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SUMMARY RECORD OF THE 8th MEETING

Chairman: Mr. CALERO RODRIGUES (Brazil)

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The meeting was called to order at 3.10 p.m.

AGENDA ITEM 75: 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) (A/37/333, A/37/413)

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1. Mrs. SUBBA DAHAL (Nepal), speaking on agenda items 76 and 80, said that her delegation appreciated the deep interest taken by the United Nations in the various problems relating to race, racism and racial discrimination, as demonstrated by General Assembly resolutions 103 (I), 1514 (XV), 1780 (XVII) and 2544 (XXIV). She referred also to the Conference on Human Rights, held in Teheran in 1968. The Nepalese delegation attached great importance to resolution 3057 (XXVIII), in which the General Assembly had proclaimed the Decade for Action to Combat Racism and Racial Discrimination, and to the World Conference held in Geneva in August 1978. It fully supported the draft resolution prepared by the Economic and Social Council for the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination. It was convinced that the Second World Conference, to be held in Manila in 1983, would make a constructive contribution to the attainment of the goals of the Decade and permit the adoption of specific measures to ensure the full and universal implementation of the United Nations resolutions and decisions on racism, racial discrimination and apartheid.

2. However, her delegation noted with deep concern that, despite all the efforts made, the world was still threatened by insecurity and instability. New types of subjugation were appearing in the form of foreign aggression and neo-colonialism.

(Mrs. Subba Dahal, Nepal)

3. At the present stage, the international community should seriously rethink its perspectives and values regarding the world situation. The urgency of a "consciousness of the world's solidarity" required a change in value systems and socio-cultural norms prevailing in the world. In that connection, her delegation strongly endorsed the recommendations made in the Declaration on Race and Racial Prejudice adopted by the UNESCO General Conference at its twentieth session. It also appreciated the Declaration on Fundamental Principles concerning the Contribution of Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War, adopted by UNESCO in November 1978, and the Round-Table on the role of the communication media in combating racism, racial discrimination and apartheid, organized by UNESCO in December 1981 in Senegal.

4. Her delegation took that opportunity to remind the Committee that many people in the third world did not have access to any "information" concerning them. It was tragic that, while UNESCO was working to provide "free flow of information" to all, most of the people were deprived of any access to that information.

5. Despite its linguistic and ethnic diversity, Nepal had never experienced any outbursts or riots in the name of religion, language or ethnicity. It believed in the principle of peaceful coexistence. The Nepalese Government had always opposed the policies and practices of colonialism and racial discrimination, and the very concept of racial discrimination was unknown in the history of her country. Indeed, Nepal had always actively promoted the ideals defined in the various United Nations instruments concerning human rights and racial discrimination.

6. Nepal was also a party to the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General Assembly in 1965. The States parties to the Convention currently numbered 116, but many countries had not yet ratified it. In that connection, the Nepalese delegation emphasized that universal accession to the Convention would not only give support and encouragement to millions of people struggling against policies of racism and colonialism but would also help to accelerate the elimination of all forms of racial discrimination.

7. Nepal, which was a founder member of the Special Committee against Apartheid, would continue to support action against apartheid and to take an active part in the Committee's work until the inhuman policy of apartheid had been completely liquidated. It also appreciated the continued efforts of the United Nations Council for Namibia to mobilize world opinion in support of the withdrawal of South Africa from Namibia. Nepal condemned South Africa for its refusal to comply with United Nations resolutions on Namibia and for its increasing repression of the Namibian people. It reiterated its firm support for Namibians fighting for their national freedom and independence.

8. Nepal had acceded, on 12 July 1977, to the International Convention on the Suppression and Punishment of the Crime of Apartheid. It had co-operated fully with the Committee on the Elimination of Racial Discrimination and had already submitted five reports to it on the legislative, judicial, administrative or other measures taken to give effect to the provisions of the Convention.

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(Mrs. Subba Dahal, Nepal)

9. The Nepalese delegation had voted in favour of resolution 36/8, in which the General Assembly proclaimed that the total and unconditional eradication of racism, racial discrimination and apartheid was a high-priority goal. It had also voted in favour of the Economic and Social Council resolution 1982/32, which contained recommendations regarding the organization of the Second World Conference to Combat Racism and Racial Discrimination. It would also support draft resolutions A/C.3/37/L.3 and L.4, and was happy to note that the Secretary-General of the Conference had already taken steps to convene the Conference in Manila from 1 to 12 August 1983. Her delegation fully supported the recommendations of the Preparatory Sub-Committee for the Conference and would participate actively in the work of the Conference. Nepal reaffirmed its continued support for all the efforts of the United Nations to eliminate racial discrimination and ensure the exercise of the right to self-determination all over the world.

10. Mr. VEITIA (Venezuela) emphasized that Venezuela was determined to defend the principle of the self-determination of peoples and he again drew attention to the legitimacy of the struggle being waged by peoples for independence, territorial integrity, national unity and liberation from colonial and foreign domination proclaimed in General Assembly resolution 36/9 of 28 October 1981.

11. Venezuela, which favoured reform of existing international structures, was convinced that political independence would have no reality until international economic relations had been democratized and relatively powerful States surrendered their privileges.

12. The vestiges of colonialism and neo-colonialism represented a threat to peace. All the sister republics of Latin America were united in the belief that there was no justification for the persistence of European colonial bastions on the American continent. He appealed to nations dedicated to peace and social justice to demonstrate their opposition in practical ways not only to conventional colonialism but to the new and more subtle aspects which it assumed. For its part, Venezuela had always stood behind peoples fighting for their independence in keeping with its devotion to freedom.

13. As a member of the Preparatory Sub-Committee for the Second World Conference to Combat Racism and Racial Discrimination to be held in 1983, Venezuela appealed to all countries to stand together in support of action for the total and unconditional elimination of racism, racial discrimination and apartheid, practices which were impeding progress towards peace and the strengthening of international security. His country believed that any racist or colonialist policy interfered with the enjoyment of human rights by the peoples to which it was applied; it condemned those policies and was hopeful that the Second World Conference would not confine itself to evaluating the activities of the Decade, but would also work out practical measures for realizing its objectives.

