



Chairman: Mrs. Helvi SIPILÄ (Finland).

AGENDA ITEM 54

Elimination of all forms of racial discrimination (*continued*) (A/8367 and Corr.1 and 2 and Add.1, A/8403, chap. XVII, sects. B and F; A/8418, A/8439, A/C.3/L.1871):

- (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. GOPALLAWA (Ceylon) appreciated the efforts made by many countries and by the United Nations to combat racism and racial discrimination, but was of the opinion that all the steps taken would not suffice to solve the problem of racism. Legislative measures and propaganda should be supported by effective action on the part of all Members of the United Nations to combat that most shameful social evil.

2. Asia, and more particularly Ceylon, had accepted the theory of the equality of man, which was part of Buddhist teaching, ever since the fifth century before Christ. Unfortunately colonialism had introduced racial discrimination into Ceylon, where there were still some traces of it remaining from the colonial era, but no violent manifestation of racism. Ceylon had always supported and applied the principles set forth in the International Convention on the Elimination of All Forms of Racial Discrimination and its own Constitution contained provisions protecting the rights of all ethnic, religious and other groups.

3. It seemed that the evil of racism, far from disappearing, was increasing throughout the world. There was no need to elaborate on the situation in southern Africa, and he reiterated his delegation's condemnation of the policy of *apartheid*. The Governments in southern Africa had adopted *apartheid* and racism as a national policy because of their desire to maintain at any cost the privileges and domination of minority groups.

4. The United Nations should, during the International Year for Action to Combat Racism and Racial Discrimination, take more vigorous steps. Closer co-operation between all countries of the world in the economic and social spheres could help to solve the problem. Further-

more, since colonialism was always accompanied by racial discrimination, all peoples should be granted the right to self-determination.

5. The conclusions of a study carried out under the auspices of UNESCO, which revealed the fallacy of the concept of racial supremacy and the existence of pure races should be publicized among young people throughout the world. His delegation also hoped that works similar to the study prepared by Mr. Santa Cruz,<sup>1</sup> which described the evils that inevitably resulted from racial discrimination, would be published in the future. A sustained effort to change mental attitudes, customs and practices was needed in order to eradicate racism for ever.

6. Mr. NUÑEZ (Costa Rica) congratulated the Director of the Division of Human Rights on the excellent statement he made at the 1845th meeting. Under General Assembly resolution 2544 (XXIV) all States had pledged to intensify and expand, during the International Year for Action to Combat Racism and Racial Discrimination, their efforts at the national and international levels towards ensuring the rapid and total eradication of all forms of racial discrimination. It was indisputable that racism and racial discrimination constituted serious obstacles to progress, development, peace and security in the world. That was why his delegation considered that the Year should be marked by an increasing determination to overcome difficulties and to attain the objectives set by the United Nations. He agreed with the representative of Liberia that the theory of racial superiority was nothing but a myth with no scientific basis and an insult to human dignity.

7. In order to attain its objectives, the United Nations had at its disposal certain international instruments which reaffirmed the indisputable principle of the equality of all human beings. However, those instruments could not enter into force until they were ratified by a sufficient number of States. His delegation hoped that many States would be in a position to ratify the International Convention on the Elimination of All Forms of Racial Discrimination by the end of 1971, which was the International Year for Action to Combat Racial Discrimination.

8. Referring to subitem (b), concerning the report of the Committee on the Elimination of Racial Discrimination, he said that the Committee was still in its infancy and should be given time to tackle the substantive problems. Nevertheless, he agreed with the representative of Greece that the Committee should follow strictly the procedures which had been adopted when it was established. Those procedures

<sup>1</sup> *Racial discrimination* (United Nations publication, Sales No. E.71.XIV.2).

