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SUMMARY RECORD OF THE 14th MEETING

held at the Palais des Nations, Geneva,
on Wednesday, 13 February 1985, at 10 a.m.

Chairman:

Mr. CHONDHURY

(Bangladesh)

CONTENTS

Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts (continued)

The adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist regimes in southern Africa (continued)

Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid (continued)

- (a) Study in collaboration with the Sub-Commission on Prevention of Discrimination and Protection of Minorities of ways and means of ensuring the implementation of United Nations resolutions bearing on apartheid, racism and racial discrimination (continued)
- (b) Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (continued)

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The meeting was called to order at 11 a.m.

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS (agenda item 6) (continued) (E/CN.4/1985/8, 14 and 47; A/39/460; E/CN.4/1985/NGO/3)

THE ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO COLONIAL AND RACIST REGIMES IN SOUTHERN AFRICA (agenda item 7) (continued) (E/CN.4/Sub.2/1984/8 and Add.1 and 2; E/CN.4/1985/3, chap. I, sect. A, draft resolution I)

IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID (agenda item 16) (continued) (E/CN.4/1984/36 and Add.9 and 10; E/CN.4/1985/26 and Add.1-7; E/CN.4/1985/27)

- (a) STUDY IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES OF WAYS AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS BEARING ON APARTHEID, RACISM AND RACIAL DISCRIMINATION (agenda item 17) (continued)
- (b) IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 17) (continued) (E/CN.4/1985/28 and 29)

1. Mr. SEGURA (Costa Rica) reiterated his country's condemnation of racial discrimination and apartheid and its support for the principles which the international community had established in order to combat them. The implementation of the programme for the Decade for Action to Combat Racism and Racial Discrimination showed the positive efforts which the international community had made, but discrimination still existed in subtle and offensive forms. The policy of apartheid was incompatible with a just and lasting international order: it violated fundamental human values and constituted a threat to world peace.

2. South Africa's policy in Namibia was an example of institutionalized racism and colonialism. In 1983, Costa Rica had hosted the first Latin American regional symposium on Namibia, which had analysed South Africa's policy in the territory. On that occasion Mr. Monge, President of Costa Rica, had reaffirmed his country's determination to work within the United Nations system towards self-determination for the Namibian people and compliance by South Africa with United Nations resolutions.

3. His Government considered efforts to combat all forms of racism and racial discrimination as a fundamental expression of respect for human dignity. In Costa Rica, there was no discrimination or inequality of opportunity on grounds of race. By means of Act No. 3844 of 5 January 1967, the Government had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, whose principles were already embodied in the Constitution and other legislation. Act No. 2694 of 1960 prohibited all forms of discrimination, distinction, exclusion or preference based on race, colour, sex, etc., which might limit equality of opportunity or employment. Racial discrimination was illegal under criminal law. Costa Rica had signed and ratified the Discrimination (Employment and Occupation) Convention, the Convention against Discrimination in Education and other international instruments designed to eliminate the scourge of apartheid.