14. Despite the fact that the United Nations had repeatedly condemned States which provided political, military, economic or other assistance to the racist and colonialist régimes of southern Africa and which permitted physical or moral

(Mr. Veitia, Venezuela)

persons under their jurisdiction to help those régimes, every year there was a new outbreak of violations of the human rights of the people in that part of the world. That situation could not but intensify scepticism about an organization whose attempts to establish peace and justice were consistently blocked by the very States Members which enjoyed a privileged position in the organization. Nevertheless, it was the duty of the United Nations to try to fill the gap between principles and reality.

15. Mr. KHALIFA (Special Rapporteur) thanked the members of the secretariat of the Centre for Human Rights for their help and congratulated the new director of the Centre, Mr. Kurt Hendl, for having created a highly constructive environment for the pursuit of human rights activities, which were of critical importance in United Nations action programmes.

16. Turning to his report (E/CN.4/Sub.2/1982/10), he pointed out that he had deliberately refrained from any reference to an updated report to avoid misunderstanding. Actually, it was less an updated report than a complement to previous reports and addenda, which were still valid and should be borne in mind for a full appreciation of the subject.

17. Moreover, the plan was to incorporate all previous reports and lists in a single document, which involved a tremendous job to be done primarily with the help of a computer. Negotiations were under way with the Systems Management Section of the United Nations Office at Geneva to put the list on the computer so as to avoid duplication and confusion, facilitate classification and establish an exhaustive list by incorporating all the entries of previous lists. In principle, representatives should have a completely computerized list in their hands at the next session of the General Assembly.

18. The original list of companies providing assistance to South Africa issued in 1979 under the symbol E/CN.4/Sub.2/425 together with corrigenda and addenda contained over 2,400 entries. The following list, issued under the symbol E/CN.4/Sub.2/469 had added about 500 names; the present list added another few hundred names, so that there were a total of 3,500 entries for the three lists.

19. It was essential, however, when examining those lists to refer to the original analytic report submitted in 1978 and published as a United Nations official publication (E/CN.4/Sub.2/383/Rev.1) because the basic hypothesis was already confirmed in that document. The report proved that any assistance to the South African racist régime actually did have an adverse impact on the human rights situation in that country, the most obvious consequence being resistance to the odious system of apartheid. It had been shown beyond a doubt that the critical human rights situation in South Africa and Namibia was directly related to the volume of assistance provided by certain Powers to South Africa in the political, military, economic and other fields.

20. Another basic point should be stressed, namely, that it was impossible to distinguish between what came under the political, cultural and scientific fields

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(Mr. Khalifa)

and what related to the military field. The supply of equipment and the transfer of technology often had a bearing on the military field. Whatever the initial goal of the assistance, any strengthening of South Africa's economic system necessarily involved a strengthening of its military machine, the additional resources produced being used to increase the military potential and consolidate the régime's capability for repression. Any military embargo against South Africa would be ineffective unless it was accompanied by strict economic sanctions. Those sanctions should include a halt to all trade with South Africa, particularly trade in nuclear and petroleum products and technologies, the discontinuance of deliveries of capital goods and advance technology, a freeze on all financial aid (loans, credit guarantees or investments) and of all capital transfers, not to mention the abrogation of all cultural and scientific agreements with the régime.

21. It should be borne in mind that it was very expensive to maintain the apartheid system; it required substantial funds. The enforcement of laws on security, the regulation of population movements, measures for transferring the non-white population, public relations campaigns (representatives would recall the scandal created by attempts to buy the world press and thus persuade it to support the cause of apartheid) - all those activities needed money, not to speak of steadily growing military budgets. In order for the régime to cope with all those expenses and maintain its inhuman system, it had to be cushioned by a strong economy.

22. That was why any economic aid to the white racist régime of South Africa contributed to the strength it needed to crush the political aspirations and break the will of the oppressed peoples of Azania.

23. It was a question of facing reality: the question of apartheid was basically an economic question. As a general rule, discussion centred around the ethical, religious and other aspects of apartheid, but actually apartheid should be seen in economic terms if it was to be effectively fought. The clever exploitation of certain epiphenomena could only perpetuate the exploitation of man by man and enable the majority of the population to create a strong economy which only benefitted the minority. Apartheid rested essentially on absolute control of the cheap labour provided by the non-white majority and the fact that that manpower was still very inexpensive. The régime had therefore harshly repressed any move to set up organizations (trade union or political) which might convert the potential represented by the non-white working class into a force for liberation and development.

24. From that point of view, it was equally logical for the régime to encourage tribal rivalries instead of trying to build a nation. The real reason why the Bantustans, a travesty of self-determination and democracy, had been set up had been to relegate the "human outcasts", the black working class no longer employed, to the slums and thus enable the South African Government to evade its responsibility to the black population.

(Mr. Khalifa)

25. Apartheid was thus based on blatant economic exploitation, and the only way to eliminate it was to subject it to total economic war. Declarations and verbal condemnations were no longer enough. They had certainly played an important part in calling attention to the status quo in South Africa, but the time for mere talk had passed, and action was imperative. Those who advocated peaceful change - and there were many who did so - must be honest with themselves and should support economic sanctions, which were a peaceful means of effecting change. War or terrorism were not being called for, but merely resort to the peaceful form of action represented by economic sanctions. The question which must thus be asked was why they refused to consent to such action.

26. The argument was often heard that an increase in investment in South Africa would ultimately enable the black population to benefit from the resulting economic growth. If that was the case, the economic upswing experienced by South Africa in the 1960s would certainly have been reflected in increased prosperity for the black population as a whole, but that had not in fact happened. Industrialization had in no way been synonymous with progress for South Africa's black population.

27. A number of interested Governments maintained that freedom of commerce and trade were "sacrosanct" and that commerce should not be subject to any considerations of domestic or foreign policy. The reply to that was that free trade should not be the only freedom enjoyed by the countries making up the so-called "free world". The self-styled free world must shoulder its moral responsibility to the oppressed peoples and work for respect for human rights in all countries.