could perhaps be amended so that it could work with irreproachable objectivity. Costa Rica had not submitted a fuller report on the problem of racial discrimination because it did not have any such problem. The Constitution of Costa Rica fully guaranteed the rights of all individuals without distinction as to race colour, sex, religion or national origin. Furthermore Costa Rica had ratified the International Convention on the Elimination of All Forms of Racial Discrimination. Groups of people of very different origins lived together there and all enjoyed the same rights. Catholicism was the main religion but everyone had the right to practise whichever religion he wished. If the Soviet Jews had enjoyed the same freedom and been able to practise their religion and go to Israel, if only for a visit, the problem which the Committee had been discussing at such length would probably not exist. Costa Rican Jews were quite free to go to Israel, but they all returned to Costa Rica, which they considered their homeland. That was also the case for American Jews and it was possible that, if Russian Jews were allowed to travel to Israel, many of them would decide to return to the land of their birth. However, those who very much wished to settle in Israel should be able to do so; otherwise they were being denied a fundamental right and their feeling of frustration was being strengthened. The United Nations could not remain indifferent to that problem but should intervene as objectively as it had done in the past.

9. It was essential to do everything possible to accelerate the ratification by a large number of States of the International Convention on the Elimination of All Forms of Racial Discrimination, whose provisions should be respected by all countries regardless of whether they were parties to it, and to improve the procedures of the Committee on the Elimination of Racial Discrimination. In particular, public opinion should be built up in accordance with Economic and Social Council resolution 1588 (L), through radio and television broadcasts, as well as through the distribution of appropriate literature, with a view to eradicating once and for all the fallacies and prejudices based on ignorance and a lack of scientific knowledge. He agreed with the representative of Colombia that it would be desirable to create the post of United Nations High Commissioner for Human Rights in order to expand the machinery established by the United Nations to promote respect for human rights.

10. He had some reservations on other measures suggested in that connexion, in particular the idea of a convention on *apartheid* which had been proposed by the representatives of Guinea and the USSR (A/C.3/L.1871). Such a convention might be ineffectual because it would be an optional instrument and a number of Governments would probably not accede to it in view of its punitive nature. That was what had happened to a similar instrument, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity. That Convention proclaimed that *apartheid* was a crime against humanity but States were not eager to ratify it. Costa Rica, like the large majority of Latin American countries, still had reservations, since it did not accept the principle of retroactivity or of non-applicability of statutory limitations. It thought that, in order to combat *apartheid*, one should look to the future and not to the past. It was basically by educating and informing young people that racial discrimination would be

eliminated. Young people should be trusted and they would no doubt be the first to accept harmony and integration among races and understanding between nations.

11. Mr. SABIK (Poland) stressed that it was no longer possible to tolerate the shameful phenomena of nazism, *apartheid*, racial intolerance and zionism. During the current session the United Nations should redouble its efforts to combat those evils first, because racism and especially *apartheid* were threatening international peace and security more than ever; secondly, because *apartheid* was a form of oppression of millions of people in South Africa, which the conscience of man could no longer accept; thirdly, because the Assembly should confirm all the successful work done during the International Year; fourthly, because the special study made by Mr. Santa Cruz had been submitted to the General Assembly, and, lastly, because very valuable recommendations were contained in the report of the Committee on the Elimination of Racial Discrimination (A/8418).

12. His Government had already indicated what steps it had taken to mark the International Year (see A/8367 and Corr.1 and 2, chap. II). Its position on the question of racial discrimination was fully reflected in the country's legislation. Racism in all its manifestations was prohibited and punishable by law. During the International Year, the International Day for the Elimination of Racial Discrimination had been observed with particular solemnity in Poland.

13. The Polish Government had sent in its reports to the Committee on the Elimination of Racial Discrimination in accordance with article 9 of the International Convention. His delegation wished to thank all the members of the Committee for their careful consideration of those reports. The Committee's work showed what an important role could be played by the Convention and the organs set up under it, and made clear that the basic element in international co-operation in human rights was the commitment of States to put into effect the provisions of the international conventions on the protection of human rights. The most active supporters of the creation of a post of High Commissioner for Human Rights were trying to undermine confidence in the Committee by making false insinuations; that fact threw considerable doubt on their intentions in wishing to replace 18 distinguished specialists by a one-man body. It showed that there was no need to establish any such body, but that the Committee should be strengthened, since it based its activities on international instruments and on the Charter of the United Nations.

