



Chairman: Mrs. Helvi SIPILÄ (Finland).

AGENDA ITEM 54

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

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

GENERAL DEBATE (*continued*)

1. Mr. NYANGANYI (United Republic of Tanzania) said that the Charter of the United Nations made it quite clear that peace could and should be maintained only by "promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion". By becoming Members of the Organization, States had undertaken to maintain peace and to fight against the forces of injustice and inequality, and especially against racism which, by denying men all hope because the colour of their skin was different, forced them to resort to violence. His delegation had fully supported the Committee's decision to proclaim 1971 as International Year for Action to Combat Racism and Racial Discrimination.

2. Although his Government had not ratified the International Convention on the Elimination of All Forms of Racial Discrimination, it observed nevertheless the principles of the Universal Declaration of Human Rights. The Tanzanian Constitution proclaimed equal rights for all without distinction of colour, race, or religion. As part of the International Year, his country had commemorated the Sharpeville massacre by published and broadcast editorial comment explaining to the people why racial discrimination was to be abhorred.

3. The United Republic of Tanzania had often been accused of showing more interest in the situation in southern Africa than in its own problems. But the peoples of southern Africa were neighbours and brothers, and the United Republic of Tanzania could not divorce itself from their miseries. Moreover, racist policies threatened its very existence. That was why his Government had always condemned any policy of racial discrimination, the policy of *apartheid* of South Africa and Southern Rhodesia, and Portuguese aggression in Guinea (Bissau), Angola and Mozambique.

4. Some representatives had said that their countries condemned racial discrimination and were contributing to the education programmes for Africans; his delegation welcomed such contributions. But some countries added insult to injury by contributing with one hand while selling planes and submarines with the other to fight the peoples with whom they claimed to sympathize. His delegation doubted the sincerity of countries which pretended to abhor racial discrimination and at the same time openly sold arms to the racist régimes of southern Africa. Why did those same countries vote against numerous resolutions which would make life much easier for those suffering under *apartheid*? The passing of resolutions was only a first step, however; the next was their implementation and it was clear that to some Member States of the Organization national interest and profit were more important than the maintenance of peace and justice in the world.

5. How could racist and colonialist policies constitute a danger to world peace? The President of the United Republic of Tanzania had answered that question in his address to the General Assembly during its twenty-fifth session (1867th plenary meeting) by stating that if the Eastern bloc nations made arms available to the freedom fighters and the Western bloc sold arms to South Africa and Portugal, Africa would become a hot front to the cold war. The peoples of southern Africa who were fighting for freedom would find themselves drawn into a wider conflict which did not concern them directly; the western countries who were fighting communism would be led to take the side of South Africa against the rest of Africa; and the rest of Africa would find that it was fighting nations with which it had long-standing ties, in alliance with others with whom it had desired only friendly relations. But Africa could not draw back; it could not ask the peoples of southern Africa to acquiesce in their humiliation and misery.

6. The sufferings of the non-whites in southern Africa continued unabated. More people were hanged or imprisoned in southern Africa than anywhere else in the world. Mass arrests, demolition of houses, evictions and torture had become part of everyday life. The policies of the white racists of South Africa were based on hatred, their economic system was supported by a system of slavery and their religion had been distorted to justify their philosophy of organized violence against the human person. His delegation asked all the Members of the United Nations to redouble their efforts in fighting *apartheid*, racial discrimination and all those who practised those policies.

7. His delegation fully realized the difficulty of suddenly breaking off long-standing trade and economic relations; but instead of trying to change those relations, certain countries were even strengthening them. Thus, France,

contrary to its national tradition of championing liberty, equality and fraternity, had now decided not only to sell arms to South Africa but to allow that country to manufacture Mirage jets under licence. The United Kingdom was selling it arms. The United States and Japan were developing and strengthening their economic ties with it. As a result, the racist régime was being consolidated. The United Republic of Tanzania called upon all Members of the Organization—particularly France, the United Kingdom and the United States, as permanent members of the Security Council—to change the direction of their policy and gradually isolate South Africa. Only then would it be possible to avoid a bloody war.

8. The primary function of the United Nations was to promote and maintain peace, but there could be no peace without justice. His delegation therefore urged consideration of a ten-year programme combating *apartheid* and eradicating it completely. The international community must not relax its efforts to relieve the sufferings of the millions of black, Indian and coloured peoples of southern Africa. The time had come to act.

9. Mr. KUSSBACH (Austria) said that his country firmly rejected all forms of discrimination, particularly *apartheid*. It understood the concern felt by the African States about that problem, as well as the efforts of the United Nations to eliminate that policy by peaceful means. Austria's position had been expressed on many occasions. Nevertheless, he wished to clarify his country's attitude towards subitems (a) and (c) of the item under consideration.

