



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 and 2, 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. MOLEFHE (Botswana) said that it was increasingly urgent for the United Nations to take action to deal with the chronic problem of racial discrimination, because the intransigence and irrationality of the racist régimes invariably encouraged violence on the part of the victims of discrimination. The United Nations must not stop at condemning racial discrimination; it must also restore goodwill where it had been destroyed. His delegation appreciated the commendable efforts made by the Secretary-General to alleviate racial tension and promote understanding.

2. Botswana was situated in southern Africa, an area where racism was both a fact of life and a fact of law. The dehumanizing racial policies of southern Africa's minority régimes had been condemned by almost the entire international community. *Apartheid*, a legalized form of racial discrimination, had been described as a crime against the conscience of mankind, but the United Nations must also be alert to other forms of racial discrimination elsewhere in the world.

3. Botswana was committed to a policy of non-racism, under which minorities, whatever their colour, were both protected from oppression and prohibited from preserving the pattern of social and economic discrimination which had prevailed before independence. The Constitution protected the fundamental rights and freedoms of the individual and the criminal code prohibited racial abuse. Botswana had had to face problems of racial intolerance, inherited not only from its colonial past but also from its geopolitical relationship with surrounding racist minority régimes. It was only by force of persuasion and example —by illustrating in southern Africa that what united men was more important than what divided them—that Botswana could hope to assist in undermining philosophies

which denied human dignity and equality on grounds of colour.

4. The situation in the African continent as a whole could be improved if the offer of peaceful change in the Manifesto on southern Africa, signed at Lusaka in 1969,¹ was responded to in earnest; the climate was now conducive to such a response.

5. Mr. BABAA (Libyan Arab Republic) observed that racial discrimination had been practised since the beginning of time and that despite the two hundred different documents and legal instruments adopted by the United Nations and its various bodies, it continued to flourish. Experts on the subject had pointed out that there was no scientific basis for racial superiority and had emphasized the importance of education and information in fostering racial tolerance and understanding.

6. He was of the opinion, however, that humanitarian instruments and the various mechanisms to be established under them offered a ray of hope for all oppressed peoples and he urged Governments to accede to, or ratify, them as soon as possible.

7. He commended the Committee on the Elimination of Racial Discrimination on its excellent report (A/8418). Although that Committee had still a number of problems to face, it had made a good beginning and should be able to deal effectively with the problems confronting it. It was to be hoped that it would play a constructive role in ensuring that the International Convention on the Elimination of All Forms of Racial Discrimination was fully implemented by the signatory States. His delegation supported the suggestion made by the representative of Kuwait at the 1847th meeting for the establishment of some kind of machinery for meaningful communication between the Committee, on the one hand, and the signatory States and the General Assembly, on the other. It also hoped that close co-operation would be established between the Committee, the specialized agencies and other international organizations. Despite the assertions of some other delegations, he felt that the Committee was acting within its terms of reference with regard to the cases of racial discrimination practised in the Panama Canal Zone and the Syrian Golan heights. It was gratifying to note that the reports submitted by the Libyan Arab Republic, a party to the International Convention, were considered by the Committee to be satisfactory. All forms of racial discrimination were prohibited by law in his country and all citizens were equal before the law. Racism and social injustice were in any case anathema to Islamic ideals and teaching.

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

8. The measures taken by the Libyan Arab Republic in the context of the International Year for Action to Combat Racism and Racial Discrimination appeared in the report of the Secretary-General (see A/8367 and Corr.1 and 2, chap. II). The progress achieved in combating racism since the beginning of the Year was disappointing. What appeared to be lacking was the moral courage to condemn racial discrimination whenever and wherever it occurred. The only positive result achieved so far in 1971 had been the world-wide campaign, launched through education and the mass media, to encourage people to oppose racist ideas and theories. Until such ideas had disappeared, racial discrimination, including *apartheid*, would continue for generations to come. Continuous and effective action at all levels of society was needed for at least a whole decade. To achieve that goal, international co-operation and co-ordination were essential.

9. His country's position towards the policy of *apartheid* as practised in southern Africa was well known: support for the African people in their legitimate struggle against colonialism, exploitation and racial discrimination. The Libyan Arab Republic would continue to give moral and material support to the national liberation movements and would not maintain any relations with the Governments of South Africa, Portugal and Southern Rhodesia. The racist practices of the white minority régimes in southern Africa constituted a grave threat to international security and, unless appropriate action was taken promptly under the Charter, it might be too late to preserve the peace.

10. There were striking similarities between the policy of *apartheid* and the racist policy practised by the Zionist authorities against the indigenous peoples of Palestine and other Israeli-occupied territories. Zionism, like *apartheid*, perpetuated itself through the imposition of a racial caste. The South African Government's policy of placing the indigenous population in reservations had a precedent in Zionist *apartheid*, begun in the early part of the century, which sought to displace the indigenous Arab population by force and deprive it of economic benefits. The equation of Israeli Zionism with South African *apartheid* might appear surprising to some, particularly as Israel claimed to oppose *apartheid*; but that opposition was in name only. The attempt to preserve some semblance of a liberal image was true not only of Israel but also of several other States, including some of the big Powers, which said that they opposed *apartheid* but whose actions served to perpetuate it. According to the figures available, Israel's exports to South Africa had multiplied tenfold since 1960 when the United Nations had adopted the policy of combating racism through sanctions. Israel's aggression against the Arab countries in 1967 had been welcomed enthusiastically by the South African régime, partly because of the increased revenues that would accrue to South Africa through the diversion of maritime traffic to its ports. Tanks had been supplied to Israel by South Africa and Israeli war planes had been imported by South Africa. According to the Johannesburg *Sunday Express* of 10 September 1967, South African military officials were informed about Israel's tactics in the Middle East war by the Commander of the Israeli Air Force. In 1968, an Israeli-South African Friendship Society had been set up, headed by a member of the Israeli cabinet. Several prominent officials in the State of Israel were former South Africans. The late South

African Prime Minister, Mr. Verwoerd, had been quoted in a South African newspaper as saying that Israel, like South Africa, was an *apartheid* State. Another South African newspaper had drawn a parallel between the behaviour of the people of Israel and that of the Afrikaners, reporting that both cited the Old Testament to explain why they did not wish to mix with other peoples. The Zionists in South Africa contributed funds for Israel's racist and military activities. Even after the horrible massacre of Sharpeville, the South African Jewish Board of Deputies had reaffirmed its full support of *apartheid*. Mr. Verwoerd had been described by a prominent Zionist and rabbi in South Africa as the first man to give *apartheid* a moral ground.

