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Chairman: Mr. KABORE (Burkina Faso)

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 89: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued) (A/44/240 and Corr.1, A/44/409-S/20743 and Corr.1 and 2; A/44/574, A/44/575, A/44/595, A/44/617; A/C.3/44/L.3; E/1989/42 and Add.1-4)

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AGENDA ITEM 105: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (continued) (A/44/526, A/44/548)

1. Mr. KOTÉY (Ghana) expressed gratification concerning the increased activities of the Human Rights Committee in the dissemination of information and education on the evils of racism, the holding of seminars on the effects of racism and racial discrimination on social and economic relations between indigenous peoples and States and cultural dialogue between the countries of origin and the host countries of migrant workers. He urged the Centre for Human Rights to maintain its increased vigilance and to direct its energies towards identifying the main determinants of today's manifestations of racism and the action that could best reduce or eliminate them.
2. It was regrettable that racist attitudes remained one of the most disturbing root causes of many crimes and violations of basic human rights at a time when significant international developments were taking place for the restoration of respect for those rights. Such violations, reprehensible in themselves, assumed an ominous character when perpetrated as deliberate State policy.
3. Ghana's attitude had always been clear and unequivocal: it abhorred and condemned racism in all its forms and manifestations and called upon the international community to rededicate itself to the principles contained in the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.
4. The year 1989 had opened with hopes that the racist South African régime, having been forced, through military defeat in Angola and the biting effects of sanctions, to concede a negotiated and peaceful termination of its occupation of Namibia - would finally heed the call of the international community to dismantle apartheid; but instead, the situation in South Africa had worsened. The racist régime now sought to perpetuate its apartheid policy by resorting to extreme repression: press censorship, the state of emergency, detention of opponents of apartheid without trial, torture and unexplained deaths in police custody. Except

(Mr. Kotey, Ghana)

for Mr. Zaphania Mothepeng, leader of the Pan Africanist Congress of Azania and Mr. Harry Gwala of the African National Congress (ANC), many of the genuine leaders of the black majority in South Africa including Nelson Mandela were still in prison.

5. Fortunately, State terrorism had failed to dampen the spirit of the South African majority and their struggle had been taken up by increasingly large numbers of white South Africans openly defying apartheid and calling for its elimination. Faced with such opposition, the racist régime was applying cosmetic measures under the guise of so-called reforms which, while involving changes, would still retain apartheid as the basic concept for organizing society.

6. His delegation reaffirmed its conviction that peace would never be a reality in southern Africa as long as the vast majority of the people inside the apartheid State were denied their fundamental and inalienable rights and human dignity. His delegation therefore urged the South African Government, in addition to seeking peace outside its borders, to initiate proper measures aimed at creating internal peace and a non-racial democratic society.

7. The only way to achieve peace in southern Africa was to maximize pressure on the régime to abandon apartheid - in effect to isolate the régime from the rest of the world. Ghana had therefore continued to call for more stringent and comprehensive economic sanctions against the South African régime.

8. The Committee on the Elimination of Racial Discrimination (CERD), which monitored the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination - one of the most widely accepted United Nations human rights instruments - was as important as the Convention itself, and Member States must therefore recognize the need for sound financing to enable the Committee to carry out its mandate. His delegation therefore joined in the call to States Parties that had not yet done so to give urgent consideration to fulfilling their financial obligations to the Committee. It also proposed that serious consideration should be given to the recommendation of the Chairmen of Human Rights treaty bodies, endorsed by the Commission on Human Rights at its forty-fifth session, that as a stop-gap measure, a temporary allocation of funds should be made from the regular budget to enable treaty bodies to undertake their tasks, such advances to be reimbursed from contributions received within the same year.

9. On the subject of self-determination of peoples, he recalled that many small territories in the Atlantic, Pacific and Indian Oceans had still not been enabled to exercise that right. A country's qualification for independence should not be judged by its size or economic status; self-determination was a right for all countries and should be recognized as such. He drew the Committee's attention to the activities of mercenaries in destabilizing States, violating human rights and impeding the exercise of the right to self-determination. While the Special Rapporteur had noted in his 1989 report that the number of complaints of mercenary activity had declined appreciably, mercenaries were still a threat to the security of certain States, particularly small island States. He welcomed the Special Rapporteur's emphasis on entities which recruited mercenaries for various activities and his suggestion that external aid should not give room for

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(Mr. Kotey, Ghana)

intervention in the internal affairs of States or violation of the right of self-determination. His delegation would continue to condemn mercenarism and mercenary activities in any form wherever they occurred. They should be outlawed by all States in the interest of world peace and security.

