some eighty resolutions adopted by the General Assembly, the Security Council, WHO and UNESCO since 1948, the Israel Prime Minister had underscored Israel's intransigence in asserting that it would turn down any advice to abide by decisions of the United Nations.

59. The statement that the public lands of Palestine had belonged to the Sultan of Turkey was misleading. Under Moslem jurisprudence, ownership of the land had been vested in the Sultan as the civil and religious authority. However, he did not have personal title to the land; rather, it was the common possession of the persons who inhabited it. Under the League of Nations Mandate, it had been the responsibility of the Mandatory Power to ensure that no part of the Territory of Palestine was appropriated by any foreign Power. Thus, Israel had absolutely no right to its territory. However, the Israel representative had noted in his own book, *The Edge of the Sword*, that even before the establishment of Israel, the Zionists had conducted eight military operations in areas outside the land eventually allotted to Israel. Israel had subsequently passed arbitrary acts dispossessing Arabs of their land.

60. The representative of Israel had said that Israel had accepted Security Council resolution 242 (1967) and could live with it for a long time to come. However, a high Israel Government authority had recently declared that the process of appropriation had not ceased. That statement had grave implications for the Middle East, for it testified to a determination to pursue an endless war. The 1967 war had in fact been a continuation of the 1956 war. Mr. Ben-Gurion had declared in the Knesset in 1957 that every victory must be followed by another round.

61. Zionism was clearly a racist doctrine. There was even hatred among Jews themselves, for Western European Jews were prejudiced against Eastern Jews. The analogy between nazism and Zionism was most relevant in that connexion: the Nuremberg trials had denounced crimes against humanity, war crimes and crimes against peace, and Israel had committed all three types.

62. The Zionists claimed that they favoured peace. However, according to a recent article in *The New York Times*, the Zionists were urging Jews in the United States to back President Nixon's policy in Viet-Nam, though some Israel citizens opposed to their Government's policy had spoken out against it.

63. Mr. LORCH (Israel), exercising his right of reply, said that apparently it was the policy of the Arab representatives in the Third Committee to keep repeating the

same allegations of violations of human rights in the areas occupied by Israel as a result of the 1967 hostilities. However, mere repetition did not make allegations true.

64. He referred to a series of letters in *The Times* of London by an observer who had visited the occupied area concerning accusations against Israel. The observer had been allowed to visit any part of the territory and talk to anyone he wished; such freedom of movement had been unheard of in Nazi-occupied France and USSR-occupied Czechoslovakia. The Arabs interviewed had spoken freely of their support for the guerrilla movements, despite the presence of Israel soldiers. Their complaints had not extended to the allegations of torture which had been reported; they had considered the occupiers to be generally fair.

65. The Libyan representative had noted that Israel citizens had expressed criticism of their Government's policy. That testified to the fact that freedom of the press prevailed in Israel, which could not be said of the Arab countries. Furthermore, the Libyan representative's denial that civilian homes in Israel had been bombed while the inhabitants slept was incredible; Arab terrorists themselves had reported the bombings, not only the Israel press.

66. The situation in the Middle East was very serious, and allegations such as those at present being brought before the Third Committee did not make matters easier. Israel was doing its best to respect human rights. The Third Committee had every right to consider the question of human rights in areas of conflict, and Israel would welcome an impartial investigation of all areas where human rights might have been violated. He defied the Syrian representative to substantiate any one of the accusations of torture he had read out.

67. With regard to the Security Council's condemnations of Israel, it was indeed strange that the Security Council continued to condemn Israel, whereas it had not condemned an Arab country since 1951. Syria itself was guilty of violating human rights: it continued to detain innocent persons who had been passengers on an airplane hijacked and taken to Syria.

68. The Arab representatives were attempting to steer the debate on to the question whether the State of Israel had the right to exist. That very fact was wrong to them and therefore Israel could do no right. He appreciated the Syrian representative's reference to his book, and urged that it be read in full so that its contents would be seen in their proper context.

69. Mr. AKRAM (Pakistan), replying to a point made by the representative of Israel, said that the Western news media were in no way prejudiced against Israel but were biased against the Arab cause. The Israel representative had quoted an opinion that his country's occupation was a fair one; but occupation could never be fair, and was indeed proscribed under the United Nations Charter.