14. He was convinced that the Committee's conclusions deserved the support and attention of the General Assembly, and shared the views expressed on that point by the representatives of Kuwait (1847th meeting) and the Syrian Arab Republic (1846th meeting).

15. The report of the Economic and Social Council (A/8403) referred to resolutions that the Third Committee should examine carefully: resolutions 1587 (L), 1588 (L) and 1590 (L). The Council, in operative paragraph 7 of resolution 1588 (L), had invited the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization to provide the Commission on

Human Rights with reports, at three-year intervals, on the nature and effect of any racial discrimination, especially in southern Africa. Poland agreed with the views of the Council, expressed in resolution 1587 (L) on the study by Mr. Santa Cruz.

16. The United Nations had been studying the question of *apartheid* from the outset. But neither the efforts of the Organization nor the attempts at a dialogue by certain Member States had produced results. The appeals at the present time of some Member States for a dialogue with the racists in Pretoria were nothing new and practice had proved that that kind of attempt led to the actual strengthening of the South African régime.

17. Some delegations had tried to prove that “modern civilization” would lead to the automatic liquidation of *apartheid*. Such a point of view was a dangerous illusion. In the past such illusions concerning, for example, nazism, which had developed in conditions of “modern civilization”, had cost millions of human lives.

18. Representatives of national liberation movements had stated that the time for peaceful solutions had passed, and that the South African Government would understand only the language of force. The Secretary-General had also said, in his introduction to the report on the work of the Organization submitted at the twenty-fifth session,<sup>2</sup> that the South African Government had closed all avenues of peaceful change in the country, that the leaders of the oppressed people of South Africa had expressed their determination to resort to violent methods to redress the situation, and that situation therefore constituted a threat to international peace and security. The Economic and Social Council and the Third Committee had also said that *apartheid* was a crime against humanity and that all States should apply without reservation the resolutions concerning *apartheid* adopted by the various organs of the United Nations. Therefore it was high time for the Third Committee to take new steps. In that connexion, the draft convention submitted by Guinea and the Soviet Union (A/C.3/L.1871) was most valuable. The need for such an international instrument was obvious. It would provide for sanctions against States that did not comply with it.

19. Mrs. MIRONOVA (Union of Soviet Socialist Republics), exercising her right of reply, said that some delegations relied on Israeli propaganda and calumnies in attacking the Soviet Union without being properly informed of the situation.

20. There was no discrimination against Jews in the Soviet Union. Since the October Revolution, all nationalities had been guaranteed the right to equal development. Many Jews were members of regional bodies and some were even members of the Supreme Soviet. Hundreds of thousands of Jews had received the worker's medal. All had the right to free primary and secondary education, and statistics showed that there were twice as many Jews as members of other nationalities at institutions of higher education. Many held chairs at universities.

21. It was often stated that six million Jews had died during the Second World War. but it was all too often forgotten that over 20 million Soviet citizens had died in the fight against nazism. At Babi Yar, not only Jews had been massacred by the Nazis, but also Soviet citizens who had been defending their country.

22. Despite Zionist propaganda, Israel was finding that fewer and fewer Jews wished to leave their country to settle in the territories occupied by Israel. That was what was disturbing to a country which needed to recruit highly skilled personnel. For that purpose, it had launched a campaign of calumny against the Soviet Union in order to induce Soviet Jews to go to Israel. Its aim was in no way humanitarian. The Soviet Government believed that the question of Jewish emigration was a domestic matter and it examined each case on its merits. An article in *The New York Times* had stated that the Soviet Jews who emigrated to Israel were much better qualified than the other immigrants. There was no reason why zionism should benefit from the skills that the Jews had acquired thanks to Soviet workers.

23. One Soviet Jew who had emigrated to Israel was asking to return to the Soviet Union because, as he did not have the qualifications Israel needed, he had been unable to find work there. That clearly proved what were the “purely humanitarian” intentions vaunted by Zionist propaganda.