4. He congratulated the Ad Hoc Working Group of Experts on southern Africa on its excellent report (E/CN.4/1985/8).

5. Mr. DUARTE (Brazil) thanked the Ad Hoc Working Group of Experts on southern Africa for its reports (E/CN.4/1985/8 and 14). He likewise thanked Mr. Khalifa, the Special Rapporteur, for his reports (E/CN.4/Sub.2/1984/8 and Add.1 and 2), but would have welcomed a thorough analysis of the information they contained.
6. Documents E/CN.4/1985/8 and 14 contained a description of the situation in South Africa under apartheid and of the consequences for the vast majority of South Africans. The "Bantustanization" policy was continuing, and those who had been removed to South Africa's least fertile areas not only faced appalling living conditions and high unemployment but had also been deprived of their South African citizenship.
7. In respect of the illegal occupation of Namibia, his Government endorsed the recommendation of the Ad Hoc Working Group of Experts that all United Nations bodies should maintain their support for the plan for the independence of Namibia drawn up in accordance with Security Council resolutions 435 (1978), 532 (1983) and 539 (1983). The international community as a whole should support all efforts to achieve a peaceful and rapid settlement of the Namibian question. All resolutions arising from the Commission's work should be so worded as to gain the widest possible support and thus reiterate the universal condemnation of apartheid.
8. Further publicity should be given to the struggle of resistance movements against apartheid, and especially to student protests against the "Bantu" educational system, under which black students were denied adequate study and training facilities. The mandate of the Ad Hoc Working Group of Experts should be renewed.
9. Brazil was taking active measures to strengthen the economies of southern African countries. In Lesotho at the beginning of February 1985, Brazil had participated in the Southern African Development Co-ordination Conference. His country had made many other contributions to attempts to curb South Africa's influence and repeated acts of aggression in the front-line States.
10. Despite years of universal condemnation of apartheid, the peoples of southern Africa continued to suffer under that system and under warped State policies which seemed designed to consolidate a regime based on racism. The South African Government had had to resort to further violence and human rights violations in order to maintain the apartheid system. As long as apartheid persisted, there could be no just and lasting solution for the problems of southern Africa.
11. Mr. KOFA (Liberia), speaking on agenda items 6 and 7, said that the system of apartheid, as exemplified by the "homelands" policy leading to the eviction of the black population, had been identified as a crime comparable to genocide. The constitutional "reforms" recently introduced in South Africa were intended to perpetuate racial segregation and discrimination and to consolidate apartheid. Such practices constituted a denial of the fundamental rights of the black majority. The international community had declared the new constitution and the 1983 elections null and void and had condemned apartheid as a crime against humanity, but the racist regime in South Africa continued to deny the black population the right to self-determination and peaceful existence.

12. His delegation was particularly concerned about the situation of black women in South Africa. They had difficulty in obtaining permission to live in urban areas, where their husbands worked, and those who had protested against apartheid, the "pass laws" or eviction from their land had been deported or suffered arrest, harassment and even torture. The lack of opportunity to develop personal potential and achieve a decent standard of living had had adverse effects on the mental health of the indigenous population. The Commission should draw the attention of the international community to the new, hidden aspect of apartheid which, in the view of the Ad Hoc Working Group of Experts, amounted to political, social and mental genocide.

13. The appointment of special rapporteurs and ad hoc working groups was an important tool of the Commission in the performance of its mandate. The Commission should authorize the Ad Hoc Working Group of Experts on southern Africa to undertake further studies on the genocide of the racially oppressed people of the region. In accordance with the Working Group's request, the General Assembly should seek an advisory opinion from the International Court of Justice on the extent to which the policy of apartheid entailed criminal effects bordering on genocide. The South African Government's violations of human rights formed part of a calculated policy designed to impose exceptionally harsh living conditions and eventually exterminate the non-white majority in the region.

14. Every day there were fresh accounts of mass arrests, deaths in detention, torture and acts of provocation against neighbouring States. The international community should take effective measures and endeavour to give a glimpse of hope to the oppressed people of southern Africa in the fortieth anniversary year of the founding of the United Nations.

15. Mr. RICHTER (German Democratic Republic) said that in the Commission, the apartheid system had been repeatedly and rightly characterized as the shame of the century. At the thirty-ninth session of the General Assembly, the overwhelming majority of Member States had once again pointed out that apartheid was a crime against humanity and a threat to peace and international security.

16. In recent months, the world had witnessed a further escalation of brutal acts of violence by the Fascist regime in Pretoria against the black population. During the second half of 1984 alone, more than 150 people had been murdered and over 400 injured by the regime's army and police. Without warning, ghettos like Sekobong, Sharpeville and Soweto had been surrounded by large army and police contingents and searched for "revolutionary elements". The report prepared by the Ad Hoc Working Group of Experts (E/CN.4/1985/8) contained detailed information on the crimes committed by the South African regime and corroborated the Group's earlier conclusion that "the criminal effects of apartheid amount to a policy bordering on genocide".