70. It was undoubtedly the Committee's legal concern to consider charges of violation of human rights in Israel-occupied territory; Israel had admitted none of the bodies appointed by the United Nations to investigate those

charges, on the grounds that they would not be impartial. He found it hard to understand how all three of the investigatory bodies appointed could be so judged.

71. Mr. TOMEH (Syria), speaking in exercise of the right of reply, said he had in his possession a document issued by the Ministry of Defence of Israel which contained a report of a napalm attack it had launched in 1955 on an Arab fortification. Napalm was still being used by the Israelis.

72. The Israel representative had challenged him to substantiate the seventeen allegations of atrocities he had made. He was fully prepared to meet that challenge and would counter it by asking the Israel representative to describe the conditions in which 15,000 Arab prisoners were being held in Israel gaols.

73. As had been pointed out, Arab guerrillas were now doing to Israel what Israel saboteurs had formerly done to the British. The Arabs could not forget the atrocities and eviction they had suffered. Until the refugees had been settled and a new framework for co-existence between Jew and Arab had been established, there would be no peace in the Middle East.

74. In his most recent book, *Experiences*, Arnold Toynbee had said that the colonialism practised by Israel since the establishment of the State of Israel was one of the blackest forms of colonialism in history, because it had led to the eviction of indigenous inhabitants.

75. Mr. BABAA (Libya), speaking in exercise of the right of reply, said that the Israel representative was vainly trying to divert attention from violations of human rights in the occupied territories. He had selected from *The Times* of London only those reports and observations which suited his cause. He had ignored comments by such eminent figures as Lady Gaitskell to the effect that Zionists did not have a monopoly of truth and that the best friends of the Israelis were those who told them the truth. The most reliable witnesses of Israel's violations of human rights were the surviving victims. It was impossible to deceive all the people all the time.

76. Mr. LORCH (Israel), speaking in exercise of the right of reply and in response to the observation of the Pakistani representative, said that Israel had agreed to an investigation by a special representative of the Secretary-General into allegations of violations of human rights in the occupied territories. The special representative, Mr. Gussing, had concluded that the human rights of Jews in Arab countries also deserved the attention of the United

Nations. Furthermore, he had been admitted only to Israel and not to the Arab countries. Israel would welcome any impartial investigation of human rights in the occupied territories, provided that a similar investigation was conducted in all areas in the Middle East where human rights might have been violated.

77. Mr. AKRAM (Pakistan), speaking in exercise of the right of reply, said that although Israel had admitted the special representative of the Secretary-General, attempts by the Secretary-General to conduct a second investigation in Israel had failed.

78. The Israel representative had said that his country would agree to an investigation of human rights only by a body which would also investigate the status of Jews in Arab countries. The essential point was that the problem of the territories occupied by Israel was an international one within the jurisdiction of the United Nations, whereas the question of human rights in Arab countries was the concern of those countries only.

79. Mr. TOMEH (Syria), exercising the right of reply, said that the Israel representative had deliberately given false information. Mr. Gussing had been made welcome by all the Arab States wherever he went. A report on his investigation had been published as a United Nations document³ and clearly disproved the Israel representative's statement. The Security Council had made it clear that the jurisdiction of the special representative applied only to the occupied territories. The legal analysis contained in the Secretary-General's report⁴ made it clear that the Security Council and General Assembly resolutions authorizing the investigation by the emissary of the Secretary-General applied solely to Israel. Moreover, in a letter to the Permanent Representative of Israel,⁵ the Secretary-General had said that he had been unable to send a second special representative as a result of obstruction by Israel.

80. Mr. OTHMAN (Jordan) said he would like to place on record the fact that he personally had welcomed Mr. Gussing to Jordan during his investigation of violations of human rights.

The meeting rose at 6.55 p.m.

³ *Official Records of the Security Council, Twenty-second Year, Supplement for October, November and December 1967*, document S/8158.

⁴ *Ibid.*, *Twenty-third Year, Supplement for July, August and September 1968*, document S/8699.

⁵ *Ibid.*, document S/8699, para. 10.