24. Mr. DAS (India) said that Mahatma Gandhi had fought and suffered for the cause of the blacks in South Africa and for the elimination of racial discrimination. It would not perhaps be an exaggeration to say that Mahatma Gandhi had been the first to raise the banner of revolt, albeit by peaceful and non-violent means, against racism and *apartheid* at the beginning of the century. Mrs. Indira Gandhi, the Prime Minister of India, had clearly reiterated the stand taken by India in the matter in the following words: “Our freedom and independence will not be complete so long as the people of Namibia, Angola, Mozambique and Portuguese Guinea are denied theirs”.

25. As part of the fight against *apartheid* and racial discrimination, the General Assembly had proclaimed 1971 as International Year for Action to Combat Racism and Racial Discrimination. That year had been marked by the accession of a considerable number of countries to the International Convention on the Elimination of All Forms of Racial Discrimination and it was to be hoped that other countries that had signed the Convention but not yet ratified it would do so without delay. The report of the Secretary-General (A/8367 and Corr.1 and 2 and Add.1) showed how much States were aware of the need to put a rapid and final end to the intolerable, inhuman and uncivilized practice of racism and racial discrimination.

26. As far as India was concerned, the Prime Minister had issued a message on 21 March 1971 (*ibid.*, chap. II) and a comprehensive programme had been drawn up by the educational authorities and the mass media.

27. With respect to General Assembly resolution 2446 (XXIII), India had always been in the forefront of the struggle against *apartheid* and other manifestations of racial discrimination, since the days of Mahatma Gandhi.

<sup>2</sup> See *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 1A*, para. 111.

28. The Indian Constitution conferred equal rights on all citizens irrespective of their race, sex, colour or religion, and it also provided safeguards for the religious, linguistic or ethnic minorities. The constitutional provisions precluded any racial discrimination in civic and political life. The preamble of the Constitution guaranteed justice, liberty and equality for all, and the promotion of fraternity. Moreover, the judiciary was quite independent of the executive, and had shown on many occasions that it was vigilant in defending the rights of citizens. In addition, the Government had taken measures to end the social and economic backwardness of certain sections of society.

29. India had participated in the symposium on the evils of racial discrimination held at Yaoundé from 16 to 29 June 1971; it had also sent an observer to the seminar on the dangers of a recrudescence of intolerance in all its forms held at Nice from 24 August to 6 September 1971. As no report had been made available, India reserved the right to comment on the seminar later.<sup>3</sup>

30. Before turning to the report of the Committee on the Elimination of Racial Discrimination, he wished to congratulate the non-governmental organizations on their activities in the field of human rights, and in particular on their role in the fight against various forms of racial discrimination.

31. The report on the third and fourth sessions of the Committee on the Elimination of Racial Discrimination (A/8418) was encouraging. The Committee had done its work conscientiously, and its frank comments would undoubtedly prove useful to all concerned. He was glad to note that the report submitted by India had been found satisfactory by the Committee. After the third session in April 1971, 17 States parties had been asked for additional information, but only six had replied. Several experts on the Committee had expressed concern over the attitude of Pakistan, which had not yet supplied the additional information, although East Pakistan had for some months been the scene of a human tragedy of immeasurable proportions. It was common knowledge that the rights guaranteed by the International Convention on the Elimination of All Forms of Racial Discrimination had been denied to the 75 million people of East Pakistan, whose human rights had been violated on a massive scale.

32. The people of East Pakistan were ethnically and linguistically different from those of West Pakistan. Ever since the creation of Pakistan, they had been discriminated against in matters of employment, economic development, budgetary allocations and indeed in different spheres of social, cultural and political life, by the deliberate administrative measures of the Government dominated by West Pakistan.

33. Begum INAYATULLAH (Pakistan), speaking on a point of order, said that the lies uttered by the Indian representative were meant to distract attention from the fact that India was working to dismember Pakistan. In addition, such comments on the tragic situation of the people of East Pakistan appeared ironic to those familiar

with the caste system prevailing in India, and the discrimination practised against minorities. It would be better for the Indian delegation to confine its attention to the agenda item.