10. At the twenty-fifth session, the Austrian delegation had indicated to the Committee (1766th meeting) some of the activities it planned in connexion with the International Year for Action to Combat Racism and Racial Discrimination. A considerable part of that programme had been carried out and in July 1971, in pursuance of General Assembly resolution 2646 (XXV), the Austrian Government had transmitted to the Secretary-General a first report on its activities (see A/8367 and Corr.1 and 2, chap. II). A final report covering the second half of 1971 would be prepared and would be transmitted to the Secretary-General as early as possible in 1972.

11. Austria had also wished to ratify the International Convention on the Elimination of All Forms of Racial Discrimination but unfortunately, owing to the early closure of the parliamentary session on 14 July 1971, the National Assembly had not met since that date. Thus, although all the necessary administrative arrangements had been made, it had not been possible to obtain parliamentary approval for the ratification of the Convention. The question would be brought before the new Parliament and, in spite of its very heavy agenda, the Austrian Government would do everything in its power to accelerate the constitutional procedure of ratification.

12. Miss MAIRIE (Cameroon) pointed out that every State Member of the United Nations was duty bound to work for the elimination of all forms of racial discrimination, particularly *apartheid*, first of all in its own territory and then in the rest of the world.

13. It was regrettable that the South African Government had not accepted the alternative solution which Mr. Ahidjo,

President of the Federal Republic of Cameroon, representing the Organization of African Unity, had submitted for the consideration of the international community from the rostrum of the United Nations at the twenty-fifth session of the General Assembly (1845th plenary meeting).

14. In the spirit of the Manifesto on southern Africa, signed at Lusaka in 1969¹ Cameroon had acted as host to the symposium on the evils of racial discrimination, held at Yaoundé from 16 to 29 June 1971. The purpose of the symposium had been to find means of breaking the deadlock in international efforts to combat colonialism and racial discrimination. Faced as it was by a great danger of racial conflict, all mankind should be vitally concerned with finding a solution for the problem of colonialism and racism in Africa. It was not only a lurking threat, since colonialism and racism had already launched direct attacks against the sovereignty of African States and, unless effective measures were taken forthwith to secure the complete liberation of the African continent from colonialism and racial discrimination, those attacks would engender more dramatic conflicts in the future.

15. The objective of the symposium had been to remind the world of the responsibility of the economic and military partners of South Africa, Southern Rhodesia and Portugal, which were flouting their international obligations and nullifying the measures taken by the United Nations.

16. It was therefore essential to revive faith in man and in the essential dignity of the human person and to arouse throughout the world a genuine human passion which could engender a real and potent political will at the United Nations. That campaign of information and education must be carried out simultaneously at the international and national levels. Only thus could United Nations action be given the stimulus and support which was essential for its full effectiveness and success. The Yaoundé symposium had worked for those ends.

17. The Federal Republic of Cameroon, for its part, had no racial problems in its territory. Article 1 of its Constitution solemnly affirmed its adherence to the fundamental freedoms set out in the Universal Declaration of Human Rights and in the Charter of the United Nations.

18. In conclusion, she reaffirmed her country's respect for the principles of the peaceful settlement of disputes. Nevertheless, if the partisans of *apartheid* continued permanently to challenge the international community, the day would come when violence would supersede wisdom. Her delegation hoped that could be avoided.

19. Mrs. SAARINEN (Finland) said that, even with specific legislation, it was often difficult in practice to eliminate all forms of discrimination, which in some cases was based on factors difficult to identify or to deal with. Whatever its origin, discrimination usually resulted in the exclusion, from the very outset, of certain groups of people from the process of development; yet the first prerequisite of integrated development and equitable income distribution was that no one should be excluded on the

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

basis of race or any similar criterion. The promotion of fundamental human freedoms was one of the principal functions of the United Nations as an international organization. The fact that those freedoms and rights were mentioned in the Charter and in various declarations and covenants had given them international prominence, but it still remained for Member States to take practical steps to eliminate existing obstacles within their own borders. Accession to international conventions might draw attention to shortcomings in legislation, even in countries where racial minorities numbered only a few thousand. In Finland, for example, observance of the International Convention on the Elimination of All Forms of Racial Discrimination had led to a number of legislative measures. There was no need to go into detail at that stage, since those measures had been described to the Third Committee at the twenty-fifth session (1763rd meeting) and were set out at length in the report submitted to the Committee on the Elimination of Racial Discrimination. Finland's experience showed that legislative measures alone did not suffice, and the Government had therefore supplemented the provisions of the Constitution by decrees and measures in favour of the under-privileged groups. It had appropriated considerable funds for improving the housing of gypsies and setting up nurseries and had recently established bodies to study the education and unemployment problems of gypsies.

