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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Report of the Third Committee

Rapporteur: Dr. Ludek HANDL (Czechoslovakia)

I. INTRODUCTION

1. The General Assembly, at its 1758th meeting on 20 September 1969, allocated to the Third Committee agenda item 55 entitled:

"Elimination of all forms of racial discrimination:

"(a) Implementation of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination;

"(b) Status of the International Convention on the Elimination of All Forms of Racial Discrimination;

"(c) Programme for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination."

2. The Third Committee considered this item at its 1697th to 1711th meetings in conjunction with item 56 entitled "Measures to be taken against nazism and racial intolerance" and item 57, entitled "Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories".

3. In connexion with sub-item (a), the Committee had before it a note by the Secretary-General (A/7667) recalling General Assembly resolution 2142 (XXI), which proclaimed 21 March as International Day for the Elimination of Racial Discrimination, and noting the action taken in that regard in 1969.

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4. In connexion with sub-item (b), the Committee had before it a note by the Secretary-General (A/7688) showing that as of 10 September 1969 seventy-two States had signed the Convention, thirty had ratified it and seven had acceded to it, and that it had come into force on 4 January 1969. The note also set out the declarations and reservations made by some of those States.

5. In connexion with sub-item (c), the Committee had before it a report by the Secretary-General (A/7649) containing a suggested programme for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination.

6. With regard to sub-item (c), it will be recalled that the International Conference on Human Rights, held at Teheran from 22 April to 13 May 1968, adopted at its twenty-fifth plenary meeting on 12 May 1968, resolution XXIV entitled "International Year for Action to Combat Racism and Racial Discrimination", in which it urged the General Assembly to consider the possibility of declaring 1969 or the following year as the International Year for Action to Combat Racism and Racial Discrimination, and urged all Member States, international and national organizations, and all people of goodwill to participate actively in 1969 in carrying out measures to intensify the struggle against and elimination of racism, apartheid and racial discrimination. The Conference requested the Secretary-General, in consultation with Member States, to prepare, for consideration at the twenty-third or twenty-fourth session of the General Assembly, an outline of a programme of measures for the observance in 1969 or a subsequent year of the International Year for Action to Combat Racism and Racial Discrimination.

7. The General Assembly, in resolution 2446 (XXIII) of 19 December 1968, requested the Secretary-General, in consultation with Member States, to prepare a programme for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination.

8. Pursuant to resolution XXIV of the Conference and resolution 2446 (XXIII) of the General Assembly, the Secretary-General requested the Governments of Member States to inform him of their views regarding measures for the observance of the International Year for Action to Combat Racism and Racial Discrimination. The replies received from Member States were reproduced in document A/7649/Add.1.

9. As requested by the General Assembly, the Secretary-General prepared his suggested programme for the celebration in 1971 of the International Year on the basis of the comments and suggestions made by Member States, due account being taken as appropriate of the programme of measures and activities for the International Year for Human Rights, which was approved by the General Assembly in its resolutions 2081 (XX) and 2217 (XXI) and the decisions and recommendations of United Nations organs on the question of the elimination of all forms of racial discrimination, including the policy of apartheid.
10. A statement of financial implications of the suggestions contained in document A/7649 was circulated in document A/C.3/L.1733.

II. PROCEEDINGS IN THE THIRD COMMITTEE

Draft resolution and amendments

11. At the 1710th meeting of the Committee a draft resolution relating to sub-item (c) was submitted by Mongolia, the Union of Soviet Socialist Republics and the United Republic of Tanzania, later joined by Bulgaria, Guinea and Peru (A/C.3/L.1738 and Add.1-2), which read as follows:

"The General Assembly,

"Reaffirming its firm resolve to achieve the total and unconditional elimination of racial discrimination and racism against which the conscience and sense of justice of mankind have long been aroused and which in our time represent a serious obstacle to further progress and to the strengthening of international peace and security,

"Recalling its decisions and the decisions of other United Nations organs designed to combat racism and condemning the policy of apartheid and racial discrimination as being incompatible with the Principles of the United Nations and constituting a crime against humanity, and recalling further its repeated appeals to the States concerned to take appropriate measures to eliminate racial discrimination, apartheid, nazism and other manifestations of racism,

"Noting with satisfaction the entry into force of the International Convention on the Elimination of All Forms of Racial Discrimination, which opens up new possibilities in the struggle against racism,

"Considering that in the interests of peace and the social progress of peoples and to ensure that all enjoy human rights and fundamental freedoms without any discrimination on such grounds as race, colour,

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national or ethnic origin, new and still more vigorous and intensified efforts should be made both at the international and the national level to achieve the rapid and total elimination of racial discrimination, including the policy of apartheid, nazism, neo-nazism and other manifestations of racial intolerance,

"Referring to resolution XXIV entitled 'International Year for Action to Combat Racism and Racial Discrimination' adopted by the International Conference on Human Rights in Teheran in 1968, and also General Assembly resolution 2446 (XXIII) entitled 'Measures to achieve the rapid and total elimination of all forms of racial discrimination in general and of the policy of apartheid in particular' in which it requested the Secretary-General, in consultation with States Members of the United Nations, to prepare a programme for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination,