17. With regard to the "constitutional reform" announced by the Pretoria regime, his delegation was shocked that some Western news media had described the election farce as a step in the right direction. In contrast to those harmful interpretations, note should be taken of the rejection of that deceitful manoeuvre by the oppressed masses of southern Africa, their demonstrations against the elections and growing international pressure against the racists. Those facts showed the increasing determination of all those opposed to apartheid to put an end to the Fascist racist policies of South Africa. His Government, as in the past, would actively contribute to that goal. It had supported without reservation the statement contained in Commission resolution 1984/5 that "any constitutional arrangements such as the

so-called reforms to the South African Constitution, which are based on racial segregation and discrimination and which deny full citizenship rights to the majority black population as a whole constitute a denial of their fundamental rights, serve to perpetuate apartheid and are unacceptable".

18. It was clear that the so-called reforms had not changed the essence of apartheid. More than 70 per cent of the South African population still did not enjoy any political rights and over 200 race laws, whose close relationship with the Fascist racial legislation of Nazi Germany was clearly evident, made the life of every non-white unbearable. With cruel persistency, the apartheid regime continued every year to deport a quarter of a million blacks to ghetto-like "homelands" with special passport laws declaring them aliens in their own country. In order to break the legitimate resistance to their regime, Pretoria's rulers kept about 100,000 South Africans imprisoned in gaols and concentration camps, including Nelson Mandela, the leader of ANC, who had been in prison for more than two decades. The Government of the German Democratic Republic emphatically supported the world-wide demands to free that heroic freedom fighter as well as other political prisoners.

19. Increasing terror inside South Africa and its growing external aggressiveness justified the condemnation expressed by the Commission in paragraph 2 of its resolution 1984/4. By brutal colonial oppression, the Namibian people was still denied its right to independence and self-determination. The sovereign States bordering South Africa were having to defend themselves against Pretoria's efforts to achieve regional hegemony and to obstruct social progress in those States.

20. It was indisputable that, through comprehensive political, economic, military and nuclear collaboration by a number of Western countries with South Africa, the apartheid regime was enabled to carry on activities that endangered peace, in defiance of United Nations decisions. The reports of the Special Rapporteur (E/CN.4/Sub.2/1984/8 and Add.1 and 2) showed once again that the number of Western companies and banks operating in South Africa and Namibia was on the increase. Reference to principles or a so-called EEC Code of Conduct for companies operating in the apartheid State could not conceal the true reason for their business activities there, namely, the opportunity to squeeze above-average profits out of workers who were subjected to racial oppression. His delegation was convinced that South Africa's military potential, which had already reached dangerous proportions and was still increasing, was made possible only through the comprehensive assistance and support provided by imperialist States. That applied especially to the efforts Pretoria was making in the nuclear armaments field. In the Security Council, at least two permanent members had for some time been blocking the imposition of comprehensive and mandatory sanctions against the apartheid regime. Furthermore, at the thirty-ninth session of the General Assembly, the senior partner of South Africa had refused to endorse all seven resolutions on the apartheid policy of South Africa, thus showing the true meaning of its "constructive engagement" in southern Africa.

21. His delegation denounced the inhuman practices of the apartheid regime and its continued policy of aggression and State terrorism against sovereign African States. The German Democratic Republic resolutely opposed any form of collaboration by Western States and their transnational corporations with the racist State. His Government supported the demand that comprehensive sanctions should be imposed on Pretoria and that the existing arms embargo should be respected. It was high time the United Nations used all the means at its disposal to take action against the apartheid criminals and their accomplices. That also required the implementation

without delay of the United Nations decisions on Namibia, including Security Council resolution 435 (1978). In addition, the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination must be fully implemented without delay.

22. The Commission should endeavour to increase the effectiveness of the International Convention on the Suppression and Punishment of the Crime of Apartheid along the lines proposed by the Group of Three. He paid tribute to the Group's work in drawing up and constantly updating a list of apartheid criminals and investigating the responsibility of transnational corporations for the continued existence of the apartheid regime. The proposals submitted by the Group were endorsed by his delegation and should become part of the relevant resolutions to be adopted at the current session. His Government fully supported the statement in Commission resolution 1984/6 "that the actions of transnational corporations which operate in South Africa come under the definition of the crime of apartheid and that article III of that Convention could apply to the actions of such transnational corporations". In that connection the Commission should immediately initiate measures to implement article X of the Convention, which gave it explicit powers to draw up a list of organizations and institutions bearing responsibility for the crime of apartheid.