20. In conclusion, her delegation associated itself with the view expressed by the Swedish representative at the 1845th meeting that the root of racial discrimination was in the minds of people. Accordingly, the Organization's task was twofold: it consisted in eliminating the economic and social injustices resulting from discrimination and in using education to eradicate from men's minds all feelings of superiority based on race.

21. Mr. AARVIK (Norway) pointed out that his Government had already indicated on a number of occasions and in various United Nations organs the importance it attached to the elimination of all forms of racial discrimination. It firmly believed that no endeavours in that regard could be successful unless they were widely publicized. Efforts should therefore be made to disseminate information on the activities undertaken by the United Nations and the specialized agencies, regional and national governmental organizations and non-governmental organizations. In Norway, the public was informed through the press and radio, in schools and at seminars. Practical steps had also been taken to foster respect for human rights. If information activities in different countries could at least give everyone the same employment and educational opportunities, a great step forward would be made in the fight against racial discrimination.

22. The International Convention on the Elimination of All Forms of Racial Discrimination was one of the principal instruments adopted by the Organization. It was therefore encouraging that new countries acceded to it every year. Norway, for its part, had ratified the Convention in 1970, after thoroughly reviewing the pertinent national legislation and amending the Penal Code in order to bring its legislation into line with the provisions of the Convention.

23. The Norwegian Government felt that it was particularly important to give victims of discrimination an

opportunity of making themselves heard through the national and international organs responsible for the observance of human rights. It was difficult to pass judgement on another country's domestic policy, but when a country, or rather the minority in power, made racism and racial discrimination its professed governmental policy, the world community could not remain silent. Such a policy represented flagrant defiance of fundamental human values and was a clear violation of the very principles on which international co-operation was based. To avoid further tragedy and suffering, all Governments having minority groups within their jurisdiction should feel obliged to take the necessary measures to protect those groups against racial and other forms of discrimination.

24. Mr. GIAMBRUNO (Uruguay) thanked the Director of the Division of Human Rights for his valuable and constructive statement at the 1845th meeting. One of the most important factors in the struggle against discrimination was undoubtedly the signature of the International Convention on the Elimination of All Forms of Racial Discrimination. His delegation wished to appeal once again to Member States which had not yet done so to ratify the Convention as soon as possible. It contained a number of provisions in which the State signatories undertook to promote respect for human rights.

25. The members of the Third Committee had recently considered a communication by the Committee on the Elimination of Racial Discrimination concerning implementation of the provisions of article 9 of the Convention.² Under the terms of that article, States were to submit reports on the measures which they had adopted to give effect to the provisions of the Convention. His country had fulfilled its obligation; in the report just submitted to the Secretary-General, his Government had indicated that racial discrimination did not exist in Uruguay, which had always been in the vanguard of the fight for the defence and protection of fundamental human rights. The report was a short one, since no problems existed, but his Government was ready to continue to provide all the information required.

26. His delegation wished to associate itself with the comments made by the representatives of Greece (1849th meeting) and the United Kingdom (1846th meeting) concerning the way in which the Committee on the Elimination of Racial Discrimination had carried out its task. Obviously there were difficulties, but that Committee's procedures should be made more flexible and it should avoid inquisitorial methods.

27. Uruguay was concerned about the persistence of racial discrimination in the world, in particular the continuance of the detestable policy of *apartheid*, in defiance of decisions by the international community. The United Nations should do more to arouse people's consciences and publicize the evil effects of racism.

28. His delegation also wished to comment briefly on the problem of the Jews in the USSR. Freedom to enter or leave a country, to emigrate or return, was one of the basic

² Document CERD/C/R.12 (see *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 27, annex III A*).

human rights enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and other international instruments. In expressing its concern, Uruguay was not trying to interfere in the internal affairs of any State, but was reaffirming the need to ensure respect for fundamental human rights. He had therefore been glad to hear the USSR representative emphasize that those principles were respected in his country.

29. Mr. BAL (Mauritania) said that racial discrimination was a persistent problem whose economic and political importance could not be overestimated. Under the Constitution of the Islamic Republic of Mauritania, all citizens without distinction were equal before the law and everyone was guaranteed freedom of conscience and the right to practise his religion.

30. It was impossible to discuss racial discrimination without pointing out that the Governments of the Republic of South Africa and of Southern Rhodesia pursued a policy of separate development based on discrimination. That discrimination was apparent in all fields.