11. Turning to racial discrimination in Israel, he said that the Knesset had passed various racist laws to preserve Israel as a Jewish State. The Law of Return of 1950 and the Israeli Nationality Law of 1952 were two such examples. Other laws had been enacted, the effect of which was to deny or deprive the Arabs of any right to own land which the Jews considered as theirs. The result was that most of the land in Israel, although owned by Arabs before 1948, had become inalienable Jewish land which might not even be leased to Arabs. The Israeli Absentees Property Law had been described by a member of the Knesset as a disgrace to the State of Israel because it extinguished the property rights of Arab residents in Israel who had temporarily taken refuge in a nearby Arab area. Another member of the Knesset had said that the law was really intended to prevent Arab labourers from working on land that was euphemistically called the "land of the nation". In addition, some of the Arab people of Palestine had been forced to leave their homes for what the Israeli military authority termed "security reasons".

12. All the measures taken against the racist régimes of Pretoria, Lisbon, Southern Rhodesia and Tel Aviv had proved to be inadequate. The Security Council was the only body that could, under the Charter, enforce United Nations decisions. If racial conflict was not checked it would grow to monumental destructive proportions, threatening the security and happiness of all mankind.

13. Mr. PENTCHEV (Bulgaria), recalling that his delegation's earlier statements on the same item had been based on various sources—particularly the excellent study by Mr. Santa Cruz, which was becoming a classic in the field—said that it did not share the scepticism expressed in certain quarters regarding the effectiveness of United Nations efforts to combat racism and racial discrimination. The campaign against racism waged by the United Nations and its Member States had exposed the guilty parties and the complex causes of the phenomenon, which had attained its ultimate manifestation in *apartheid*. The attention of the international community had been focused on the need to combat racism and, with the exception of a few purely racist régimes, no Government dared openly to defend racism.

14. Nevertheless, despite many resolutions adopted by the United Nations and vigorous condemnation by the Security Council and the General Assembly, racism continued to flourish. The plight of the indigenous population of southern Africa had deteriorated considerably during the past year. That was borne out by many documents,

including the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on the visit of its *Ad Hoc* Group to Africa in May. The report indicated that the régimes of South Africa, Southern Rhodesia and Portugal had considerably increased their military activities and repressive measures against the African population and the national liberation movements, thereby posing a grave and increasing threat, not only to the security of neighbouring African States but also to international peace in general, and that South Africa had continued to take measures for the complete annexation of Namibia and for the extension in the Territory of its *apartheid* system.

15. It was most deplorable that certain Western Powers which had been singled out as having supported the racist régimes of southern Africa, rather than heeding the indignation of the international community, had instead increased such assistance during the past year, in contravention of Security Council resolutions adopted as far back as 1963 and in flagrant contradiction to their own statements in the Third Committee.

16. Some individuals took comfort in what was supposedly a new element: South Africa's offer of dialogue with the outside world. In fact, however, that policy dated back to 1968 and had done absolutely nothing to eliminate *apartheid* or liberate African peoples from the colonial yoke. Rather, it had been devised to anaesthetize the world's conscience, paralyse the international community politically, abandon the African peoples to their fate and leave the racist régimes free to crush the national liberation movements. South Africa was playing the same game now and, in attempting to break out of its isolation, was seeking to initiate a dialogue of the deaf, for it was obvious that it would not abandon a single aspect of its policy of *apartheid*. The Special Committee's report indicated that the policy of dialogue was designed to cause division amongst independent African States and to weaken their support for national liberation movements.

17. It had been acknowledged during the highly successful symposium on the evils of racial discrimination held at Yaoundé that it would be fruitless to call on the South African Government to adopt legislative and administrative measures to eliminate *apartheid*. He read out an excerpt of an interview with a South African official published in *Le Monde* which demonstrated the racist régime's determination to entrench the policy of *apartheid* further by denying non-whites equal voting rights and economic advantages. The official had also shrugged off criticism of the secret police and indicated that the Suppression of Communism Act of 1950 was used to restrict the freedom of movement of anyone suspected of promoting communism. In addition, a recent article in *The New York Times* had described a nation-wide anti-subversion raid conducted by the South African security policy on the homes of certain clergymen, university professors, student leaders and journalists, the majority of whom were white. One of the clergymen had subsequently been condemned to five years in prison under the Suppression of Communism Act, a development which showed that anyone who disapproved of *apartheid* was accused of communism and severely punished.

18. It was now the duty of the United Nations to endeavour to put an end to *apartheid* and racial discrimination. He agreed that an educational campaign, particularly at the national level, would be useful; however, it was above all essential to adopt legislative measures and legal guarantees for their implementation and to take economic, political and ideological action. The provisions concerning *apartheid* were dispersed in various instruments already adopted to combat racial discrimination—a shortcoming which could be overcome by the adoption of the draft of a convention on the suppression and punishment of the crime of *apartheid* submitted by Guinea and the USSR (A/C.3/L.1871). That document contained a number of provisions which had already been adopted by the international community and fully and unequivocally defined the crime of *apartheid*. It was a serious contribution to international law in the field of human rights, and its submission during the International Year was most timely.