28. Apartheid was an international crime, a unique kind of problem that, in any case, could not be regarded as solely relevant to the internal affairs of any particular country.

29. There had been much talk about what had been done on an experimental basis by several companies and economic giants in South Africa to "improve" conditions for black workers. Those experiments were nothing more than a smoke-screen. In calling for limited reforms, while at the same time being careful not to attack the root of the problem, the real intent of the business leaders concerned was to achieve their aims and continue exploiting cheap black labour while giving the impression to the rest of the world that they were helping to "improve" the lot of the black population.

30. The Sullivan Principle, codes of conduct, declarations of principle and other devices used by business leaders were merely intended to disguise the pursuit of their own interests in South Africa. Those procedures had nothing in common with exerting any kind of pressure to bring about a change in policy; rather, the economic and financial aid which South Africa was continuing to receive merely strengthened the hand of the racist régime while weakening the resistance of the black peoples to brutal oppression.

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31. Foreign investment in South Africa by Governments or private financial institutions was producing large profits while at the same time contributing to the plundering and exhaustion of that country's natural resources. It was thus obvious that maintenance of the status quo was of benefit to large-scale interests. Furthermore, the South African régime was cleverly exploiting that state of affairs, for the closer the South African economy was linked to foreign economic interests, the easier it was for the South African Government to secure the political support of the countries that were the source of the capital.

32. Turning then to the supplementary list contained in his report (E/CN.4/Sub.2/1982/10), he explained that the lists were not exhaustive and did not imply any final judgement; they were nothing more than presumptions of guilt. They were sent to the Governments concerned, and all replies were reproduced in addenda to the report. His primary concern was to give a clear picture of each of the elements appearing in the 3,500 entries making up the lists. Thus far, only the names and nationality of the companies were given, without any indication of type of activity or the scope of the assistance provided. The reason why he had specifically mentioned such companies as Nestlé, Coca Cola, Watch Your Weight Club and the like was that the scope of their activities and their economic repercussions were more important than the nature of those activities. Nothing was included that had a bearing on sports relations with South Africa because of the minor economic importance of those relations, but he still felt that a club having ample capital should certainly be mentioned. In his opinion, any investment capable of strengthening the South African economy should be opposed.

33. He would have much preferred an annotated list specifying the nature and extent of each company's involvement. There were, moreover, some cases deserving of closer inspection. For example, in the case of multinational corporations, petroleum companies and banks - namely, the "giants" - there should be a detailed note or even a leaflet or a monograph, but that was a task of considerable scope which was beyond his powers and the limited facilities at his disposal. A list of that kind would have required the combined efforts being made in the United Nations by the United Nations Centre Against Apartheid and the United Nations Centre on Transnational Corporations in particular, and it would also have to rely on lists prepared by some of the national anti-apartheid movements. Aid might also be sought from the International Labour Conference, which had been intending for some time to prepare its own list.

34. While he realized that the list he had drawn up was far from ideal, he questioned whether that was reason enough for omitting it, as was apparently desired in some quarters which contended that it was out of date and of little or no value. He drew the Committee's attention to page 2 of the introduction to his report (E/CN.4/Sub.2/1982/10), in which he recalled that the General Assembly, at its thirty-sixth session, had taken note of a report by the Secretary-General on the special review of the ongoing work programme of the United Nations, which had been submitted in connection with the review by the General Assembly of the draft programme budget for the biennium 1982-1983. In conformity with the conclusions of that review, it had been decided to eliminate from the draft programme budget for

(Mr. Khalifa)

the biennium 1982-1983 a number of activities considered to be out of date, marginally useful or ineffective. One of those activities had been the annual report containing the list of banks, transnational corporations and other bodies providing assistance to the racist régime of South Africa. The General Assembly, in its resolution 36/239, had taken note of the report and had requested the Advisory Committee on Administrative and Budgetary Questions to consider the administrative and financial implications of the proposals that had been made and to report on that matter to the General Assembly at its thirty-seventh session. He had to admit he was perplexed. On the one hand, the General Assembly, in resolution 35/32, had decided to examine the list as a matter of priority, and, on the other hand, another United Nations body had decided that the question was marginal. There seemed to be no way of reconciling the two points of view. The answer must therefore be given by the Third Committee, the body specializing in human rights questions. It could decide not only to keep the list, but also to endeavour to obtain the funds needed to improve and expand it.

35. He recalled several points on which criticism had been levelled at his report in 1980: the list had been out of balance, the report had mentioned only 26 countries, a fact which had indicated bias; and it had been alleged that some countries, although not mentioned in the report, maintained clandestine relations with South Africa. He assured the Committee of his impartiality but pointed out that, not being James Bond, he could not include in his report anything supported solely by flimsy evidence. He recalled that, as Special Rapporteur, he acted on his own behalf and not on behalf of any country whatsoever. If there was any lack of balance, it was not in the form of the report but in its content. Some of the countries included in the list very clearly had extremely important interests in South Africa, but others did not. There was a feeling in some quarters that the purpose of the report was a nasty endeavour to impute guilt by referring to the sacrosanct character of free trade. However, Committee members themselves had stated that the free-trade argument illustrated the feelings of greed associated with Pharisaical and racist tendencies and marked a desire to see all of Africa under the rod of South Africa. Free trade made no sense in a world where slavery ruled, and it could not take precedence over human freedom. He referred in that connection to the statement by United States Ambassador Beverley Carter to the effect that it was true that the Western doctrine of free trade involved contradictions and had even resulted in injustice.

36. He now wished to draw attention to the similarity between South Africa and Israel: the collaboration between them had become a fact of political life; in both cases, nuclear technology was envisaged as the ultimate means of dissuasion. He himself had reached the conclusion that South Africa was the Israel of Africa and that Israel was the South Africa of the Middle East.