10. Mrs. SINGH (Nepal) said that the international community could not hope to build a better world in the face of racism and racial discrimination, which prevented those affected from taking part in social, economic and other developmental activities. Apartheid, as an institutionalized form of racial discrimination practised by South Africa, had led to the exploitation and degradation of the majority in South Africa and had been a constant threat to the prospects for peace there. The international community must respond with solidarity and action to combat racism and racial discrimination.

11. Research conducted under United Nations auspices had concluded that where government action was the instrument of racial discrimination, it could be equally effective in reversing discriminatory conditions; however, government action could not totally eliminate racial prejudice or discrimination without public awareness and public support.

12. Her delegation viewed the progress made during the period 1985-1989 towards implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination as an effective leap forward in the elimination of racism and racial discrimination. In that connection, the conclusions and recommendations of the Global Consultation on Racism and Racial Discrimination held in Geneva in 1988 and the United Nations Seminar on the effects of racism and racial discrimination on social and economic relations between indigenous peoples and States held in the current year reflected the international community's firm determination to fight racism and racial discrimination by increasing world-wide awareness and understanding of human rights.

13. The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion and Belief was yet another landmark achievement. It provided a firm base for action by States to combat intolerance and promote understanding and respect in matters relating to freedom of religion or belief in accordance with General Assembly resolution 41/120 of 4 December 1986.

14. Her delegation appreciated the efforts of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Food and Agriculture Organization of the United Nations (FAO) to combat racial discrimination and other forms of intolerance and prejudice as well as the drive by the International Labour Organisation (ILO) against apartheid. Nepal was an active member and Vice-Chairman of the Special Committee against Apartheid and a party to the International Convention on the Elimination of All Forms of Racial Discrimination. It had also ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid. Religious coexistence and tolerance was part of the way of life of Nepal; it was guaranteed by its Constitution.

(Mrs. Singh, Nepal)

15. Nepal firmly believed in the inherent right of all nations to self-determination without outside interference and welcomed the progress of the plan for the independence of Namibia - the most significant operation ever mounted by the United Nations. Her delegation supported the efforts of the Secretary-General to ensure conditions that would enable the Namibian people to exercise their right of self-determination freely and fairly. Nepal also fully supported the need for self-determination for the Palestinian people and security for Israel.

16. Mr. FARAHAT (Egypt) said that Egypt's firm belief in human rights embodied in its Constitution had been part of the fabric of Egyptian society since the days of the Pharaohs. Egypt had adopted a multi-faceted policy: it enforced internal regulations on human rights and equality for all, regardless of race, sex, religion and all other pretexts for discrimination; it reinforced these regulations by an independent judicial system that guaranteed that all actions were undertaken in accordance with due process of law; and it played an important international role in combating racism and racial discrimination by fulfilling its obligations to the Committee on the Elimination of All Forms of Racism and Racial Discrimination.

17. Despite international efforts, however, the racist South African régime continued to pursue its apartheid policy. As President Mubarak, current Chairman of the Organization of African Unity, had stated recently in the plenary meeting of the General Assembly, the reforms adopted by the racist South African Government were mere cosmetic and procedural actions that did not come to grips with the crux of the problem and were based on a racist approach which sought to continue the white minority domination. If the régime were serious in its efforts, it would have realized that democratic dialogue with the black majority was the only way to reach a just settlement that would restore the legitimate rights of the oppressed majority, protect the rights of all parties and put an end to the escalating violence in southern Africa.

18. His delegation believed that the situation in Namibia required extreme caution to prevent the racist régime from manipulating the electoral process or terrorizing voters.

19. Egypt solemnly condemned the acts of terror and collective punishment against civilians in the occupied Palestinian territories and called upon the international community to condemn those acts and demand Israeli compliance with all United Nations resolutions and respect for the human rights of the Palestinian people. His delegation wished to place on record that denial of the right of self-determination for the Palestinians would lead nowhere. It was in the interests of the Israeli people to live in peace and good-neighbourliness with the Palestinian people rather than continue its policy of repression.

20. Mr. ERDO (Hungary) said that the most important international instrument in the struggle against racial discrimination was the International Convention on the Elimination of All Forms of Racial Discrimination. The central role of the Committee on the Elimination of Racial Discrimination established under the

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(Mr. Erdo, Hungary)

Convention was endangered by the failure of States parties to honour their reporting obligations. Hungary called on all States parties to join it in reversing that situation.