19. He was pleased to recall that on 8 August 1966 Bulgaria had been the first country to ratify the International Convention on the Elimination of All Forms of Racial Discrimination. The new Bulgarian Constitution, adopted in 1971, and its Criminal Code, prohibited racial intolerance. Bulgaria had observed the International Year in several ways. A seminar had been organized by the Scientific Research Centre for Asia and Africa of the Academy of Sciences and the Committee for Solidarity with the Peoples of Africa and Asia. The Bulgarian Association for International Law had organized an international symposium on international law and the struggle against racial discrimination. More than 40 professors and jurists from several countries had taken part and the United Nations had been represented by the Chairman of the Special Committee on *Apartheid* and an official of the Division of Human Rights. It was planned to publish the reports presented at the two meetings. The Institute for Advanced Economics at Sofia had also conducted a seminar in which many Bulgarian and foreign students had taken part. His delegation regretted that, although two communications concerning those events had been sent to the United Nations, they did not appear in the Secretary-General's report. Bulgaria had also supported international action to assist freedom fighters and victims of *apartheid* by contributing to the United Nations Trust Fund for South Africa and the International Defence and Aid Fund.

20. Turning to the report of the Committee on the Elimination of Racial Discrimination (A/8418), he did not agree that the Committee had gone beyond its competence in drawing the attention of the General Assembly to the complaint by the Panamanian Government that discrimination was being practised in the Panama Canal Zone by the United States. Since the United States was not a party to the Convention, article 11 thereof was not applicable. Had the Committee not taken note of the Panamanian communication, it would have failed in its duty towards a State party and would have placed a State which was not a party at an advantage. The only just decision had therefore been to draw the situation to the attention of a body in which the United States was represented and could present its side of the story.

21. If the Committee on the Elimination of Racial Discrimination was to be able to pursue the objective for

which it was established, it must be able to draw the attention of the General Assembly and other United Nations bodies to the existence of racial discrimination in the territories of States which were not parties to the Convention. If it was not able to do so, the Committee would soon have before it only mild criticism of the reports of States parties, which would grow stereotyped over the years.

22. Mrs. USENKO (Ukrainian Soviet Socialist Republic) said that her country, as a party to the International Convention on the Elimination of All Forms of Racial Discrimination, had welcomed the establishment of the Committee on the Elimination of Racial Discrimination and had since formed a very favourable opinion of that Committee's work. The fact that that opinion seemed to be shared by most of the speakers in the current debate showed that the international community recognized the great danger that racism and racial discrimination presented to world peace and progress, as well as the need for new effective measures against the activities of the racist régimes in southern Africa and against all other cases of racial discrimination. That appraisal of the Committee's work was due to the fact that it was fully aware of its responsibilities in examining human rights problems and submitting the relevant recommendations for the effective implementation of the Convention.

23. In that connexion, two of the Committee's decisions, concerning the Panama Canal Zone and the Golan heights, were particularly relevant. The information concerning the former case showed that the United States had systematically practised political and racial discrimination against the indigenous population; her delegation believed that the Committee had been right to draw the attention of the General Assembly to those flagrant violations of human rights. Similarly, most of the members of the Committee had agreed that the facts adduced by the Syrian Arab Republic concerning Israel's continuing policy of colonization in the occupied area of the Golan heights were incontrovertible, and the Committee had therefore drawn the General Assembly's attention to the fact that racial discrimination was being practised "in that part of Syrian national territory which is known as the Golan heights and which is under Israeli occupation" (see A/8418, chap. VII, sect. B, decision 4 (IV)).

24. The Israeli representative had urged the Third Committee to pay heed to the so-called dire plight of Soviet citizens of Jewish nationality. The Ukrainian delegation could only counter that appeal with a plea that the Israeli representative should pay heed to good sense and desist from trying to draw attention to a non-existent problem. It was indeed regrettable, moreover, that certain delegations persisted in their defence of international zionism.

25. Nevertheless, her delegation was glad that the Committee on the Elimination of Racial Discrimination and the Third Committee seemed determined not to ignore problems on the solution of which the maintenance of peace and justice largely depended. The practical implementation of the Convention would be determined to a great extent by the work of the Committee on the Elimination of Racial Discrimination; as a member of that body, the Ukrainian SSR considered that more specific recommendations should

be made concerning the implementation of the Convention in the Trust and Non-Self-Governing Territories.

26. Mr. CASTAÑEDA CANTU (El Salvador) said that his delegation wished to thank Mr. Santa Cruz for his excellent study.

27. His country was proud to have been among the first to abolish slavery. Since its independence, it had consistently upheld human rights and the dignity of man. The Constitution proclaimed that every citizen was free and that all people were equal before the law, irrespective of nationality, race, sex or religion. He was glad to be able to state categorically that there was no racial discrimination or racism whatsoever in El Salvador.

28. His delegation expressed its whole-hearted support for the measures and activities undertaken within the context of the International Year for Action to Combat Racism and Racial Discrimination. The activities of the United Nations system in that respect were impressive in both number and quality.

29. It was to be hoped that the valuable work of promotion and vigilance performed by the Committee on the Elimination of Racial Discrimination would continue with the same momentum during 1972, since it was essential to impress upon the world that the discriminatory policies still pursued were seriously jeopardizing peace and security.

30. There had been some significant developments in human rights in 1971. Of primary importance was the basic right to leave and enter one's own country. It was gratifying to note that the Secretary-General had had considerable success in arranging for Soviet Jews to be given permission to emigrate. That was of course a very delicate question, involving a balance between the exercise of basic human rights and the internal jurisdiction of the State concerned. It was to be hoped that other international bodies and Governments would follow the example of the Secretary-General of the United Nations and use their good offices to enable citizens who desired to do so to emigrate.

31. His country believed that any form of discrimination or racism was extremely demeaning to the victim and should lead to the most emphatic denunciation of the persons responsible. In the second half of the twentieth century, the century of the conquest of space, it was deeply distressing to know that millions of people were still not being treated as human beings. It was therefore essential to submit to the General Assembly a vigorous and conclusive text not only urging a halt to all acts of racism and discrimination but also providing a practical formula for eliminating such injustice. His Government and people appealed in the name of world peace to those countries where citizens were not yet equal to institute reforms.