37. He acknowledged that, in general, no one dared to speak in favour of apartheid, but noted that many had never raised a finger to combat it. Indeed, the champions of free trade continued to bolster the régime by protecting South Africa at the political level and by refusing to permit the imposition of sanctions. It had taken 17 years to impose the embargo on the supply of arms to South Africa,

(Mr. Khalifa)

during which time that country had been able to arm itself to the teeth. Yet others succeeded in evading the embargo. While a well-documented list did not suffice in itself to abolish apartheid, at least it enabled the guilty parties to be identified. Mention should also be made of those countries, particularly the Scandinavian countries, which had taken steps to prohibit collaboration with South Africa. Thus, a kind of moral competition could be organized. Those who had not yet done so should review their domestic law with a view to prohibiting their corporations and nationals from collaborating, in any manner whatsoever, with South Africa. Those States which had co-operated with the Pretoria régime by enabling their nationals to invest in South Africa were partly responsible for the arrogance shown by the South African Government.

38. He thanked all those countries and institutions which had reported cases to him. He stressed, however, that he had not received all the support he had expected. In his view, there was a need to mobilize all resources and there must be a general willingness to add to the list. The General Assembly had decided that the list should be disseminated as widely as possible, but apparently the dissemination had thus far been confined to the United Nations; it should also be communicated to universities, research institutes and all organizations active in the defence of human rights in South Africa, so that world opinion was made more aware of the problem.

39. Mr. ZAYAS (Cuba) said that, at a time when the Decade for Action to Combat Racism and Racial Discrimination was coming to an end, it was all too dear that racial discrimination and its most ruthless form, apartheid, remained rampant despite the innumerable resolutions of the United Nations and its specialized agencies and the vehement condemnation expressed by the successive conferences of Heads of State or Government of the non-aligned countries. Although all the resolutions adopted embodied practical means to eradicate that scourge of mankind, they apparently remained a dead letter, because of those who supported and encouraged the obnoxious Pretoria régime. From any standpoint, there was no alternative but to condemn the policy of bantustanization, militarization, brutal repression, torture, arrest and systematic murder of the freedom fighters practised by the South African racist régime. It was also inadmissible that, with the support of the imperialist Powers, particularly the United States, the Pretoria régime should be able to pursue a policy of aggression and destabilization against the sovereign front-line States, particularly Angola.

40. Racial discrimination was one of the means employed by imperialism, colonialism and neo-colonialism to impose their will on sovereign and independent nations. It was disturbing to note that the United States and certain other Western Powers extended their co-operation in the economic and other fields to the South African racist régime, and deliberately impeded the implementation of effective sanctions against South Africa. His delegation was of the view that the struggle against apartheid was a sacred cause to which all peoples should give their assistance.

(Mr. Zayas, Cuba)

41. His delegation had no alternative but to condemn the racial discrimination to which the peoples of South Africa and Namibia were subjected, particularly the cruel decision just taken by the South African Supreme Court to execute the three young militants of the African National Congress who had been fighting against racism in order to win true independence for their country. His delegation also wished to express its solidarity with the leader of the South African people, Nelson Mandela, who had languished in prison for 20 years and whom the Pretoria régime intended to keep there until the end of his days, together with other South African freedom fighters. Cuba would continue to give unceasing support to the national liberation movements which were combating racism, discrimination and apartheid and to the front-line countries, exposed as they were to the continual acts of aggression of the South African racists.

42. Racism and racial discrimination were not confined to South Africa: throughout history the Palestinian people had been the victim of racist practices, which had recently turned into genocide. If mankind could recall with sorrow the crimes committed by the Nazis during the Second World War, it could only contemplate with horror the massacres perpetrated by the Zionist hordes against the heroic Palestinian people. In a letter addressed to the United Nations Secretary-General, the President of Cuba, Fidel Castro, had declared that, as a result of the massacre of hundreds of men and women, including old people, at Sabra and Shatila, Lebanon, it had become necessary to make a forceful appeal to the conscience of all peoples comprising the United Nations. Whereas the heroic fighters of the Palestine Liberation Organization had left Beirut in order to save the city from total destruction and to avoid further civilian casualties, the Israeli army had taken advantage of that situation to exterminate the civilian population. That would not have occurred, however, if the Begin Government had not felt itself protected, armed and encouraged by the United States, which was hence a true accomplice in that massacre. In turn, the United States also practised a policy of discrimination against certain segments of its population such as the black, Amerindian and Puerto Rican minorities.

43. His delegation, while interested in the preparations for the Second World Conference to Combat Racism and Racial Discrimination, considered that stress should be placed above all on the fundamental objectives of the Decade and on the measures envisaged in the Programme of Action, and on monitoring the implementation of the main points of the agreement reached at the first Conference, in order to ensure that they were achieved before the end of the Decade. As to the Second Conference, the committees and national groups could play an important role in publicizing the objectives of the Conference; they could also review what had been done in their respective countries in order to implement the Programme of Action for the Decade. That information would then be communicated to the Secretary-General so that it could be analysed during the preparatory meetings, thereby enabling steps to be taken to ensure that countries implemented the Programme before the end of the Decade. The fact that the group of Western European States did not participate in the preparations for the Second Conference proved that they were impeding the effective implementation of the Programme of Action for the Decade. Furthermore, since it had not been possible to hold the

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(Mr. Zayas, Cuba)

first Conference in a developing country, his delegation felt it would be appropriate for the Second Conference to be held in the Philippines.

44. The work of the Committee on the Elimination of Racial Discrimination was especially important, in view of the manifestations of racism, racial discrimination and apartheid which persisted in the world. That Committee would certainly be able to make a positive contribution to the preparations for the Second Conference. His delegation wished to appeal to those countries which had not yet become parties 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 to accede to those instruments before the end of the Decade.

45. He also wished to refer to the report submitted by Mr. Khalifa, Special Rapporteur, which contained a list of over 600 banks, insurance companies and other enterprises which collaborated with South Africa and helped to support the apartheid régime in defiance of the numerous United Nations resolutions on that subject. That list should continue to be expanded and to be disseminated in the most effective possible manner.