21. The continued existence of the system of apartheid in South Africa was an example of the unfortunate failure of international efforts to end discrimination. Hungary sincerely hoped that recent developments in southern Africa would contribute to a peaceful solution of the conflict in that region and would lead to the disappearance of apartheid. It took great interest in the developments in Namibia and had contributed personnel to the United Nations Transition Assistance Group (UNTAG).

22. The violation of the rights of the Palestinian people was another serious challenge to the international community. An equitable solution to the Palestinian problem could only be found in the framework of a comprehensive and lasting settlement for the Middle East, based on the recognition of the inalienable rights of the Palestinian people and guarantees by all States in the region, including the State of Israel, of one another's sovereignty and territorial integrity. The only way to achieve such a settlement was through an international conference, to be held under the auspices of the United Nations with the participation of all parties concerned. The international community should take advantage of the more favourable conditions now prevailing by adopting more flexible approaches and avoiding ostracism of any State or self-exclusions from the settlement process.

23. No form of discrimination could be considered to be exclusively the internal affair of an individual State. Hungary could no longer accept the application of double standards for human rights, tailor-made to the needs of a particular hemisphere, social system or Government.

24. The Hungarian Government and people were deeply concerned by violations of human rights based on national or ethnic origin and were convinced that strict compliance by States with their voluntarily accepted international legal obligations was a prerequisite to ending such violations. Since more than 4 million ethnic Hungarians lived outside Hungary, the Hungarian Government was particularly interested in the codification, both at national and international levels, of the fundamental individual and collective rights of ethnic and linguistic minorities.

25. He briefly reviewed the collapse of the system of conventions on the protection of minorities, which had culminated in the untold suffering and devastation of the Second World War. However, the upheavals of the war had created pockets of minorities, who often found themselves trapped in physical or intellectual captivity. The time had come for the United Nations to confront its task of creating a new, up-to-date set of international rules to replace the old protective system for minorities. The Conference on Security and Co-operation in Europe had achieved important progress in that area. Its decisions, adopted by consensus, were a landmark in the history of a long struggle to discredit the contention that equated monitoring compliance with human rights obligations and interference in internal affairs. In that connection, the so-called

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(Mr. Erdo, Hungary)

human-dimension monitoring mechanism, which prescribed regular bilateral and multilateral exchanges of views and information on human rights without the right of refusal, could be of interest to the international community as a whole.

26. In Hungary a new law was being drafted to ensure the individual and collective rights of national minorities. In that context, it was important to point out that the preservation of the identity of minorities required freedom of across-the-border contacts between persons of the same cultural and ethnic background and implied their right to cultural autonomy and to establish their own educational and cultural institutions and enjoy access to information in their native tongue. At the international level, Hungary fully accepted the competence of all United Nations human-rights bodies to require the submission of government or individual communications or, where appropriate, to conduct on-site inquiries.

27. The refugee phenomenon in Europe and elsewhere was the result of discrimination on the basis of national origin or religion. The sending of fact-finding missions and the appointment of special representatives or rapporteurs would be an appropriate response designed to prevent such situations from worsening.

28. Mr. HUSSEIN (Malaysia) said that the United Nations and the international community at large should intensify all efforts towards ensuring the abolition of apartheid. Malaysia continued to support comprehensive and mandatory sanctions against South Africa and strongly encouraged other States to follow suit. It called upon the Pretoria régime to lift the ban against the African National Congress of South Africa (ANC) and the Pan Africanist Congress of Azania (PAC) and to commence negotiations with them. While it welcomed the recent announcement of the release of a number of ANC leaders, it continued to demand the release of all political prisoners, detainees and restrictees, particularly children. South Africa must also lift the state of emergency and repeal its Draconian laws and other discriminatory measures.

29. In Namibia, the long and arduous struggle of the South West Africa People's Organization (SWAPO) and the front-line States had borne fruit. The independence of Namibia should serve as an ominous signal to Pretoria of the irreversible tide of freedom in southern Africa.

30. Israel's repressive and brutal retaliation against the intifadah and its attempts to set the Palestinians apart ethnically through administrative and legislative measures constituted a blatant violation of human rights. Malaysia continued to support the convening of an international peace conference on the Middle East under the auspices of the United Nations, with the full participation of the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people. A comprehensive, just and lasting solution to the Palestinian issue could only be achieved through the exercise by the Palestinian people of their right to self-determination and the establishment of a sovereign Palestinian State.