23. His Government supported the recommendation of the Group of Three that States which had jurisdiction over transnational corporations operating in South Africa and Namibia should accede to the Convention without delay. On the occasion of the fortieth anniversary of the victory over nazism and fascism and of the founding of the United Nations, the Organization should strengthen its resolve to eradicate the crime of apartheid. For its part, his Government would continue to extend help and solidarity to ANC and SWAPO and to the front-line States in their struggle for peace and international security and against colonialism, neo-colonialism, racism, fascism and apartheid.

24. Mr. KOOLJMAN (Netherlands) said that, despite the efforts of the United Nations to combat all forms of discrimination, create international standards and mechanisms, and increase public awareness, political obstacles had at times prevented a concerted approach in the fight against racism and racial discrimination. His Government had therefore welcomed the adoption, without a vote, of General Assembly resolution 39/16 of 23 November 1984 regarding the Plan of Activities for the first half of the Second Decade to Combat Racism and Racial Discrimination, which had restored the necessary consensus and created a favourable atmosphere for greater efforts by the international community to secure human dignity for all.

25. In South Africa, the abhorrent system of apartheid continued to deprive millions of their basic human rights. The Netherlands strongly condemned apartheid, and would continue to mobilize and support efforts to bring about its elimination. There had been widespread disturbances in South Africa in recent months, and a wave of civil-rights strikes had led to mass arrests. Labour leaders and opponents of apartheid had been silenced and the South African police had carried out raids in black townships. His Government had condemned South Africa's attempts to stifle peaceful opposition.

26. The South African Government was attempting to circumvent basic reform by adopting a new constitutional framework creating limited powers of parliamentary representation for the country's coloured and Asian populations. That approach disregarded the all important issue of the disfranchisement of South Africa's black people and his Government had therefore joined the international community in rejecting the new constitution. However, it had noted recent statements in South Africa which seemed to hold out some hope of change.

27. His Government had consistently supported the international community in its efforts to put an end to the objectionable practice of "Bantustanization", which forcibly drove millions of South Africans from their homes into so-called "homelands". The human rights situation in South Africa remained as tragic as ever, particularly for its black citizens. Incommunicado detention, torture and ill-treatment of detainees, and banning were all reliably reported with alarming frequency. The consequences of the "homelands" policy for the African family as a social unit were often disastrous. While black men provided cheap labour from designated black areas around white urban centres, in many cases their womenfolk remained behind in the "homelands", often in deplorable conditions.

28. The tensions generated by apartheid clearly demonstrated that every encouragement should be given to those who advocated peaceful change in South Africa's society and political system. His country had therefore warmly encouraged Bishop Tutu, the Nobel Peace Prize winner, to continue his activities to put an end to racial oppression in South Africa.

29. His Government had recently taken the initiative in the Security Council to expand the arms embargo provided for in Security Council resolution 418 (1977) by means of a ban on arms imports from South Africa. That effort had resulted in the adoption by the Council of resolution 558 (1984), which requested all States to refrain from importing arms from South Africa. The Council should also consider mandatory measures in the economic field, particularly with regard to oil supplies to South Africa and new investments in that country. His Government continued to follow a two-track policy towards South Africa, which sought to use existing channels of communication to stimulate forces for peaceful change while continuing to exert effective pressure on the South African Government to initiate fundamental reforms. The latter should allow all South Africans to participate genuinely and equally in the process of political and economic decision-making.

30. His delegation was forced to admit that no clear progress had yet been made in enabling the population of Namibia to exercise its right to self-determination and independence through free elections under United Nations supervision. Frequent instances of long-term detention without trial and other grave human rights violations continued to occur. The Netherlands would continue to work towards ending the illegal occupation of Namibia by South Africa.

31. With regard to the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid, his Government's condemnation of apartheid was clear, but it had overriding objections of a legal nature to the Convention and, consequently, did not intend to accede to it.