46. Mr. BA (Mauritania) said that his country attached great importance to agenda items 75, 76, 79 and 80 and regretted the fact that some Governments still failed to grasp the meaning of history and preferred to swim against the tide. In many countries, racism was seen as an intellectual aberration and most had adopted national legislation prohibiting racial discrimination. Some countries like South Africa, however, had turned racial discrimination into a form of government. The methods used by the Zionist Israeli régime in Lebanon and the occupied Arab territories were no less reprehensible than those that the racist South African régime had always used against the front-line States, particularly Namibia, Angola and Mozambique. In addition to this similarity of methods, the strong economic, political and diplomatic ties between South Africa and Israel were proof of the collusion between the two Governments.

47. Apartheid was the disgrace of the contemporary world. The situation in South Africa was perpetuated only because of the assistance which certain countries afforded to its anachronistic régime which, thus encouraged by its masters and sponsors, persisted in its unjustified and unprovoked acts of aggression and its attempts to destabilize the front-line States. The peoples of Africa would know what conclusions to draw from such complicity with the Pretoria régime. His Government, for its part, steadfastly supported the peoples of southern Africa in their struggle for African independence and dignity and unreservedly condemned the criminal acts of the apartheid régime. It also hoped that the Special Rapporteur would continue to update the list of banks, transnational corporations and organizations that were providing assistance to the racist régimes of southern Africa and hoped that that list would be widely distributed.

(Mr. Ba, Mauritania)

48. In proclaiming the International Year of Mobilization for Sanctions against South Africa, the United Nations had simply reiterated the international community's firm commitment to combat the racist régime. His delegation regretted the fact that certain countries had seen fit to protect that régime by using their veto in the Security Council, but welcomed the draft resolution (A/C.3/37/L.3 and L.4) submitted by the Economic and Social Council and hoped to participate actively in the forthcoming World Conference.

49. In its attachment to the hallowed principle of the right of peoples to self-determination and to the guarantee that the human rights and democratic freedoms of all citizens would be protected, his Government had chosen, as in southern Africa and the Middle East, to take the side of peoples who were fighting for dignity, freedom and national independence. Convinced of the importance of tolerance and respect for international agreements in international relations, Mauritania believed that each country had the right to choose its political and socio-economic system in complete freedom.

50. Whether it was in the Declaration on the Elimination of All Forms of Racial Discrimination or the International Convention on the Elimination of All Forms of Racial Discrimination, or in other relevant resolutions, the United Nations had reaffirmed that any doctrine based on differentiation between the races or on racial superiority was scientifically false, morally condemnable, socially unjust and dangerous. It was its duty to ban from the family of nations those who did not respect such elementary principles of morality and justice, and to mobilize for the struggle against the fanatics and racists who threatened international peace and security.

51. Mr. BENA (Romania) observed that the consideration of agenda items 75, 76 and 80 was facilitated by the abundant documentation provided by the Secretariat, which offered an edifying picture of the struggle waged by the peoples of the world to eliminate the scourges of racism, racial discrimination and apartheid and also of the work that remained to be done to implement fully the Programme for the Decade.

52. The elimination of racial discrimination formed part of the aspirations of peoples to progress, well-being and social emancipation. His country therefore firmly condemned the policy of apartheid and racial discrimination as a challenge to mankind, a flagrant violation of the United Nations Charter and the most elementary rights of the human person and a threat to international peace and security. That was also why Romania supported the struggle of the South African people for freedom and democracy and the struggle which the Namibian people, under the leadership of SWAPO, were waging to put an end to the illegal occupation of Namibia and exercise their inalienable right to self-determination. Romania had actively supported the adoption by the General Assembly of resolutions calling on all Member States, United Nations organs, specialized agencies and intergovernmental and non-governmental organizations to work to achieve the objectives of the Programme for the Decade. It had also respected scrupulously Security Council and General Assembly resolutions calling for the adoption of specific measures against the colonial and racist régimes of southern Africa.

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(Mr. Bena, Romania)

53. Romania was pleased to note that the International Convention on the Elimination of All Forms of Racial Discrimination, to which it was a party, had been ratified by over 110 countries and that the International Convention on the Suppression and Punishment of the Crime of Apartheid, to which it was also a party, had been ratified by almost half of the membership of the United Nations. Much remained to be done, however, before the two Conventions could take full effect.

54. In view of the importance of the decisions which the General Assembly must take with regard to preparations for the Second World Conference to Combat Racism and Racial Discrimination, to be held at Manila in 1983, his delegation believed that the draft resolution on that subject prepared by the Economic and Social Council contained useful practical elements to guide the activity of the Preparatory Sub-Committee and therefore favoured its adoption.

55. His delegation believed that younger generations must be protected from the harmful influence of the neo-fascist and racist circles that were cultivating and propagating violence and racial hatred and that the world campaign provided for in the Programme for the Decade as a means of combating racial prejudice might provide the occasion to educate young people in the spirit of humanism, dignity and respect for the human person and encourage them to reject racist theories.

56. Finally, the Programme for the Decade must aim to implement the General Assembly resolutions calling on all States to adhere 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. His delegation hoped that the debate on the items currently under consideration would make a valuable contribution to preparations for the Second World Conference and to the efforts of the international community to eliminate racism and apartheid.

57. Mr. SLABY (Czechoslovakia), quoting article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, said that the prohibition of racial discrimination was an element in respect for human rights, the principle of which was set forth in the Charter of the United Nations, and, was therefore binding not only on States that had ratified the Convention but also on the other States Members of the United Nations. There was no question that certain norms of international law, which stipulated clearly that the prohibition of discrimination based on race was an integral part of jus cogens, were universally applicable.

58. Sixteen years after the adoption of the Convention, however, the racist Pretoria régime continued to violate the Charter and numerous United Nations resolutions and sought to perpetuate the inhuman system of apartheid, which it used to maintain its domination over the indigenous population and to exploit them cruelly. It was pursuing its illegal occupation of Namibia, to which it had extended its apartheid policy.

59. The fact that, despite all the efforts made, centres of racism and apartheid still persisted was due to the resistance of a small group of States, some of which

(Mr. Slaby, Czechoslovakia)

paradoxically laid claim to a certain moral superiority in the field of human rights.