31. His delegation believed that the withdrawal of Vietnamese forces from Cambodia should have been monitored and verified by an effective, authoritative and credible

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(Mr. Hussein, Malaysia)

international control mechanism under the auspices of the United Nations. The question of illegal Vietnamese settlers in Cambodia also required proper verification. Until all foreign forces had withdrawn from Cambodia and a comprehensive political settlement had been achieved, the Cambodian people would be exposed to the threat of a recurrence of massive violations of human rights and the return of the horrors of the past, and would remain deprived of their right to self-determination through free and fair elections under United Nations supervision.

32. He expressed the concern of his delegation about the situation faced by the Turkish Muslim population in Bulgaria and the hope that the problem could be resolved by mutual accommodation between the two countries.

33. Mr. VILLAGRAN DE LEON (Guatemala) said that among the vestiges of racism and racial discrimination in the world, the most abominable form was the apartheid system in South Africa. The cosmetic changes which the South African Government had effected were unacceptable because they were designed to maintain the apartheid system. Guatemala called for the implementation of the relevant United Nations resolutions aimed at eliminating that system.

34. The human rights norms enforced in Guatemala were in conformity with the Universal Declaration of Human Rights and the Declaration of the Rights and Duties of Man. Discrimination should be fought through education and the dissemination of information. Although the United Nations and UNESCO had endeavoured to use their human, technological and financial resources to that end, the phenomenon persisted. The work of the Department of Public Information should be made more effective.

35. Discrimination based on skin colour, ethnic origin or other differences often triggered massive flows of refugees, thus endangering international peace and security. Guatemala considered that all peoples and ethnic groups had the right to express themselves freely and to develop their own culture. The appearance of new forms of discrimination and the resurgence of extremist political groups in the world were alarming. He hoped that the United Nations recommendations on creating an awareness concerning the dignity of all human beings without distinction would be implemented.

36. Guatemalan society was composed of various races and indigenous racial group with a long history and culture and their own languages. Representatives of the indigenous communities served as elected officials at the national and municipal levels and set their own development goals and priorities. The Guatemalan Constitution recognized the rights of the different national ethnic groups and their right to participate freely in the cultural and artistic life of the community and benefit from the scientific and technological progress of the nation. The State was obliged to protect and foster the culture and recognize the customs, traditions and languages of indigenous groups. He urged the Sub-Commission on Prevention of Discrimination and Protection of Minorities to maintain an objective approach in its work. The Sub-Commission should take account of the progress made by countries like Guatemala in its efforts to eliminate discrimination wherever it might exist.

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(Mr. Villagran de Leon, Guatemala)

37. In view of the government position he had outlined, Guatemala supported the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and valued highly the measures to preserve the cultural diversity, unity and identity of ethnic and indigenous groups, promote respect for their human rights and fundamental freedoms and the right to develop their cultures within a pluralistic and democratic society.

38. His Government called for the implementation of Security Council resolutions 385 (1976) and 435 (1978) as the only internationally accepted basis for a peaceful settlement of the question of Namibia, as well as any measures adopted by the United Nations to protect the inalienable right of the people of the Territory to self-determination and independence. His delegation supported the work of the United Nations Transition Assistance Group and the efforts aimed at holding free and fair elections under the supervision and control of the United Nations.

39. Mrs. KALMYK (Union of Soviet Socialist Republics) said that events in the past year had demonstrated the growing role of the United Nations in democratizing international relations, strengthening principles based on equality and protecting human rights. The eradication of racism, racial discrimination and apartheid was a prerequisite for building a civilized and secure world. Her delegation shared the view that racism and apartheid were the causes of internal and regional conflicts and were dangerous destabilizing factors. Accession to United Nations human rights instruments by all States, particularly the permanent members of the Security Council, would undoubtedly enhance their effectiveness.

40. The Programme of Action for the Second Decade to Combat Racism and Racial Discrimination had set forth specific guidelines for measures to be taken. Her delegation welcomed the activities undertaken by the Co-ordinator for the Second Decade to Combat Racism and Racial Discrimination and his efforts to carry out the activities of the second half of the Decade. It was gratifying to note the growing contribution made by non-governmental organizations to achieving the goals of the Decade and she hoped that world public opinion would increase its support for the struggle against racism.