32. On agenda item 7, his Government did not subscribe to the view that the maintenance of various forms of relations with South Africa ipso facto had adverse effects on the human rights situation in that country and hence saw no justification

for singling out foreign corporate activities there. Rather, it attached great importance to strict adherence by Netherlands companies to the guidelines contained in the EEC Code of Conduct. His Government was committed to enhancing the Code's effectiveness and was actively considering, in consultation with employers' organizations and trade unions, ways in which investments in South Africa could be influenced as effectively as possible.

33. Referring to agenda item 17, he said that no society was immune from the various forms in which the evils of racism and racial discrimination presented themselves. That explained the singular importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which enjoyed a wider adherence than any other human rights instrument. The sixth periodic report of the Netherlands, submitted under article 9 of the Convention, contained a frank account of the various measures contemplated and any existing racial discrimination and intolerance in his country. The seventh report, which would contain fresh data and further replies to the clarifications sought by the Committee on the Elimination of Racial Discrimination, would be submitted in the course of 1985. In view of the importance of the Convention and the Committee's impressive record in the discharge of its functions, it was to be regretted that only 11 States parties had so far made the declaration provided for in article 14 of the Convention and his delegation again appealed to the other States parties to do so. His delegation also called on those States which were parties to the Optional Protocol to the International Covenant on Civil and Political Rights to allow individuals in their territory similar international recourse to that already open to them under that Protocol.

34. Mr. DICHEV (Bulgaria) said that one of the major achievements of the United Nations had been the substantial progress resulting from efforts to eliminate racism, racial discrimination and apartheid; nevertheless, millions of people were still being deprived of their rights and dignity. The apartheid system had been consolidated into an official policy through the tacit agreement and active assistance of some States which, in other cases, loudly proclaimed their commitment to human rights. General Assembly resolution 39/15 had accordingly equated assistance to racist South Africa with complicity in the inhuman practices of racial discrimination.

35. In a few decades, South Africa had been transformed into an enormous concentration camp. Despite smokescreens such as the "Bantustanization" farce, the adoption of the "new constitution" and the creation of a tricameral parliament, the apartheid system was becoming increasingly sophisticated and dangerous. The establishment of a racially segregated parliament had been but a further humiliation to the non-white community, isolating it from any participation in the political life of the country. Despite massive repression by the racist regime, elections to the "new" parliament had been boycotted by approximately 80 per cent of the non-white population. But while, in resolution 39/2, the General Assembly had commended the united resistance of the oppressed people of South Africa, massive human rights violations had increased in both scale and harshness. With the active complicity of foreign corporations, the non-white population was still being subjected to massive political persecution and repression, harassment, arbitrary arrests, torture, secret executions, beatings and murders. Referring to document E/CN.4/1985/14, paragraphs 55 and 76, he called on the Commission to pay close attention to the comments of the Ad Hoc Working Group of Experts concerning the relevance of the Convention on the Prevention and Punishment of the Crime of Genocide to the present situation in South Africa.

36. The military build-up in South Africa was the obvious result of its collaboration with certain States which, by means of their investments and provision of equipment and technology through various channels, including private ones, had enabled South Africa to develop the capacity to produce nuclear weapons. As a result, apartheid was being forcibly projected beyond South Africa's borders, seriously endangering peace and security. The continued illegal occupation of Namibia was a major political problem which had grave implications for human rights. Some delegations considered the language of the Declaration of the International Conference in Support of the Struggle of the Namibian People for Independence to be excessive, but were apartheid and racial discrimination not excessive? Certain countries were obviously reluctant to go beyond mere words in their commitment to the elimination of racism and racial discrimination.

37. The withdrawal of political, diplomatic, economic and military support for the racist regime would considerably improve the human rights situation, but it would also slash the profits reaped by some imperialist circles. The time had come for those who refused to recognize the primacy of human rights over economic profits to reconsider their position.