32. Mr. PEACHEY (Australia) observed that, in referring to the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, a number of representatives had pointed out how delays could occur. Australia had particularly acute administrative difficulties in that regard, since in its federation the Commonwealth Government had only limited jurisdiction

in such matters, a great deal resting with the six states: accordingly, several administrations and parliaments might be involved in the ratification of an international instrument. Australia had signed the Convention, but ratification would take longer than it would have liked.

33. With regard to the International Year for Action to Combat Racism and Racial Discrimination, it would be seen from the report on Australia's activities (see A/8367/Add.2) that the Prime Minister in announcing the Year had declared that Australia subscribed fully to its purpose, that the Government abhorred racism and that racial discrimination was not acceptable to the Australian way of life. The Australian United Nations Association had helped to set up a committee to combat racism and racial discrimination, comprising many non-governmental organizations. The Government had made a grant to that committee, which had carried out educational activities, including the distribution of school kits and posters on the Universal Declaration of Human Rights, had circulated bulletins on racial discrimination and had assisted state committees to publish information material on the theme of the Year. Seminars, public meetings and lectures had also been held.

34. Much of the debate in the Third Committee had understandably been devoted to *apartheid*, which had been generally condemned in the United Nations and in respect of which Australia had repeatedly stated its attitude of abhorrence and repugnance. Nevertheless, it associated itself with those who wished the procedure to be orderly and stressed the need for continuous co-ordination with the work of the Special Political Committee which had an item concerning *apartheid* on its agenda.

35. In conclusion, his delegation's position on the freedom to emigrate was, as before, that if Governments were experiencing difficulty in eliminating prejudice, for example against Jewish minorities, it would seem desirable for such Governments at least to permit the people in question to emigrate if they so wished.

36. Mrs. RAKOTOFIRINGA (Madagascar) said that the Secretary-General's report showed that all the members of the United Nations system had taken their part in the International Year for Action to Combat Racism and Racial Discrimination very seriously. Yet, in considering how each one had participated and how the struggle would be continued nationally and internationally, there was sometimes a sense of disappointment at the Organization's impotence in face of the arrogance of those it condemned. Her delegation shared that feeling, because of its horror and condemnation of practices based on racial discrimination.

37. Her Government had never lost sight of its role in that regard, particularly since it was fortunate in having no such problem. Article 1 of the preamble of the Constitution of the Malagasy Republic proclaimed the equal rights and obligations of all people without distinction of origin, race or religion. The population was divided into 20 ethnic groups, living in harmony with some 100,000 foreigners. Since there was no racism of any kind, the Malagasy Republic saw no need for new legislative measures against racial discrimination.

38. Racism had to be attacked at its source and in Madagascar preventive measures were taken through educa-

tion and information. Her country had acted in accordance with the ideas expressed by the Secretary-General and the President of the General Assembly at the inauguration of the International Year for Action to Combat Racism and Racial Discrimination (see A/8367 and Corr.1 and 2, chap. III). It favoured measures such as cultural exchanges between different races and international sporting events, as proposed in the programme for the Year.

39. Her delegation had deliberately not mentioned the *apartheid* policy of the South African Government or the racial discrimination that the Portuguese Government was accused of practising, since those questions were being considered by the competent bodies of the General Assembly. While it was true that *apartheid* was the most obnoxious form of racial discrimination, there were many subtler forms. All should be condemned, whether practised officially or unofficially, by groups or individuals.

40. The Secretary-General, by the tactful use of his good offices, had already obtained positive and encouraging results in the case of appeals or requests from ethnic minorities and was to be commended on his action in such delicate situations.

41. She supported the Dahomean representative's remarks at the 1853rd meeting about the need to study how various civilizations complemented each other, with a view to arriving at a better understanding of the problems of coexistence among human beings.

42. Miss ASTURIAS AYCINENA (Guatemala) said that it was encouraging to note, in connexion with the International Year for Action to Combat Racism and Racial Discrimination, the growing international desire to free mankind from the scourge of racism. The efforts made by the international community in connexion with the International Year should continue in future years until racism was finally eradicated.

43. Her Government was in the process of ratifying the International Convention on the Elimination of All Forms of Racial Discrimination and it was expected that the procedures would be concluded shortly. That instrument would entail serious responsibilities for its signatories, and some States would need to adopt appropriate legislation. That, however, was not the case in Guatemala, whose Constitution prohibited discrimination on grounds of race, colour, sex, religion, birth, economic and social situation or political opinions.

44. In his message on the observance of the International Year, the Executive Secretary of the Economic Commission for Latin America had pointed out that racism and racial discrimination were already an anachronism in Latin America and belonged to the past (*ibid*). The mingling of ethnic strains had helped to do away with racial prejudice. That had been the case in Guatemala: even under Spanish rule slavery had been ended, and the vigorous *mestizo* class had conquered independence in Central America 150 years ago. It was currently an active element in the political, economic, social and cultural spheres. In order to make the population more homogeneous, it was the constant concern of the Guatemalan Government to integrate the large numbers of indigenous people into the life of the country

by means of educational and social programmes. Moreover, the Government was vigorously engaged in improving the standard of living of all Guatemalans, and had launched an ambitious economic and social development programme.

45. Her delegation realized the danger and injustice of doctrines of racial superiority and was deeply concerned at the continued violation of the Universal Declaration of Human Rights in certain countries practising racial and religious discrimination. It would support any measures adopted by the international community to do away with all such discrimination.

46. Mr. MASRI (Jordan) said that the Committee should concentrate not upon sermonizing but on exploring all avenues in order to hasten the eradication of racial discrimination.