41. The dismantling of the apartheid system in South Africa was the primary task of the Programme of Action. Her delegation supported the view expressed at the Ninth Conference of Heads of State or Government of Non-Aligned Countries in Belgrade that apartheid was a particular and abhorrent form of racism elevated to a system which was rightly condemned by civilized peoples as a crime against humanity. Neither half-measures nor further repression could save it; the Soviet Union supported the appeal made at the Conference to all States to intensify their efforts to eradicate the apartheid régime.

42. The Soviet delegation shared the concern expressed in the Committee about the financial difficulties facing the Committee on the Elimination of Racial Discrimination and supported the appeal made to the States parties to the Convention to pay their arrears and ensure the effective functioning of that body.

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(Mrs. Kalmyk, USSR)

43. The recent rebirth of national consciousness among peoples was sometimes accompanied by the outbreak of conflict and confrontation between national and ethnic groups. No country was exempt from the emergence of racial and national prejudices. The Soviet Union, with over 100 different national and ethnic minorities, created the conditions for the economic, social and spiritual progress of all its peoples. However, national programmes had sometimes been inadequate and mistakes had been made. The recent aggravation of national problems could be traced to objective historical reasons and the complicated nature of the changes taking place in the country. A radical renewal of the policy on nationalities and a commitment to ensuring harmonious relations among peoples and their free development on a basis of equality was an essential part of the general concept of perestroika. Those issues occupied a central place in the activities of the new Supreme Soviet.

44. Mrs. SHERMAN-PETER (Bahamas) said that, despite legislation banning discrimination, cultural and other influences continued to induce individuals and Governments to erect economic, social and even political barriers along racial lines. The Bahamas supported the Second Decade to Combat Racism and Racial Discrimination. Its Constitution provided adequate safeguards to protect all individuals from racial discrimination. No case involving such discrimination had ever come before the country's Supreme Court. Among the activities that the Bahamas considered pertinent to efforts to implement the Programme of Action for the Second Decade were the global compilation of national legislation against racial discrimination, advisory services to assist Governments and public information and education. Her Government also appreciated the considerable emphasis placed on co-ordination of activities and evaluation of the achievements of the Decade.

45. Noting that violence and brutal repression continued to be the lot of the black majority in South Africa, she stressed that only greater moral consistency and strict adherence to United Nations principles would put an end to the apartheid régime. The international community must unite in demanding that the people of South Africa should be freed from tyranny and made equal before the law.

46. The Bahamas favoured comprehensive and mandatory sanctions against Pretoria under Chapter VII of the Charter. It believed, however, that sanctions would be a viable option only when those States with extensive investments in South Africa's economy supported them. Her Government continued to urge the States concerned to sever ties with South Africa and to insist that the racist régime lift the state of emergency, release Nelson Mandela and other political prisoners, lift the ban on all political organizations and opponents of apartheid, remove all restrictions on the press, and conduct a dialogue with the genuine leaders of the black majority.

47. The Bahamas fully supported a special session of the General Assembly on apartheid and its destructive consequences in southern Africa. To counter South Africa's deliberate campaign of destabilization against the front-line States, the Bahamas supported all regional initiatives for co-operation which could end the economic and other dependence of those States on South Africa.

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(Mrs. Sherman-Peter, Bahamas)

48. The Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Suppression and Punishment of the Crime of Apartheid were fundamental instruments whose ratification and implementation would facilitate achievement of the goals of the Decade. As a party to both instruments, she urged all States, particularly those with substantial economic and other interests in South Africa, to ratify and implement the Convention on Apartheid.

49. The Committee on the Elimination of Racial Discrimination had for several years been impeded in carrying out its important functions as a result of financial and reporting difficulties. The forced cancellation of sessions because of non-payment of assessed contributions had resulted in a significant backlog of country reports to be considered. She urged those States with outstanding reports to give the submission of those reports due priority and advocated a more realistic approach to funding the Committee's activities.

50. She urged faithful implementation of Security Council resolution 435 (1978) in its original and final form, to ensure that the government elected in Namibia would be responsive to the Namibian people and that an independent Namibia, free of repressive and discriminatory laws and having preserved its territorial integrity, would stand as a confirmation of the United Nations commitment to self-determination.

51. In the case of the Middle East, her country reaffirmed its position that the State of Israel must exist within secure boundaries but that the aspirations of the Palestinian people for its own State must be respected. Her country supported the struggle of all peoples seeking the right to determine their own future.