31. Obviously no Government could force one race to like another, but governmental action could and should safeguard and protect the economic rights of the individual, whatever his race. There was nothing worse than discrimination in education, when education was the key to the solution of the problem of social development.

32. Mauritania was a peace-loving country and could not accept the violation of the rights of the Palestinian people and the racial discrimination prevailing in the territories occupied by Israel. The Committee on the Elimination of Racial Discrimination had with reason quoted passages from the report submitted by the Syrian Arab Republic concerning the discriminatory measures applied by Israel in the Golan Heights (see A/8418, paras. 73 to 83). It was the duty of the Third Committee to work for the elimination of racial discrimination throughout the world and particularly in the territories occupied by Israel. Mauritania looked forward to the end of that fratricidal battle and hoped that Jews and Moslems would live together in peace in a free Palestine.

33. In its recommendations on the African Territories under Portuguese administration (see A/8418, chap. VII, sect. B, decision 5 (V)), the Committee on the Elimination of Racial Discrimination recalled resolution 2507 (XXIV), in which the General Assembly had urged the States members of NATO to withhold or desist from giving further military or other assistance to Portugal which enabled it to pursue the colonial war in the Territories under its domination. Yet there was no denying that Portugal was acquiring increasingly modern arms for its battle against the freedom fighters who were trying to end racial discrimination.

34. His delegation hoped that the specialized agencies would conduct a comprehensive study on the economic and social effects of racial discrimination in Africa, the Middle East and especially the territories occupied by Israel. Such a study would be extremely useful to the Third Committee in its work.

35. Mr. KANGWA (Zambia) said that discrimination based on a man's colour should be condemned in the strongest terms. Although the Charter of the United Nations and the Universal Declaration of Human Rights recognized the dignity and equality of all human beings, some Members of the United Nations had regrettably made racism or *apartheid* basic principles of their national policy. His delegation believed that freedom and human rights were intertwined. It was useless, therefore, to expect the racist régimes of southern Africa to recognize the rights of the black population whom they treated as serfs, without pressure from the States Members of the United Nations.

36. Zambia had sometimes been accused of mixing politics with social or trade matters—for example, when it had called for the exclusion of the racist régimes of southern Africa from international activities because of their racial policy. But it was impossible to separate racial questions from politics when white governments continued to pass the most racist legislation in all spheres. The time had passed for adopting resolutions condemning racism and *apartheid*: more concrete measures must be devised and implemented. National legislation was not enough.

37. In the countries of southern Africa, the black people were being oppressed by white minorities and subjected to brutal discrimination in all fields. In South Africa, human relations were regulated by colour. Racism necessarily meant brutality and indignity. The whites were doing everything possible to crush the sense of human dignity in the blacks. In South Africa and Rhodesia, men were arrested and imprisoned without trial; they were tortured and condemned to life imprisonment or death, merely because they were trying to build a non-racial society.

38. It was clear that the racist régimes of southern Africa could not be expected to change their policy of their own accord. All States Members of the United Nations would have to take strong action therefore to force them to do so. In that connexion, he recalled a statement on *apartheid* made by the United States representative at the 1846th meeting which warned South Africa that as more black Americans rose to positions of authority and responsibility, South Africa might find it difficult to do business with American authorities and industries. This could create the impression that those who were currently in positions of authority and responsibility in the United States refused to break off trade and other relations with South Africa, probably because of a feeling of white solidarity. It also seemed that the black Africans in South Africa would have to continue in slavery until black Americans had risen to positions of authority and responsibility and were able to help them. It was not the time to prevaricate: all countries should act at once if they were sincere in their protests. In particular, measures should be taken to achieve the political, economic and social isolation of the racist régimes.

39. It was difficult to believe in the sincerity of certain countries which were trying to eliminate racial discrimination from their own territories but were supplying the racist minorities of southern Africa with the means of perpetuating their policy of racial discrimination. Those countries shared responsibility with the racist régimes for maintaining *apartheid*. The United Nations should consider adopting an international convention under which it would be a crime to practise *apartheid*.

40. As a result of world pressure, some cracks were appearing in the armour of *apartheid* in sport. Similar pressure in other fields might ultimately bring about the destruction of racism.

41. Zambia was geographically part of southern Africa and before independence had suffered the evils of racial discrimination and racism. Its policy was now based on the philosophy of humanism centred on respect and on the dignity of man in society without distinction. Racial

discrimination was regarded as a serious crime against humanity and the Constitution provided that no law could be interpreted or applied in a discriminatory manner.

42. His Government would shortly be ratifying the International Convention on the Elimination of All Forms of Racial Discrimination.

The meeting rose at 12.20 p.m.