34. Mr. DAS (India) reserved the right to reply later to the allusions of the Pakistan delegation.

35. Begum INAYATULLAH (Pakistan) likewise reserved the right to reply.

36. Mr. DAS (India) cited in support of his statements a study made by a group of American economists from Harvard University, showing that the policy of the Government of Pakistan had exacerbated the inequalities arising from an irregular distribution of the natural resources between the two regions. Although 60 per cent of the population lived in East Pakistan, the central Government had never allocated to it more than 36 per cent of the funds earmarked for financing development.

37. India could hardly be expected to remain silent in the face of the tragedy which had been occurring for the last seven months on the other side of its frontiers and allowing flagrant violations of human rights and fundamental freedoms to be perpetrated. What was more, the harmful effects of the wholesale and constant influx of refugees, by now numbering 9.5 million, affected India directly.

38. In those circumstances, the fact that Pakistan had not responded to the request for additional information was not a chance matter beyond its control. The fate of millions of people was at stake, and now that the Committee was considering the question of the elimination of all forms of racial discrimination, it should call upon the Pakistani Government urgently to put an immediate end to the violations of the Convention to which it was a party.

39. Clearly, the task before the international community was a difficult one. Hence the Third Committee should give still closer attention to the reports submitted to it by the various expert bodies, with a view to proposing concrete, practical measures designed to put an end to all violations of the International Convention on the Elimination of All Forms of Racial Discrimination throughout the world.

40. Mr. JONATHAN (Lesotho) said that his country's Constitution included a provision prohibiting all discrimination of any kind whatever, and reflected the firm commitment of all the inhabitants of the country to build up a viable non-racial society in which all men would have an equal chance to thrive and develop.

41. The people of Lesotho regarded discrimination as one of the most serious evils in the world. It generated in those who practised it feelings of superiority which could lead to the most inhuman acts. Racism was diametrically opposed to social progress and economic development, since it led to the waste of vast resources.

42. The Kingdom of Lesotho was situated in southern Africa, a part of the world where some Governments had adopted racial discrimination as their official policy. His own Government had taken legislative measures to outlaw all forms of racial discrimination and to make it possible for

<sup>3</sup> Subsequently issued as document ST/TAO/HR/44.

the country shortly to become a party to the International Convention on the Elimination of All Forms of Racial Discrimination.

43. His Government continued to believe that the best means of eliminating racial discrimination in the countries where it was official policy was by way of example, negotiation and persuasion. If a majority of the Members of the Organization had agreed on that approach, positive results would already have been forthcoming. Material and moral support must be given to countries genuinely seeking to apply a non-racial policy, especially in areas where other States were inclined towards opposite policies.

44. His delegation would like to thank the Secretary-General for the efforts he had made successfully to enable a number of Jews to emigrate from the Soviet Union to Israel. The statement made by the Soviet Prime Minister during his recent visit to Canada gave reason to hope that that favourable trend would continue.

45. Mr. DAMMERT (Peru) said that the indigenous peoples of Peru, hitherto forgotten and exploited by the ruling class, were now integrated into the social and economic life of the country as a result of the humanitarian policy pursued by the present Government. Various measures had been taken to reform the social and economic structures and to raise the standard of living of those peoples rapidly and substantially, and they were now for the first time living in acceptable conditions.

46. The Peruvian Government was making similar efforts at the international level; a month previously it had ratified the International Convention on the Elimination of All Forms of Racial Discrimination. At the present juncture, the Convention represented the most suitable international instrument there was for carrying on successfully the struggle against racial discrimination. It was therefore unfortunate that during the present International Year for Action to Combat Racism and Racial Discrimination, only eight countries had ratified the Convention. It was to be hoped that more States would take steps in that direction before the end of 1971.

47. Peru had stated time after time that it strongly supported all efforts to solve the serious problems facing world peace and security within the framework of the constitutional norms and the resolutions approved by the various organs of the United Nations condemning the threat or use of force at the international level.