60. One representative had gone so far as to ask publicly how the United Nations might help to improve the situation in South Africa. How to "improve" the situation in a country where members of the indigenous population must have a passbook in order to visit a neighbouring town, where the wages of black people were ten times lower than those of whites, where the régime's opponents were eliminated and miners worked in inhuman conditions? It was not reforms that would eliminate the anachronism and disgrace that was apartheid, but rather the cessation of all co-operation with the South African Government in all areas and the adoption against that régime of the sanctions provided in Chapter VII of the Charter.

61. The struggle against racism should not be limited to South Africa. Zionism, which was a form of racism, also made use of racism to protect dubious geo-political interests, as revealed by Israel's policy towards the Palestinians in the occupied Arab territories. The increasingly serious crisis afflicting capitalism was provoking overt and covert manifestations of racism towards foreign workers, national minorities and illegal immigrants. Those who, through hard and ill-paid work, had contributed to the economic prosperity of some Western countries had fallen victim to national and social oppression. That deplorable state of affairs was accompanied by a resurgence of neo-fascism in the Western countries. It was with good reason that the United Nations devoted its undivided attention to racial discrimination in all its forms and manifestations, for, since the advent of fascism, all the consequences of that scourge were well known. Racist theories, far from remaining philosophical theses, had always been used to justify inhuman and unlawful policies and acts of aggression. Such theories had been underestimated on many occasions, with all too familiar consequences. Czechoslovakia, which did not forget the lessons of the past, considered the fight against racism one of the basic tasks of the United Nations. That was why it had become a party to the International Convention on the Elimination of All Forms of Racial Discrimination, and why its laws excluded any possibility of racial prejudice.

62. His delegation trusted that the World Conference to Combat Racism and Racial Discrimination to be held in 1983 would give renewed impetus to efforts in the field. The elimination of racism would not only facilitate the achievement of harmonious national development but would also establish good relations between States, thus helping mankind to resolve its other problems.

63. Mrs. SMITH-ALLEYNE (Trinidad and Tobago) said she regretted that, despite the good intentions of the United Nations and the plans of action aimed at curing the ills which plagued the international community, the sores most in need of healing were not at all responding to treatment. While 116 States had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, the country in which racial discrimination was institutionalized refused to heed the call of the United Nations. The civil, political, social and cultural rights of individuals were blatantly denied. The type of racial discrimination practised

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(Mrs. Smith-Alleyne, Trinidad and Tobago)

in South Africa bordered on paranoia. Based on the unfounded notion that one race was inherently superior to all others and permeated by the myth of the "purity" of the superior race, that system was conceived to avoid at all costs any miscegenation between the "superior" group and others. While in most other countries of the world such myths had been exploded, the South African Government stubbornly clung to them, perhaps recognizing the irrationality of its position but unwilling to acknowledge the fact because of the repercussions which that would have for the political, economic and social welfare of the privileged.

64. The international community should not be fooled by statistics presented in a tendentious manner and purporting to demonstrate that concessions had been granted to South African blacks; concessions could not replace rights. She wished to stress that it was not good enough to make adjustments within the framework of apartheid to placate the incensed international community, while leaving that framework intact. Her country was firmly convinced that the system of apartheid should be completely eradicated and be replaced by a system respecting the fundamental rights and freedoms due to each and every member of the human race.

65. While South Africa should certainly be condemned, that was not enough; support should also be forthcoming for the liberation movements. All the praiseworthy recommendations which had emerged from the 1981 International Conference on Sanctions against South Africa, in common with all the conventions and resolutions on the question, would have no effect as long as they were flouted by Member States which continued to maintain relations with the perpetrators of the crime of apartheid. The only solution lay in total isolation of South Africa by all Member States without exception.

66. The Decade for Action to Combat Racism and Racial Discrimination had certainly made the international community aware of the extremely pernicious effects of racial discrimination on man's development. That was why so many countries had ratified the International Convention on the Elimination of All Forms of Racial Discrimination. The International Conference on Sanctions against South Africa, sponsored by the United Nations in co-operation with the Organization of African Unity held in Paris, accurately reflected the feelings of the international community on the question of South Africa.

67. Her country supported all efforts aimed at rectifying the situation in South Africa, and eagerly awaited the Second World Conference to Combat Racism and Racial Discrimination, which would provide a fitting climax to a successful Decade. Her country was resolved to play an active part in the preparations for the Conference.

68. The General Assembly, in resolution 2649 (XXV), had affirmed the legitimacy of the struggle of peoples under colonial and alien domination, and had recognized their right to self-determination. That was why her country considered the aggression committed against the Palestinian people to be a violation of all the principles enshrined in the Charter of the United Nations and of the fundamental rights of that people. Their rights should be recognized and respected by all the parties concerned if there was to be any semblance of peace in the Middle East.

(Mrs. Smith-Alleyne, Trinidad and Tobago)

69. Because of its commitment to decolonization, Trinidad and Tobago regretted that the Namibian people were still being denied their right to self-determination and independence, and it trusted that, in accordance with Security Council resolutions 385 (1976) and 435 (1978), the current negotiations would lead to a complete withdrawal of the South African troops occupying Namibia. She recalled that there still existed a few smaller Caribbean islands which had not yet undergone decolonization. It was to be hoped that the colonial Powers would discharge their duties under Article 73 of the United Nations Charter, and take the necessary steps to safeguard the stability of those islands when the time came for breaking the bonds of colonialism.

70. She trusted that Mr. Khalifa would receive all the assistance necessary to bring his extremely useful work to a successful conclusion.