47. His delegation was deeply concerned at the continued economic and political support given to the racist régimes by certain Members of the United Nations, which bore a major responsibility for the fact that the Organization's resolutions had remained ineffective. Ways must be sought of bringing pressure to bear upon them. In that connexion, his delegation was in favour of any action in support of liberation movements.

48. There was much similarity between the régimes of South Africa and Israel: both practised discrimination as an article of faith. The fact that one and a half million Palestinians had been expelled from their ancestral homeland just because they were non-Jews, at a time when the Israeli Government had opened its frontiers to everyone who professed the Jewish faith, showed the extent of racial discrimination in Israeli practice. While South Africa and Southern Rhodesia had left the indigenous population in its territories, the Palestinians were denied even the privilege of being discriminated against in their homeland. Those who were still there were the victims of the worst forms of racial discrimination, comparable to that practised in South Africa and Southern Rhodesia. Moreover, racial discrimination was being practised against Jews of non-European origin. The Black Panther movement in Israel was trying to redress the situation. According to *The New York Times* of 12 September 1971, that movement had spread to all parts of the country, with considerable support from Oriental Jews, who were protesting against discrimination by the politically, culturally and economically dominant minority of Western and Eastern European Jews. Only 14 per cent of Israeli undergraduates and 8 per cent of graduates were of Oriental origin; most members of the cabinet, the Knesset, the higher ranks of the civil service and the army were Ashkenazim. Although half the population was of Afro-Asian background, only one cabinet minister and 20 per cent of the members of the Knesset were Sephardim, and there were no generals of that origin. A Jewish Panther leaflet stated: "We are 1 per cent in government and 96 per cent in gaol". If that was the situation of the Oriental Jews who constituted the majority of Israel's population, the condition of the Arabs of occupied Palestine hardly needed description. All Israel's laws and *mores* were geared to discrimination against non-Jews, and the Arabs of Palestine were the major victims of that policy.

49. In compliance with General Assembly resolution 2544 (XXIV), designating 1971 as International Year for

Action to Combat Racism and Racial Discrimination, Jordan had organized a week in which the press, radio and television had covered the issues of racial discrimination in Africa, occupied Palestine and other occupied Arab territories.

50. Jordan would accede to the International Convention on the Elimination of All Forms of Racial Discrimination before the end of 1971.

51. Mr. NSIMBA (Zaire) explained that the Government of the Democratic Republic of the Congo had decided to change its name to the Republic of Zaire because it had adopted the principle of nationalism in the true sense of the word. Zaire was the former name of the Congo River, the natural link between and source of inexhaustible riches for the peoples living on its bank. In changing the country's name, his Government had renewed the country's links with the glorious past.

52. Turning to the item under discussion, he recalled that only recently had racism and anti-racism become an element in international politics. The Second World War had been a racial war fought by one allegedly superior race against the rest. But a price had been paid for the fall of the Third Reich and the decolonization of much of Africa and Asia. Racism in South Africa and the United States, anti-semitism in Europe and the coexistence of peoples in ethnically-based federations were still menacing world peace and security.

53. In spite of all the recommendations and resolutions adopted by the United Nations, there was still one country which had legalized and institutionalized racism: South Africa. His country, faithful to the Lusaka Manifesto, condemned *apartheid* and was absolutely opposed to the idea of a dialogue with South Africa before that régime had put its own house in order.

54. His own country's Constitution proclaimed equality before the law as a fundamental principle and recognized no privileges based on income, race, religion or ethnic origin. All citizens had the same rights. Zaire had not been spared the effects of decolonization, which had set one tribe against another. Those effects had to be neutralized at all costs unless Zaire was to be split up into insignificant parts. The second Republic had channelled and regrouped the masses and had strengthened certain laws which no longer fulfilled their purpose. For instance, every citizen was free to choose his domicile and to move freely about the whole country.

55. His Government appreciated the efforts made by the United Nations to end racism and racial discrimination and would shortly accede to the International Convention. Seminars, discussions and lectures were being organized to educate the population and Zaire was seeking ways of warning children and young people against the dangers of tribalism and racism. Moreover, at the international level, Zaire had always condemned and fought racism in all forms. It had endorsed and implemented the resolutions of the Organization of African Unity condemning racial segregation and racism, and would continue to support resolutions of the United Nations condemning any form of racism anywhere in the world.

56. Mr. FOUNGUI (People's Republic of the Congo), speaking in exercise of the right of reply, said that the renaming of the Democratic Republic of the Congo was of course the internal affair of that State. However, the fact that the representative of Zaire had referred to the Congo River, which flowed through a considerable part of the People's Republic of the Congo, compelled him to reserve the right to make a statement later on the highly important subject of the renaming of an international waterway.

57. Mr. NSIMBA (Zaire), speaking in exercise of the right of reply, said that the renaming of the Congo River was a purely internal matter for Zaire. According to the Treaty of Berlin of 1885, the Congo River was not an international waterway like the Rhine or the Danube, but a waterway of international interest. In any case, only about one twentieth of the 4,500 kilometre length of the river was in the territory of the People's Republic of the Congo.

58. Mr. FOUNGUI (People's Republic of the Congo), speaking in exercise of the right of reply, reiterated that, since the representative of Zaire had seen fit to introduce the subject in the Third Committee, he wished to reserve the right to reply to any statement that might be made concerning what was in fact an international waterway.

59. Mr. FLETCHER (United States of America), speaking in the exercise of the right of reply, said that his Government was unequivocally opposed to policies and practices which promoted and perpetuated discrimination based on race, colour and ethnic or national origin. It regarded such discrimination as abhorrent, whether it existed in the United States, South Africa, the Union of Soviet Socialist Republics or anywhere else. He differed from some delegations, however, on the means of overcoming such policies. He had admitted candidly that racial discrimination continued to be a major problem in his country, but the practice was clearly contradictory to official policy and persisted in the face of substantial measures which had been taken, particularly during the past 15 years. There was a healthy controversy in American society over steps to reduce racial discrimination, but the United States Government was firmly committed to overcoming the discrimination suffered by minority groups and progress in many areas had been dramatic. He was confident that progress would be even faster in the immediate future.