38. Bulgaria firmly supported all United Nations measures aimed at eliminating the last vestiges of colonialism and eradicating racism, racial discrimination and apartheid. It maintained no diplomatic, political, economic or other relations with South Africa and supported the adoption of comprehensive sanctions in accordance with Chapter VII of the Charter. High priority should be given to the effective implementation of the Declaration and Programme of Action of the Second World Conference to Combat Racism and Racial Discrimination. All States which had not ratified or acceded to the international instruments on racism and apartheid should do so and should take the necessary legislative and other measures envisaged in those instruments.

39. His delegation welcomed the analysis of the responsibility of transnational corporations for the preservation of the apartheid system made by the Group of Three on the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid. Bulgaria rejected attempts to justify the activities of transnational corporations on the grounds that such activities would help to humanize the apartheid regime, and would support the inclusion of provisions to that effect in the Commission's resolution on the subject. Bulgaria was prepared to participate in all United Nations efforts to eliminate racism, racial discrimination and apartheid.

40. Sir Anthony WILLIAMS (United Kingdom) said that while drought and starvation in Africa as a whole were commanding the world's attention in the fortieth anniversary year of the United Nations, the human rights situation in southern Africa would further dampen celebrations. Few societies were totally immune from racial discrimination, but only one had openly institutionalized it and proclaimed it as a deliberate policy. The United Kingdom rejected South Africa's policy of apartheid and had consistently and unreservedly condemned the repressive measures used to enforce it; it would continue to denounce the enormous suffering and loss of human dignity which it inflicted on the vast majority of the South African population.

41. His delegation welcomed the fact that in its report (E/CN.4/1985/8), the Ad Hoc Working Group of Experts acknowledged that, in some areas and by some white South Africans, an effort was being made to improve matters. Unfortunately, that recognition was not expressed clearly in the conclusions and recommendations, nor were all the latest developments mentioned.

42. His Government was totally opposed to apartheid in all its manifestations. It did not recognize the policy of creating "independent" homelands and objected to the continued banning of organizations and detention of individuals without trial because of their political beliefs. It had repeatedly stressed to the South African Government that progress could be achieved only with the participation of the population as a whole.

43. The "new constitution" was seriously flawed, since it made no provision for the black majority. His country had not joined in the general condemnation of the new system not out of satisfaction with it but out of a belief that any change in South Africa's attitude and any inclination towards reform should be encouraged rather than stifled by further ostracism. The new arrangements should be allowed to stand the test of time so as to determine whether they could contribute to the process of political change in South Africa. The United Kingdom remained firmly convinced that the best way to encourage peaceful change was through contact and dialogue. The EEC Code of Conduct on employment practices for firms operating in South Africa was an important example of that policy in operation. Although the Code was not intended to be an instrument of political change, its application did help to improve the employment status and opportunities of Black African workers. With other members of EEC, his Government would continue to seek ways of increasing the Code's effectiveness.

44. The issues raised under item 7 merited serious debate, but the reports of the Special Rapporteur (E/CN.4/Sub.2/1984/8 and Add.1 and 2) could hardly be said to represent an intelligent contribution to such a debate. It was little more than a highly selective list of companies which maintained commercial contacts with South Africa. Surely the time had come for more serious consideration of the issue. The substantive disagreement among delegations regarding the best approach to South Africa should be discussed openly: was it further ostracism or peaceful change promoted by contact that was best calculated to end apartheid in South Africa? The United Kingdom did not regard contact with South Africa as synonymous with collaboration. It fully supported and implemented the arms embargo against South Africa, engaged in no military or nuclear collaboration with that country and fully supported the Gleneagles Agreement on sporting activities.

45. South Africa's presence in Namibia was illegal and should be terminated. His Government was committed to an internationally acceptable settlement in Namibia on the basis of Security Council resolution 435 (1978), and was totally opposed to the extension to Namibia of South Africa's apartheid policy. The United Kingdom welcomed the repeal of the pass laws, the Immorality Act and other discriminatory legislation. It strongly disapproved, however, of the application of compulsory conscription to Namibia and looked forward to the early release of all political prisoners as a precondition for the holding of free and fair elections. His Government wished to contribute fully to the success of the Second Decade to Combat Racism and Racial Discrimination and welcomed the consensus that had been reached on the Programme of Action for the Decade. It hoped that the spirit of co-operation which had led to that consensus would prevail within the Commission and at the next session of the Economic and Social Council so that similar consensus decisions could be adopted.