71. Mr. GBATTI (Togo) said that the system of apartheid was not only a flagrant violation of human rights but also a danger to peace and security in Africa and a real challenge to the United Nations and to world opinion. That political system, which had instituted racial segregation in employment, education, health, sports, entertainment and in virtually every field, was designed to concentrate power in the hands of the country's white minority, while denying the black people of South Africa their dignity and right to exist. However, no people could tolerate the tyranny of an individual or another people indefinitely, nor passively witness their own annihilation. That was why the system of apartheid created a dangerous and explosive situation in southern Africa, as indicated by the tension, protests and earlier revolts, and the tragic events at Sharpeville in March 1960 and Soweto in 1976, which had resulted in the deaths of hundreds of black Africans. Even today, the organizers of students' movements, trade-union leaders and church figures were subjected to cruel and oppressive arbitrary measures. Under the pretext of so-called security laws, the Pretoria Government continued its policy of imprisonment and torture and the sentencing to death, in particular, of freedom fighters belonging to ANC or SWAPO. Such barbaric acts could only strengthen the determination of the blacks, Coloureds and Indians of South Africa to fight to the bitter end to recover their human dignity and respect for their rights. Its back to the wall, the Pretoria Government, with its characteristic political shortsightedness, hoped to find its salvation in the creation of "independent" Bantustans, which were nothing more than concentration camps in which the black population of the country rotted. Another tactic was to seek to divide the oppressed masses of the country's blacks, Coloureds and Indians - to manipulate the Coloureds and Indians by representing their struggle as different from that of the blacks and to dangle before them a few absurd social and political benefits.

72. His country, a firm supporter of the right of peoples to self-determination, reaffirmed that the liberation struggle begun in South Africa was all-embracing and that the system of apartheid could not be reformed. It must, quite simply, be abandoned or destroyed.

73. Apartheid survived only because private or public investors, transnational corporations and suppliers of arms and technology wished it to. The military,

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(Mr. Gbatti, Togo)

economic and even political assistance provided by some States and transnational corporations emboldened the South African political leaders and enabled them to defy the international community and trample United Nations resolutions and injunctions underfoot, with adverse consequences for the enjoyment of human rights in that country. His delegation therefore commended Mr. Khalifa for the work he had done and assured him of its support.

74. He stressed that the régime of injustice and oppression prevailing in that region, and kept in power only by dint of unprecedented violence, was unacceptable and he noted that his country placed great hope in the Second World Conference to be held in 1983. The black people of South Africa must win back their right to dignity; that was the cost of peace in that region of the world.

75. Ms. FAWTHORPE (New Zealand) said that her country, which was a multiracial society working towards multiculturalism, was very much interested in agenda items 76, 79 and 80, since it believed that it could benefit from experience acquired at the international level in the struggle against racism and racial discrimination and could share its own experience as well.

76. The Decade for Action to Combat Racism and Racial Discrimination was the major project of the United Nations in that area; it was an activity which her country had done much to support. Although the Decade would come to an end the following year, its activities ought not to end at that time. There were in fact few, if any, countries that were entirely free of prejudice and intolerance, and it would require far more than a decade of persuasion, education and law-making to change long-established discriminatory attitudes. The relevant measures taken by her country were set forth in the Secretary-General's report (A/37/338).

77. As her delegation was fully committed to the goals of the Decade as set out in General Assembly resolution 3057 (XXVIII), it hoped very much that the Second World Conference to Combat Racism and Racial Discrimination would set realistic priorities and goals without losing itself in political and ideological controversy. The difficulties that had arisen during the first Conference and its failure to reach a consensus had marred all subsequent discussion. It was to be hoped that that situation would not reoccur.

78. Her country fully endorsed the efforts by the Secretary-General of the Conference to ensure maximum participation in the Conference and to overcome the difficulties that had greatly eroded the Decade's usefulness. It also endorsed the comments made by the representative of Ireland concerning steps which the Third Committee might take to contribute to the preparations for the Conference. Her delegation hoped that other delegations would not insist on the hasty adoption of the draft resolution (A/C.3/37/L.4) which the Economic and Social Council had recommended to the General Assembly for that would limit the possibility of constructive dialogue. Her delegation would be interested in joining consultations aimed at producing a draft agenda which did not from the outset guarantee a place to controversial topics.

(Ms. Fawthorpe, New Zealand)

79. As the persistence of apartheid under the minority Government of South Africa continued to be the focus of every discussion of racism, the Conference would rightly concentrate its attention on that matter in 1983. The apartheid system violated virtually every human right, and its very existence was an affront to human dignity. Her country maintained its steadfast opposition to apartheid, which represented a denial of the standards, principles and the values on which New Zealand society was based. New Zealand had no diplomatic or consular representative in South Africa; for years, it had embargoed the export of arms to that country and had no trade relations with it. Her country continued to contribute to various United Nations trust funds which provided assistance to apartheid victims.

80. She noted that her country had participated in August 1982 in a seminar on recourse procedures for the victims of apartheid, which had been conducted at Bangkok for States members of the ESCAP region as part of the Decade. It saw particular value in such regional or subregional activities and would like educational or information exchanges to be developed further. Her delegation was pleased to note that members of CERD had participated in the seminar, which was a good means of publicizing the Convention and fostering a better understanding of its provisions.

81. Her delegation was disappointed that the report of CERD (A/37/18) had only very recently been issued; since many delegations had been unable to consider it in depth, they had found it impossible to make the kind of detailed comments called for. It was apparent from the report that the Committee was becoming increasingly concerned that some countries were not submitting their reports on time. While delays of that kind were indeed deplorable, it was to be hoped that the Committee would continue to be sympathetic to the difficulties faced by small countries with small administrations in meeting the full reporting requirements of the international instruments to which they were parties. It might be useful, as suggested in paragraph 48 of the CERD report, to organize seminars or training programmes for officials of States parties needing assistance in that respect. It would also be easier for States parties to have a representative present during the Committee's consideration of their reports if the reports were considered at the United Nations Centre where the State party had permanent representation. For that reason, her country had some reservations about the proposal in paragraph 481 of the report that CERD should hold its 1983 summer session at Manila. While it was commendable in principle for the Committee to meet in a developing country, since that would give greater publicity to the Convention, her delegation believed that the resources of States parties should also be borne in mind.

82. In chapter V of the report, the Committee on the Elimination of Racial Discrimination had complained of a lack of information on Pacific and Indian Ocean Territories. Her delegation wished to point out that it had included information on the Cook Islands, Niue and Tokelau in its periodic reports.

83. Her delegation was pleased to note that the International Convention on the Elimination of All Forms of Racial Discrimination was being ratified by an

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(Ms. Fawthorpe, New Zealand)

increasingly large number of States each year; to date, 116 States had done so, including Papua New Guinea and the Solomon Islands. CERD was already playing an active role in the Programme for the Decade, and her country looked forward to publication of the studies initiated by the Committee on articles 4 and 7 of the Convention for submission to the World Conference in 1983.