"1. Designates the year 1971 as International Year for Action to Combat Racism and Racial Discrimination;

"2. Considers that the International Year for Action to Combat Racism and Racial Discrimination should be celebrated in the name of the ever-growing struggle against racial discrimination in all its forms and manifestations and in the name of international solidarity with those struggling against racism;

"3. Approves the programme for the celebration of the International Year for Action to Combat Racism and Racial Discrimination prepared by the Secretary-General (A/7649) and calls upon all States to co-operate in every way possible in its implementation;

"4. Urgently appeals to all States to intensify and expand their efforts at the national and the international level towards ensuring the rapid and total eradication of racial discrimination, including the policy of apartheid, nazism, neo-nazism and other manifestations of racism;

"5. Invites the organs of the United Nations and the specialized agencies to co-operate and participate in the preparatory work and in the celebration of the International Year for Action to Combat Racism and Racial Discrimination;

"6. Requests the Secretary-General of the United Nations to submit to the General Assembly at its twenty-fifth session a progress report on the preparations for the International Year for Action to Combat Racism and Racial Discrimination based on any information which he may receive from States, the organs of the United Nations and the specialized agencies."

12. The following amendment to the draft resolution was submitted by the United Kingdom (A/C.3/L.1741):

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"1. Fourth paragraph of the preamble

Delete the word 'neo-nazism' in the last line.

"2. Operative paragraph 1

Delete the words 'Action to Combat Racism and Racial Discrimination' and substitute the words 'the Promotion of Racial Harmony'. Consequential amendments would be made to the title of the resolution and to operative paragraphs 2, 3, 5 and 6.

"3. Operative paragraph 4

Delete the word 'neo-nazism'."

13. At the 1711th meeting, the representative of the United Kingdom orally revised his second amendment to the effect that the title of the Year should be "International Year for Racial Justice".

14. At the same meeting, the representative of Bulgaria, on behalf of the co-sponsors, orally revised the six-Power draft resolution (A/C.3/L.1738) by substituting the words "and all of its contemporary forms as well as" for the word "neo-nazism" in the fourth preambular paragraph and in operative paragraph 4, as had been suggested by the representatives of France and India. As a result of this revision, the first and third paragraphs of the United Kingdom amendment, which would have deleted the word "neo-nazism" from those paragraphs, became inapplicable.

15. The representative of the Union of Soviet Socialist Republics, on behalf of the co-sponsors of the draft resolution, accepted the suggestions made orally by the representative of Jamaica to amend the draft as follows:

(a) To add the words "Charter of the" before the words "United Nations" in the second preambular paragraph;

(b) To substitute the words "observance" or "observed", as appropriate, for the words "celebration" or "celebrated" throughout the draft resolution;

(c) To add the word "concerned" after the words "the specialized agencies" in operative paragraphs 5 and 6.

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Debate

(a) Implementation of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination

16. A number of speakers stressed the importance of the principles enshrined in the Declaration and drew the Committee's attention to the fact that those principles were also affirmed in the Constitution or legislation of their countries.

(b) Status of the International Convention on the Elimination of All Forms of Racial Discrimination

17. Many representatives expressed their satisfaction at the entry into force of the Convention in January 1969 and the forthcoming meeting of the Committee on the Elimination of Racial Discrimination. This was an important milestone in the efforts of the world community to eradicate racism and racial discrimination. The view was expressed that the Convention, the first United Nations instrument in force with provision for its own implementation, should be truly universal and open to ratification by all States.

18. Some representatives voiced regret at the fact that certain States which had not yet become Parties to the Convention persisted in pursuing racist policies. Other speakers stated that they had thus far not ratified the Convention because their constitutional system called for a time consuming study of its provisions in relation to existing laws. A number of representatives announced their Government's intention to ratify the Convention at an early date.

(c) Programme for the celebration in 1971 of the International Year for Action to Combat Racism and Racial Discrimination

19. The discussion mainly concentrated on this sub-item. Representatives welcomed the proposal for the observance of 1971 as the International Year for Action to Combat Racism and Racial Discrimination. Many particularly emphasized the point that the International Year should be a year of genuine action rather than a year of ceremonial activities, a year aimed at eradicating racial discrimination. Some other speakers felt that the main emphasis should be placed on promoting racial harmony and achieving racial justice, and they suggested that the title of the year should be accordingly altered.

20. The programme for the observance in 1971 of the International Year, prepared by the Secretary-General (A/7649), was noted with appreciation and supported during the debate. It was generally felt that the programme would afford Member States an opportunity to review their policy on this essential issue of respect for human rights. Some representatives stressed the particular importance of organizing, under the programme of advisory services in the field of human rights, a world-wide seminar on measures to be taken on the national level for the implementation of United Nations instruments aimed at combating and eliminating racial discrimination and for the promotion of harmonious race relations, as suggested in the programme. The opinion was expressed that what was particularly required was not a mere year of action but continuous action to eradicate racial discrimination.