60. It was time, perhaps, for a franker discussion in the Committee. The United States did not propose to begin such a discussion but it was ready to join in one and he would like to suggest what such a discussion would be about. It should not be about statutes, rulings and regulations. Such a discussion would be useful among nations with democratically elected Governments, with two or more political parties, an established opposition, an independent judiciary, and a free press. But his country saw no advantage in comparing statutes or trading epithets about the treatment of minority groups with Governments whose statements and actions would never be subject to scrutiny at home by an opposition party, an independent judiciary or a free press. Not that his country was uninterested in the opinions of other nations: it was simply not interested in being lectured on the liberties of United States citizens by the representatives of totalitarian Governments.

61. His country did not propose to lecture others. It would welcome annual statistics on immigration and applications for immigration to the United States and other United Nations Member States in order to learn the countries chosen by people who were free to travel. He was aware, for example, that blacks did not seem to be leaving the United States, although over 300,000 of them travelled abroad each year. In that connexion, he read out statistics from *Ebony* magazine concerning travel abroad by black United States citizens. He believed in facts and would welcome any statistics which would make it possible to compare conditions in different Member States. The Committee might be interested to know, for example, that Chinese Americans had the highest social and economic status of any national group identified by the United States census; that Japanese Americans were the second highest group; and that in 1969 young black couples living outside the southern states of America had average annual incomes of \$8,028, a figure 7 per cent higher than the average annual incomes of young white couples in comparable circumstances.

62. While his country welcomed such comparisons with other countries, it did not welcome invective. There was no more complex or difficult subject in the present-day world and none more likely to be the source of violence and international tension in the decades ahead than the question of racial, religious and ethnic hostility within and between nations. Few nations had been free from such difficulties. The United States had shaped a population drawn from every corner of the earth. It had not been easy and the process had not yet been completed and perhaps never would be. But his country was not ashamed of its progress and did not hesitate to discuss any lack of progress openly. That did not appear to be the case with many other countries in similar situations.

63. He would be interested to know how many other Members of the United Nations would support a proposal that the United Nations should begin collecting data on such matters; he feared there would be few. Most nations feared the truth about the status of their religious, ethnic and racial minorities, and with reason; but that being so, they might wish to moderate their charges against other nations.

64. Regarding South Africa, he said that the United States was only one of a large number of countries which had maintained relations with South Africa. It believed that such a policy offered the best hope of influencing the racial policies of that country. Other delegations were free to believe that violence and sanctions were the only means of dealing with South Africa, but they should be careful about making unwarranted inferences concerning the motives of countries which sought to oppose *apartheid* by peaceful means. The question of dialogue with South Africa was being actively debated and acted on among African nations today. There were differing views among the African countries themselves and countries outside the area with no direct knowledge of the situation in Africa should not offer gratuitous advice on how Africans should conduct their own affairs.

65. The United States position on *apartheid* had been clearly stated. In 1970, President Nixon had said that there

was no question of the United States condoning or acquiescing in the racial policies of the white-ruled régimes and that for moral and historical reasons the United States stood firmly for the principles of racial equality and self-determination. In March 1970, the Secretary of State had said that the modern world demanded a community of nations based on respect for fundamental human rights; those were not only moral and legal principles, but powerful and ultimately irresistible political and historical forces; the United States took its stand on the side of those forces of fundamental human rights in southern Africa as at home and elsewhere.

66. The United States had welcomed much of what was contained in the Lusaka Manifesto, which reflected the concern of African leaders over the human cost involved in the use of force and expressed a preference for peaceful dialogue as a means of effecting constructive change in southern Africa.

67. The United States had faithfully complied with Security Council resolution 181 (1963) establishing an embargo on the sale of arms to South Africa. It refused to sell or license arms to South Africa, and did not intend to strengthen that country's military capacity or capacity to enforce its own racial policies internally. The United States had at present only 15 per cent of the foreign investment in South Africa. Although it was argued that foreign investment supported South Africa's racial policies, it could also be argued that it could be a force for change by adding to economic pressure to bring more non-whites into the labour force at higher levels, by increasing communication with the outside world, by providing an opportunity of introducing enlightened employment policies to improve conditions and well-being for non-whites and by acting as a channel for outside influences. In that connexion he mentioned the success of a project sponsored by the Polaroid Company in South Africa to counteract *apartheid* within the system. The project had influenced the policies of other companies doing business in South Africa and there were now 17 major corporations with black directors who had been appointed in order to persuade other companies to change their *apartheid* policies.

68. His Government favoured a policy of communicating with the Republic of South Africa while making its stand against *apartheid* absolutely clear. It did not believe that economic isolation would help to eliminate *apartheid*. His Government had supported General Assembly resolution 2145 (XXI) on Namibia and Security Council resolution 284 (1970) referring the Namibian problem to the International Court of Justice. The United States had submitted a written and an oral statement to the International Court and, in May 1970, President Nixon had ordered a policy of official discouragement to investment by United States nationals in Namibia.

69. The Committee and other bodies in the United Nations had passed numerous resolutions condemning the gross racism exemplified by the policy of *apartheid*. People should be equally alert to condemn the evil of racial intolerance in its many other guises wherever it appeared, as defined by the Universal Declaration of Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

70. No country could claim that its society was totally free from discriminatory practice and prejudices involving racial attitudes. No Member State should shrink from healthy criticism and self-examination when offered in a constructive spirit consistent with the United Nations purpose of exposing and combating all forms of racial intolerance.

71. In that connexion he regretted that there was still a need for international concern to be expressed about the situation of the very large Jewish population of the Union of Soviet Socialist Republics. That was a matter of great concern to many peaceable United States citizens, particularly with respect to the right to emigrate, as provided for in article 13 of the Universal Declaration of Human Rights. During the current year leading public figures, moral leaders and men of goodwill throughout the world had implored the Soviet Government to let Soviet Jews and others exercise that simple freedom.