46. Mr. OGURTSOV (Observer for the Byelorussian Soviet Socialist Republic) said that the constant efforts by United Nations bodies to eradicate racism, apartheid and racial discrimination everywhere were justified and commendable. The First and Second Decades to Combat Racism and Racial Discrimination, proclaimed by the General Assembly, the associated programmes of action and the many decisions taken in United Nations forums aimed at eradicating racism, colonialism and apartheid had enabled the world community's efforts to be mobilized for the goals of the current Decade.

47. But racism had not yet disappeared. It continued - in forms such as apartheid, zionism and nazism - to poison international relations and create world tension. Its most blatant form was the Pretoria regime's practice of apartheid; the South African racists, in defiance of the Charter and the world community's just demands, persisted with their inhuman system, which they had extended to the illegally occupied territory of Namibia. The indigenous inhabitants of southern Africa lived in conditions of slavery, and were subjected to terror and repression. Many delegations had already spoken out against the Pretoria regime's inhuman policy of "Bantustanization" and its resort to bloodshed in repressing the South African and Namibian people's just struggle against the yoke of racism. South Africa's foreign policy blatantly revealed how racism was synonymous with aggression. His delegation noted with concern South Africa's unbridled acts of aggression against neighbouring independent States, as well as Pretoria's feverish military designs, including the development of nuclear weapons - a situation which threatened the peace and security of the region and of the world.

48. But the problem of eliminating racism and racial discrimination was not limited to southern Africa. Those evils persisted wherever imperialism held sway and the vestiges of colonialism remained. The situation in the Arab territories occupied by Israel aroused the deepest concern, since the Arab population in those territories faced mass repression and annihilation. Israel sought by force to deprive the Palestinian people of its homeland, both by talk of so-called acquired rights to occupied lands and by acts of terror and repression. Such inhuman policies and practices revealed zionism's affinity with nazism and genocide.

49. Racism and racial discrimination were still to be found in other capitalist countries, in the form of exploitation of, and overt and covert discrimination against, migrant workers, national minorities, ethnic communities and refugees from Asia, Africa and Latin America. Reactionary circles in many Western nations still nurtured chauvinism and prejudice. Various groups had emerged in those countries in recent years, preaching racist ideology, race hatred, intolerance and terror, including nazism, fascism and neo-fascism.

50. The General Assembly, in resolution 39/16, had again resolved that all forms of racism and racial discrimination, particularly in their institutionalized form, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, were among the most serious violations of human rights, to be combated by all available means. Legislation to prevent the spread of racist ideas and of organizations based on any form of racist belief was one of the most important steps that could be taken. Efforts should also be made to give effect to the Declaration and Programme of Action adopted at the Second World Conference to Combat Racism and Racial Discrimination and approved by the General Assembly, and the plan of activities relating to the Second Decade to Combat Racism and Racial Discrimination. The success of the Second Decade and the associated Programme of Action would depend,

inter alia, on the accession of as many States as possible to 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, as well as the will to give effect to those instruments.

51. The Byelorussian Soviet Socialist Republic firmly condemned the South African regime's system of apartheid, its policy of terror and mass repression against indigenous Africans, its illegal occupation of Namibia and its acts of aggression against Angola and other independent African States. It firmly supported the Namibian people's struggle for independence, under SWAPO, that people's sole legitimate representative; it condemned the attempts by the Pretoria racists and their supporters to take the Namibian question out of United Nations hands and to saddle Namibia with a neo-colonialist, puppet regime. Namibia must be freed immediately from illegal occupation and granted independence, pursuant to the relevant United Nations decisions, including Security Council resolution 435 (1978). To that end, the Security Council should adopt the strongest possible measures against the South African racists, including mandatory sanctions, in accordance with Chapter VII of the Charter.