21. The importance of educational activities in connexion with the observance of the International Year, and of a public information campaign aimed at exposing the disastrous effects of racial discrimination and the policy of apartheid was also emphasized in the debate. It was pointed out that public information activities should stress the necessity of a speedy elimination of racism and racial discrimination in all its forms and manifestations, and that particularly the younger generations should be taught to abhor racism, apartheid, nazism and neo-nazism and to respect human rights and the principles of the United Nations Charter.

Voting

22. At the 1711th meeting, the Committee voted on the draft resolution (A/C.3/L.1738 and Add.1-2), as orally revised, and on the orally revised amendment thereto (A/C.3/L.1741). The voting was as follows:

(a) The Committee rejected the United Kingdom proposal to amend the title of the International Year by 59 votes to 26, with 18 abstentions. At the request of the representative of the Union of Soviet Socialist Republics the vote was taken by roll-call. The voting was as follows:

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In favour: Argentina, Australia, Austria, Belgium, Bolivia, Canada, China, Denmark, Dominican Republic, Finland, Gabon, Greece, Iceland, Ireland, Italy, Jamaica, Japan, Lesotho, Malawi, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Afghanistan, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Ceylon, Chad, Congo (Brazzaville), Cuba, Czechoslovakia, Ecuador, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Israel, Jordan, Kenya, Kuwait, Libya, Madagascar, Maldives, Mali, Mauritania, Mongolia, Morocco, Niger, Nigeria, Pakistan, Peru, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sudan, Syria, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yugoslavia, Zambia.

Abstaining: Brazil, Central African Republic, Chile, Congo (Democratic Republic of), Costa Rica, Cyprus, Dahomey, France, Ivory Coast, Lebanon, Liberia, Malaysia, Mexico, Nepal, Nicaragua, Philippines, Swaziland, Turkey.

(b) The draft resolution as a whole, as orally revised, was adopted unanimously (see paragraph 23 below).

III. RECOMMENDATION OF THE THIRD COMMITTEE

23. The Third Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

Programme for the observance in 1971 of the International Year
for Action to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its firm resolve to achieve the total and unconditional elimination of racial discrimination and racism against which the conscience and sense of justice of mankind have long been aroused and which in our time represent a serious obstacle to further progress and to the strengthening of international peace and security,

Recalling its decisions and the decisions of other United Nations organs designed to combat racism and condemning the policy of apartheid and racial discrimination as being incompatible with the principles of the Charter of

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the United Nations and constituting a crime against humanity, and recalling further its repeated appeals to the States concerned to take appropriate measures to eliminate racial discrimination, apartheid, nazism and other manifestations of racism,

Noting with satisfaction the entry into force of the International Convention on the Elimination of All Forms of Racial Discrimination, which opens up new possibilities in the struggle against racism,

Considering that in the interests of peace and the social progress of peoples and to ensure that all enjoy human rights and fundamental freedoms without any discrimination on such grounds as race, colour, national or ethnic origin, new and still more vigorous and intensified efforts should be made, both at the international and the national levels, to achieve the rapid and total elimination of racial discrimination, including the policy of apartheid, nazism and all of its contemporary forms, as well as other manifestations of racial intolerance,

Referring to resolution XXIV entitled "International Year for Action to Combat Racism and Racial Discrimination" adopted by the International Conference on Human Rights,^{1/} held at Teheran in 1968, and also General Assembly resolution 2446 (XXIII) of 19 December 1968 entitled "Measures to achieve the rapid and total elimination of all forms of racial discrimination in general and of the policy of apartheid in particular", in which the Assembly requested the Secretary-General, in consultation with States Members of the United Nations, to prepare a programme for the observance in 1971 of the International Year for Action to Combat Racism and Racial Discrimination,

1. Designates the year 1971 as International Year for Action to Combat Racism and Racial Discrimination;

2. Considers that the International Year for Action to Combat Racism and Racial Discrimination should be observed in the name of the ever-growing struggle against racial discrimination in all its forms and manifestations and in the name of international solidarity with those struggling against racism;

^{1/} See Final Act of the International Conference on Human Rights (United Nations publication, Sales No.: E.68.XIV.2), p.18.

3. Approves the programme for the observance of the International Year for Action to Combat Racism and Racial Discrimination prepared by the Secretary-General^{2/} and calls upon all States to co-operate in every possible way in its implementation;

4. Urgently appeals to all States to intensify and expand their efforts at the national and the international level towards ensuring the rapid and total eradication of racial discrimination, including the policy of apartheid, nazism, and all of its contemporary forms, as well as other manifestations of racism;

5. Invites the organs of the United Nations and the specialized agencies concerned to co-operate and participate in the preparatory work and in the observance of the International Year for Action to Combat Racism and Racial Discrimination;

6. Requests the Secretary-General of the United Nations to submit to the General Assembly at its twenty-fifth session a progress report on the preparations for the International Year for Action to Combat Racism and Racial Discrimination based on any information which he may receive from States, the organs of the United Nations and the specialized agencies concerned.

^{2/} A/7649.