72. He fully shared the hopes expressed by the Secretary-General in a statement of 24 September 1971, but there were still countless cases of families in the USSR who had legally sought for years to exercise that fundamental right, but without success. Many Soviet Jews continued to be subjected to harassment, imprisonment or worse for their efforts, as was amply documented by the numerous petitions which had reached the outside world and had been published as United Nations documents and elsewhere.

73. No useful purpose would be served in discussing at length why large numbers of Jews wished to leave the Soviet Union. The Soviet Government claimed that there was no discrimination in the USSR, that Jews were treated in the same way as other nationalities and that the problem of Soviet Jewry had been invented abroad. Yet reports came from Soviet Jews who had left the USSR and from relatives of persons still there that Soviet Jews suffered from discrimination in employment, higher education and government service, and were being deprived of the cultural ingredients needed to preserve their separate identity: schools, training, religious centres, special publications and synagogues. Whatever the facts, no one would question that large numbers of Jews were anxious to leave the USSR.

74. The United States attached great importance to the right to free emigration. It was a fundamental human right from which many other rights flowed. The United States had been largely built by people who for one reason or another had chosen to come there. Many had subsequently decided to return to their own countries or to go to others and no impediments had been placed in their way. Those who might prefer a different cultural milieu or a different political environment were free to depart for countries more to their taste. He therefore called upon the Soviet Union to grant the right—not the privilege—to emigrate and to permit the many Jews remaining in that country to pursue their cultural and religious interests without hindrance.

75. Mr. MOHAMMED (Nigeria), speaking on a point of order, said that he would comment later on the United States representative's statement, but that meanwhile he would like to know how many of the black American

tourists cited in that statement had travelled to South Africa.

76. Mrs. GORBACHEVA (Byelorussian Soviet Socialist Republic), speaking in exercise of the right of reply, said that the Israeli representative, in her statement at the preceding meeting, had been unable to adduce any argument which could conceal the cruel racial discrimination prevailing in Israel. No one could be misled by those assertions. The Israeli representative had resorted to the unworthy expedient of provocation in trying to link the Byelorussian delegation's statement in exercise of the right of reply with a letter from a group of French citizens. The Soviet attitude to French culture, however, had been clearly expressed by Mr. Brezhnev in his appearance on French television on 29 October 1971, when he said that France was close to the hearts of millions of Soviet people as a country of democratic and revolutionary traditions, which had given the world some of its greatest thinkers, which was the birthplace of the "Marseillaise" and the "Internationale" and whose eternal contribution to world culture was well known to and cherished by the Soviet people.

77. In conclusion, she hoped that the Israeli representative would take to heart her earlier statement that her delegation contemptuously refuted the anti-Soviet attacks of Zionist slanderers and that no one could succeed in denigrating socialism's achievements in ensuring genuinely equal rights for all nationalities and all working peoples.

78. Mr. SAYEGH (Kuwait), speaking in exercise of the right of reply, said that he had been heartened by the United States representative's reference to article 13, paragraph 2, of the Universal Declaration of Human Rights, the more so since, unlike the Israeli representative, he had quoted it in full. As for the implementation of the article, however, he had unfortunately not been impartial. His selective application of the principle embodied in the article belied his profession of faithfulness to the principle. If he was interested in the right to travel, how could he see alleged violation of that right in one place and fail to see proved violation in another place? A sin against Jews by non-Jews seemed to be a heinous crime, but a sin against non-Jews by Jews was apparently permissible and acceptable. He was condoning the systematic denial of the right of hundreds of thousands of human beings to return home, because they were not Jews. The right of the Palestinians and other Arabs to return to their homes was embodied in the Universal Declaration of Human Rights and in other instruments and had been reaffirmed in specific references in resolutions adopted by United Nations bodies, including unanimous decisions of the Security Council supported by the United States. The implication that some (the Jews) were more equal than others, while some (the Arabs) were less equal than others was a grotesque misrepresentation of the Universal Declaration.

79. Mr. EL-FATTAL (Syrian Arab Republic), speaking on a point of order, asked if the Secretary-General's representative could clarify a point on which there appeared to be some confusion. He had great respect for the Secretary-General and admired his objectivity and concern for human rights. A number of representatives had referred to the time and effort devoted by the Secretary-General to the question

of the Jews in the Soviet Union but the Secretary-General had himself stated on a number of occasions that the relevant articles of the Universal Declaration should be construed in their proper context. In replying to a question concerning his efforts for the Jews of the USSR he had said that the clauses concerning the right to leave a country and the right to return were inseparable and that they applied to the Palestinians.

80. Mr. WALDRON-RAMSEY (Barbados), speaking on a point of order, said that he had always understood that the right of reply was normally exercised by a representative who felt he had been attacked or misrepresented by another representative. He also understood that every representative was entitled to decide what he wished to say and what he did not wish to say.

81. Mr. FLETCHER (United States of America), speaking in exercise of the right of reply, said that in neither of his two statements had he attacked anyone or cast reflections on any individual. He resented remarks aimed at him personally. On behalf of his country he was entitled to prepare a statement as he wished and to discuss the matters he wished to discuss. In the statement he had just made he had not intended to discuss every problem. The rights of the Soviet Jews had been discussed repeatedly and there had been repeated attacks concerning the status of the black people in the United States. He had therefore wished to state the facts and to respond to representatives who wanted to make an issue of travel.