84. Referring to item 79 on self-determination and human rights, he said that New Zealand regretted that the people of Namibia, Afghanistan, Kampuchea and Palestine remained caught up in conflicts which prevented them from making their own contribution to international harmony and economic development. In the case of the Middle East, his delegation had consistently supported Security Council resolution 242 (1967). It believed that Israel was entitled to exist in peace behind secure borders, but also that the Palestinian people were entitled to determine their own future and to establish their own State, if they wished, following the withdrawal of Israeli troops from the occupied territories.

85. New Zealand fully supported the efforts of the five-member Western contact group to negotiate the withdrawal of South Africa from Namibia and permit the Namibian people to exercise its right to self-determination and independence. New Zealand hoped to see Namibia represented as a fully independent Member of the United Nations by the thirty-eighth session of the General Assembly.

86. His delegation had heard with interest the comments of the representative of Australia who, after having given some examples, to which New Zealand would add the Seychelles, had proposed that the Commission on Human Rights devote further consideration to the right of self-determination in the interest of ensuring that the right to free political expression, which had been won after such difficulty, was not violated in new conflicts.

87. Mr. KOROTICH (Ukrainian Soviet Socialist Republic), speaking on agenda items 76 and 80, said that the United Nations had greatly enhanced its prestige by proclaiming in 1972 the Decade for Action to Combat Racism and Racial Discrimination. The struggle to eliminate colonial domination and racial and national discord had brought a number of victories. New States had appeared on the political map of the world, new peoples had gained independence, new Members had been admitted to the United Nations and an entire period of history during which the wealth of numerous prosperous countries had been based on colonial conquest and pillage had come to an end. Through their heroic struggle against the racist and colonialist yoke, the oppressed peoples, assisted by all the progressive forces of the world and particularly by the Soviet Union and other socialist countries, had obtained their liberty and their independence.

88. The final elimination of the vestiges of racism did not involve only one people or country, because racism poisoned the international atmosphere and was a significant source of tension and conflict.

89. His delegation noted with concern that the South African régime's system of oppression and repression, its constant acts of aggression against neighbouring

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(Mr. Korotich, Ukrainian SSR)

independent African States and the reinforcement of its military potential were posing a real threat to international peace and security. It was the Western Powers, providing generous financial, economic, political and military assistance to the Republic of South Africa, which were responsible for the worsening situation.

90. Such acts were contrary to the principles of the United Nations and to the views of the large majority of Member States. His delegation fully endorsed the idea of imposing without delay comprehensive and mandatory sanctions on the apartheid régime in conformity with Chapter VII of the Charter.

91. The Western Powers, with the United States in the forefront, were actually refusing to participate in the Programme for the Decade for Action to Combat Racism and Racial Discrimination. They also were not participating in the work of the Preparatory Sub-Committee for the Second World Conference to Combat Racism and Racial Discrimination, continued to refuse to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid and openly sabotaged the numerous United Nations decisions and resolutions which rightly condemned the racist régime of Pretoria and required that all ties with that régime be severed immediately. Those who protected apartheid characterized the slightest word spoken against that régime and characterized the national liberation movement in Africa as "international terrorism". The dangerous policy of rapprochement between the Western countries and South Africa was designed to thwart an equitable solution to the problem of Namibia and to strengthen the puppet régime of Windhoek, thus countering the vital interests of the Namibian people and allowing that country to become a preserve of racism and oppression.

92. Racism was not, however, simply a question of skin colour. Facism, it need hardly be recalled, had annihilated millions of Slavs, Jews and people of various nationalities whose skin had been as white as that of the Aryans. Among other examples, he mentioned the massacre of Palestinians in the Lebanese camps of Sabra and Shatila, and said he was convinced that in 1975 the General Assembly had been right in deciding to qualify zionism as a form of racism and racial discrimination.

93. It was well known that, in many capitalist countries whose leaders liked to speak of "human rights", national minorities and foreign workers from Asia, Africa and Latin America were subjected to cruel discrimination and exploitation. Moreover, for some time a revival of the activities of Nazi, Fascist and neo-Fascist groups and organizations had been observed in those countries. As long as those forces, which had already caused so much misfortune, continued to exist and by their very existence threatened international peace and security and human freedom and safety, no State or international organization could afford to remain aloof from the search for a means of eliminating racism and racial discrimination.

94. His delegation greatly appreciated the efforts made by the Commission on Human Rights and especially by the Group of Three, which was responsible for making an annual review of the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid. It also took note with satisfaction of the work of the Committee on the Elimination of Racial

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(Mr. Korotich, Ukrainian SSR)

Discrimination and particularly welcomed the positive role which that Committee had played in the implementation of the Programme for the Decade.

95. His delegation unconditionally supported the resolution adopted at the thirty-fifth session of the General Assembly (resolution 35/33) on the convening in 1983 of the Second World Conference to Combat Racism and Racial Discrimination, and was convinced that the Conference would inspire all States to implement strictly the United Nations resolutions and decisions on the elimination of all forms and manifestations of colonialism, racism, apartheid and racial discrimination, which would make it possible to isolate and completely boycott racist régimes and to make world public opinion even more responsive to that objective.

96. His delegation also welcomed the role played in the implementation of the Programme for the Decade by the Economic and Social Council, which had prepared two draft resolutions (A/C.3/37/L.3 and L.4) and submitted them to the General Assembly for its approval. His delegation supported those draft resolutions, the adoption and implementation of which would greatly contribute to the implementation of the Programme for the Decade.

97. His delegation also fully supported the recommendation made by the Economic and Social Council at its first regular session of 1982 that the General Assembly should decide, at its current session, to launch a second Decade for Action to Combat Racism and Racial Discrimination as soon as the first one had ended. That approach was imperative in order to guarantee peace and friendship among peoples, to develop international co-operation further and to ensure the national and social progress of peoples.

The meeting rose at 6.10 p.m.