52. Mrs. BIHI (Observer for Somalia) said that all the documents before the Commission under the agenda items currently being considered illustrated the sad situation prevailing in southern Africa, where the black majority was subjected to suffering, torture and degradation. Somalia's basic policy had always been to contribute towards the early attainment of majority rule in South Africa. Racial discrimination, as perpetrated by the South African apartheid regime, was a negation of the principle of equality among all peoples without distinction as to race or colour. The new constitution proclaimed in that country was a farce which duped no one and merely confirmed the subjugation of the black population. Any delay in solving the African's problems and in ending the continuous denial of his rights served to increase the black population's untold suffering and was an affront to the human conscience.

53. Somalia had consistently supported the international community's efforts to promote human rights and fundamental freedoms by actively participating in the drafting of relevant instruments and by giving moral and material support to the peoples fighting for their freedom and dignity. Somalia was a signatory to the International Convention on the Suppression and Punishment of the Crime of Apartheid, to which it urged all States to accede, and was a member of the Special Committee against Apartheid.

54. Despite relentless efforts by the United Nations and other international bodies, and in the face of public criticism and rejection of its practices by the vast majority of the world community, the apartheid regime pursued its inhuman policies. Condemnation, resolutions and declarations would not in themselves bring justice, freedom and social equality; comprehensive and mandatory sanctions against South Africa were needed in order to overcome the institutionalized racism in that country, where millions were treated as aliens in their own land, under the so-called resettlement policy, and suffered the daily reality of segregation. South Africa persisted in violating the fundamental principles and aspirations of the United Nations. The institutionalization of racism and the elevation of racial supremacy to a State ideology must be seen as nothing less than crimes against humanity. Therefore, any form of collaboration - economic, military, nuclear and other - with the apartheid regime deserved the most vehement condemnation.

55. Her delegation firmly condemned South Africa's illegal occupation of Namibia and its denial of the Namibians' right to self-determination and independence. The holding of free and fair elections in Namibia under United Nations supervision and control, pursuant to Security Council resolution 435 (1978), would provide a true basis for a settlement of the Namibian problem.

56. Her delegation hoped that the Commission would reaffirm its support for the South African and Namibian peoples' inalienable right to self-determination and independence in conformity with the principles of the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples. The international community must continue to insist on isolating the South African regime until it ended the crimes of apartheid and racial discrimination.

57. Mr. GUTMAN (International Association for the Defence of Religious Liberty) said that the system of apartheid, which the civilized world viewed with horror and alarm, was but a specialized technique and symptom of the disease of racism. If unchecked, it would lead not merely to genocide but to ethnocide - not merely the killing of a people but the destruction of its culture. A people was bound together not only by skin pigmentation and geography but by language, custom, tradition, music, history and - no less important - religion.

58. The herding of an indigenous people in South Africa into so-called "Bantustans" had a disturbing parallel in the creation of Indian reservations in the United States and was a frightening reminder of the infamous concentration camps for Jews under the Nazis. South Africa's continued practice of imprisoning Church and labour leaders was no different from the oppression of labour and religious activists by the Nazis. The paranoid fear of the peoples they persecuted felt by oppressive regimes throughout history was evident again in South Africa. Persecution of or discrimination against any powerless religious or ethnic group was morally and politically indefensible, no matter whether the victims were black South African citizens, Christians in Albania, Unificationists (Moonies) in North America and Europe, or Baha'is in Iran.

59. The Commission should call upon a latent force not yet adequately mobilized - religious and secular humanitarian groups and individuals, both within and beyond the apartheid regime's jurisdiction - to engage in acts of resistance to the system of apartheid and in education and propaganda from pulpits and elsewhere, acting as a fifth column and leading the people in wilful disobedience of that lawless system.

60. Mr. KAMYAB (Observer for the Islamic Republic of Iran), speaking in exercise of the right of reply, said that the previous speaker had implied that the Baha'i community in the Islamic Republic of Iran was a religious movement. It was not, as the Iranian delegation had often pointed out; the Baha'is were part of an imperialist plot directed against the teachings of Islam. He hoped that speakers would bear that fact in mind in future.

61. The CHAIRMAN suggested that statements on the agenda items currently being considered should be restricted to matters relating to South Africa, avoiding attempts to draw analogies with situations elsewhere.

The meeting rose at 1.05 p.m.