52. Mr. HOHENFELLNER (Austria) said that every State must guarantee its citizens all rights and freedoms without distinction as to race, colour or national origin. Austria strongly opposed any measures aimed at destroying the social and economic basis or cultural heritage of any group or individual on the grounds of ethnic or racial origin and urged States to refrain from any actions that would impair the enjoyment of the human rights and fundamental freedoms of minorities.

53. Austria fully supported implementation of the Programme of Action for the Second Decade to Combat Racial Discrimination, especially actions designed to combat apartheid and to protect vulnerable groups against discrimination. Austria had also complied with the Secretary-General's request for information concerning its national legislation against racial discrimination in order to facilitate the preparation of model texts based on a global compilation of such legislation for use by Governments and law-makers.

54. Apartheid was a blatant example of racism and human rights violations and his country supported measures to exert pressure to end it. The South African Government must release all political prisoners and hold free and genuine elections. A productive dialogue with the real leaders of the majority population was the only basis for a peaceful transition to a free and democratic society in South Africa.

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(Mr. Hohenfellner, Austria)

55. The International Convention on the Elimination of All Forms of Racial Discrimination had been ratified by more States than any other international human rights instrument, but a number of States parties had not fulfilled their financial or reporting obligations under the Convention to the Committee which monitored its implementation. He therefore urged all countries to meet their obligations and renew their commitment to the fight against racism. Austria would co-operate in any joint effort to enhance the efficiency and proper functioning of all supervisory bodies in the field of human rights.

56. In connection with agenda item 105, his delegation had noted with interest the preliminary report prepared by the Special Rapporteur on the question of the use of mercenaries, and particularly his conclusion that the number of mercenaries had declined. His delegation agreed with the Special Rapporteur that the end of regional armed conflicts and the easing of tensions in many parts of the world had inhibited the activities of mercenaries.

57. His delegation regretted that democracy, the right to free elections and a free choice of social and political systems were still being denied to many peoples. The recent impressive example of Namibia had shown that the United Nations could play a major role in implementing all the rights and freedoms inherent in the right to self-determination.

58. Mr. TRAVERSONI (Uruguay) said that the tragic lesson of the Second World War, when racial theories had led to genocide, should induce the world community to intensify its efforts to put an end to racial discrimination once and for all, particularly in its most pathological and institutionalized form, apartheid. Apartheid must be fought not just by moral condemnation but by co-ordinated and persistent action to get South Africa to abandon the practices that had isolated it in the world. Uruguay maintained only minimal contacts with South Africa. South African athletes were not allowed in its territory and Uruguayan athletes were urged not to participate in sports events in South Africa.

59. In the belief that no country was completely immune to xenophobia, Uruguay had enacted legislation providing penalties for provoking racial confrontation or inciting to racial hatred and had amended its criminal law to characterize racial, ethnic or religious motives for crimes as aggravating circumstances. Since ignorance also played an important role in the persistence of discrimination, his country attached great importance to public education to create understanding of the effects of apartheid on human rights.

60. His country had been one of the first to make the declaration in article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination and supported the decision of the Committee on the Elimination of Racial Discrimination to hold a commemorative session in 1990 to commemorate its twentieth anniversary. That Committee's important activities could not be carried out, however, if its difficult financial situation persisted and he therefore urged those countries that had not yet paid their contributions to do so.

(Mr. Traversoni, Uruguay)

61. In connection with agenda item 105, he said his country supported the realization of the right to self-determination through diplomacy and contacts between parties in conflict. He hoped that Namibia, in particular, would soon achieve its independence and that South Africa would honour its obligations and comply with the resolutions of the Security Council. In another area, the Middle East, the denial of self-determination to the Palestinians jeopardized international peace and security.

62. Commenting on the preliminary report of the Special Rapporteur on the use of mercenaries, he said that while the decrease in the use of mercenaries undoubtedly reflected the current reduction in international tensions, the scope of mercenary activities had expanded to include attacks on sovereignty, self-determination and human rights. Mercenarism must be branded as a crime in the legislation of States; that objective would be facilitated by the completion of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

63. Mrs. CASTAÑO (Colombia), referring to the report of the Special Rapporteur on the question of the use of mercenaries, said that thought must be given to the legal definition of mercenaries, with due regard for the recent events in Colombia, in order to establish the relationship between mercenaries and drug traffickers. A working group should be established to analyse that relationship and its implications. She was pleased that the Special Rapporteur had referred to the situation in Colombia, which was one that threatened to engulf other countries as well.

The meeting rose at 12.35 p.m.