48. There were few countries which had not been obliged to fight for their independence and respect for their sovereignty in the course of their history, and no one could deny the legitimate right to freedom of the peoples still under the domination of foreign States. The Charter of the United Nations and the Universal Declaration of Human Rights declared that all men were equal, whatever their race, and that all had the same rights, the same duties and the same aspirations. Peru therefore condemned all forms of racial oppression, discrimination and segregation impairing the dignity and striking at the equality of human beings. Hence it supported the brave efforts being made to put an end to colonialism and the régime of *apartheid*.

49. His delegation considered that the time had come for the Organization to pause and take stock of the effectiveness of the measures taken to eliminate racial discrimination, identifying the obstacles and determining whether other more effective measures were called for.

50. His delegation likewise considered that all States parties to the Convention should re-examine their national legislation with a view to enacting any further legislation needed to give effect to the provisions of the Convention.

51. Finally, it was convinced that a new world campaign was called for, in particular through education and the information media, to alert world opinion to the theories, ideas and prejudices making for racial discrimination, colonialism and *apartheid*, and to publicize the principle that the elimination of those inhuman practices was essential if human dignity was to be safeguarded and if understanding, tolerance, mutual respect and friendship among States and racial or ethnic groups were to be promoted. The Peruvian Government was of the opinion that the survival of colonialism, racial discrimination and *apartheid* was a serious obstacle to the implementation of the International Development Strategy, and that the machinery to be set up under the General Assembly to examine and evaluate that Strategy should not be confined to an examination of the economic and social measures adopted at the national, regional, sectoral and world level, but should also consider international situations profoundly affecting international development and co-operation and jeopardizing world peace and security.

52. Mr. ROUX (Belgium) said that Belgium was making arrangements to ratify the International Convention on the Elimination of All Forms of Racial Discrimination; in the meantime he would like to give an account of some of the steps taken in Belgium in the direction of education and teaching, either on a continuing basis or in connexion with the International Year for Action to Combat Racism and Racial Discrimination.

53. Prospective teachers, at both the primary and the secondary levels, were being given training to enable them to teach their pupils the elements of international civics and the basic rules of respect for individual liberty.

54. The anniversaries of the signing of the Charter of the United Nations and of the Universal Declaration of Human Rights were both kept in Belgium, and every opportunity was taken to associate Belgian youth with action by national and international organs to furnish assistance to the third world.

55. The Belgian League for the Defence of Human Rights had taken various types of action in connexion with the International Year, such as the organization of a competition on the topic of the fight against racial discrimination, and a series of lectures on international co-operation; and every opportunity had been taken to draw special attention to the policy of *apartheid*. World opinion today regarded *apartheid* as the most flagrant form of racial discrimination, which explained why it was the only form expressly denounced by the Convention. However, there were other manifestations of racial discrimination which were no less to be condemned, and the Convention was equally con-

cerned with suppressing them. The very title of the instrument indicated that it was for the elimination of all forms of racial discrimination. A glance at article 1 was sufficient to show that the authors had a single-minded view of the scourge they were denouncing.

56. Similarly, the nature of the rights which the States parties to the Convention undertook to guarantee was defined with the utmost clarity. They included “the right to leave any country, including one’s own, and to return to one’s country” and also “the right to freedom of thought, conscience and religion”. Economic, social and cultural rights were also stressed, particularly in respect of labour, housing, education and professional training. The reason why the Belgian delegation placed special emphasis on

those rights and freedoms was that in practice their exercise was frequently blocked by discrimination or racial intolerance.

57. It would be useful if the Third Committee could take up the matter seriously and calmly, with no other concern than the well-being of the victims of racial discrimination.

58. Mr. SEKYLAMAH (Ghana) said that films on *apartheid* were to be shown in the afternoon, and he wondered whether it might be possible for the Third Committee to see them as part of one of its scheduled meetings.

*The meeting rose at 1.05 p.m.*