82. Mrs. ESHEL-SHOHAM (Israel) said that Israel, like many democracies, suffered under a peculiar disability. It was self-evident that societies which were open, where expression of opinion on public affairs was untrammelled and where there were constitutional restraints on the arbitrary exercise of authority, were inherently societies in which the concept of human rights and liberties was respected. The basic concern for human rights and public welfare, which was the distinguishing feature of democratic Governments, was often taken for granted and ignored while the blemishes were maliciously overstressed: freedom was distorted to seem like servitude and free speech was equated with agitation and licence, social ferment with discrimination and public order with oppression. Democratic societies did not claim to have reached the heights to which they aspired. Abuses did exist, but the strength of a democratic society was that weaknesses or failings were sooner or later brought into full public view where they could be corrected.

83. Authoritarian régimes, which were inherently antagonistic to the notion of human rights in any ordinary sense of the term, suffered under no such disability. There was no free expression of opinion and no one expected them to respect human rights.

84. Israel was doing its best to create a just society based on the rule of law and concern for individual freedom and public welfare. There was no racial or other form of discrimination. Social tensions did exist; there were educational, economic and social gaps which Israel was aware of and was trying to remedy. But all were equal before the law, everyone had the right to work, to education, to freedom of expression, to attend their schools, to follow

their traditions and their religion and to enjoy all freedoms. Let other countries which cast aspersions show the same record.

85. Mr. EL SHEIKH (Sudan) said that he entirely supported the right of all representatives to present their arguments as they wished. But once a statement had been made, it was open to the Committee for comment.

86. Mr. SAYEGH (Kuwait), referring to the statement by the United States representative, said that his delegation had never attacked a representative personally. He had not referred to the United States representative personally. He was entitled to comment on that representative's statement, however, and to draw conclusions from it regarding his delegation and Government. His reference to the selectivity of the United States representative's statement had been intended to apply to the United States Government and delegation and not to the speaker. He hoped that his explanation would remove any misunderstanding. He agreed that the United States Government had the right, through its representative, to speak on or to ignore any issue. Equally, his own delegation had the right to infer what it wished from the order of priorities or the omissions in that representative's statement.

87. Mr. SAFRONCHUK (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, said he regretted that the United States representative had used his right of reply to make slanderous and unfounded remarks about the so-called plight of citizens of Jewish nationality in the Soviet Union. As had already been stated in the debate, the Constitution of the USSR granted equal rights in all spheres to all the national groups in the Soviet Union, of which there were over one hundred. The United States representative's motives were perfectly clear: he was trying to divert attention from the inhuman racial discrimination practised by Israel in the occupied Arab territories and from the discrimination which prevailed against the black population of the United States. He had tried to manipulate statistics to show that discrimination either did not exist in the United States, or if it did exist, that it was contrary to official policy. But he had been unable to refute the facts adduced during the debate: in 11 of the Southern states, only 12 per cent of black children attended school with white children, while the percentage in other Southern states was even lower; no blacks served on grand juries; and black members accounted for only 2 per cent of the House of Representatives and 1 per cent of the Senate. Yet the United States representative's touching concern for the plight of citizens of the USSR was not substantiated in any way. In fact, the representation of Jews in all fields of activity in the Soviet Union was far greater than their percentage of the population. Instead of expressing anxiety about Soviet citizens, who in any case had not authorized him to speak on their behalf, the United States representative should rather concern himself with the discrimination practised against a large part of his own country's population. The figures he had cited from the Secretary-General's press release, moreover, did not prove the existence of discrimination against Jews in relation to other groups in the Soviet Union. All those provocative allegations were nothing but an attempt to divert the Committee's attention from proved and flagrant instances of racial discrimination in southern Africa and elsewhere and

constituted interference in the internal affairs of the USSR, in contravention of the Charter of the United Nations.

88. Mr. FLETCHER (United States of America) speaking in exercise of the right of reply, said that he had not attempted to deny that there were still problems in the United States but merely to affirm that considerable progress had been made during the past 15 years. For instance, at one time there had been no black representatives in the Senate or the House, but there were now 14 black Congressmen and it was expected that there would be 19 or 20 in the next Congress. If the Soviet Union representative wished to juggle with figures, it should also be pointed out that there were 81 black mayors. However, his real purpose in speaking had not been to quote statistics glibly but to show that the removal of the economic, educational and other barriers to racial integration brought about changes in attitude. Far from concealing the facts, as the Soviet Union representative had alleged, he had attempted to explain very candidly what the United States authorities were attempting to do. Discussion of the problems of racial discrimination were likely to be interminable unless members were prepared to admit, as he had done, that such problems existed and could only be eliminated by legislation and by the enforcement of legislation to ensure that the situation was changed. The point he was emphasizing was the ways and means by which the desired reforms could be instituted.

89. Mr. GUIAGOUSSOU (Chad) wondered whether the United States representative believed that the methods used in the United States would have any influence on the situation in South Africa.

90. Mr. FLETCHER (United States of America) said that the answer was in the affirmative. United States subsidiaries in South Africa pursued the same policies as their parent companies in the United States. The idea was to put members of minority or suppressed groups in positions of influence in order to change discriminatory or backward policies. Seventeen United States firms with world-wide interests had placed black representatives on their boards of directors with a view to changing the practices of the firms if they were discriminatory.

91. Mr. SAFRONCHUK (Union of Soviet Socialist Republics), speaking in exercise of the right of reply, asked what the United States authorities were doing to halt United States investment in South Africa in contravention of many United Nations resolutions.

92. Mr. FLETCHER (United States of America), speaking in exercise of the right of reply, reaffirmed that the United States approach to racial discrimination was to encourage investors to enlist black people in their boards of directors to ensure fair employment policies. Some black Africans had requested United States companies to invest in South Africa for that very purpose. By those methods, the United States authorities hoped to see changes in South Africa parallel to those which had occurred in the United States.

93. Mr. NYANG'ANYI (United Republic of Tanzania) asked what action the United States would take to protect its investments if that should prove necessary.

94. Mr. FLETCHER (United States of America) said that he was aware of the tremendous problems in South Africa, about which black Americans were particularly concerned. A black Congressman had recently visited South Africa and

would now be able to keep other Congressmen informed about the situation there.

The meeting rose at 6.50 p.m.