COMMISSION ON HUMAN RIGHTS

Forty-fourth session

SUMMARY RECORD OF THE 17TH MEETING

Held at the Palais des Nations, Geneva,
on Friday, 12 February 1988, at 10.15 a.m.

Chairman: Mr. SENE (Senegal)
Later: Mr. DELGADO BARRETO (Peru)

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The meeting was called to order at 10.35 a.m.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS AND CO-OPERATION OF PORTUGAL

1. The CHAIRMAN said that the Commission was honoured by the presence of Mr. Durão Barroso, Minister for Foreign Affairs and Co-operation of Portugal whom he invited to take the floor.

2. Mr. BURÃO BARROSO (Minister for Foreign Affairs and Co-operation of Portugal), having reiterated Portugal's attachment to the principles of justice and human dignity and reviewed the system of legal guarantees for human rights in his country, said that his Government considered itself duty-bound to promote human rights as part of its foreign policy. Neither inadequate economic or social development nor ideological conviction could legitimize the denial of human rights, and it was not an interference in the internal affairs of a State for the international community to express its concern at human-rights violations or appeal for human rights to be respected.

3. The international community in general and the Commission in particular, should take an active part in improving the international system for protecting and promoting fundamental rights. The standard-setting work already accomplished was notable, but certain areas still called for further efforts. His Government attached particular importance to the draft convention on the rights of the child and the draft convention on the rights of migrant workers.

4. Such instruments would become effective, however, only when they had been ratified by all States and were being seriously implemented. Ratification was not an end in itself, a quest for international prestige unreflected in domestic practice, and his Government attached great importance, therefore to the machinery for monitoring implementation. In that context, it was particularly useful to have the assistance of rapporteurs and special representatives from the Commission.

5. Special attention should be paid to the role of information, both within the United Nations and at regional and national levels, for a lack of training and information was an objective ally of the silence that often helped to cover up the most shocking violations of human rights, and on which human-rights violations relied. In that connection, his Government intended to continue its co-operation with non-governmental organizations, which were eminently suited to promoting human rights and denouncing violations.

6. His Government was concerned at the financial crisis that had struck the United Nations. It was to be hoped that the restructuring measures currently under consideration would not lead to even further reductions in the already inadequate budget for human-rights programmes. Any such savings would certainly be insignificant in comparison with the enormous damage that it would cause.

7. Despite renewed appeals by the international community, massive and repeated human-rights violations continued in South Africa. His Government reiterated its call for a total and definitive dismantling of the immoral apartheid system, which disregarded the most basic values of human dignity. Such an objective could, however, be achieved only through negotiations among all the parties concerned.
8. In the case of Namibia, his Government reiterated its firm support for a solution based on the implementation of Security Council resolution 435 (1978). The denial of the Namibian people's right to self-determination and independence was a flagrant violation of the United Nations Charter that must be strongly condemned by the international community.

9. The recent wave of violence in the Middle East demonstrated once again that peace and stability could be achieved only through genuine respect for the right to self-determination of the Palestinian people. It was also essential to guarantee, of course, in conformity with the relevant Security Council resolutions, the right of all States of the region, including Israel, to live within secure and internationally-recognized borders. His Government called upon Israel to respect its obligations under the 1949 Geneva Conventions and to cease the measures of expulsion, deportation and administrative repression carried out against the local population.

10. Despite some recent encouraging signs, the Afghan people was still being prevented from exercising its legitimate right to self-determination. The state of war caused by foreign intervention was responsible for the tragic and massive violations of fundamental rights, the most eloquent example of which was the enormous number of refugees that had fled the country. The same was true of Kampuchea, where the disregard of the right to self-determination and other human-rights violations were the direct consequence of the military occupation by a foreign power, that continued to deny the Kampuchean people the chance to choose its destiny freely.

11. Equally serious violations of human rights were occurring in countries whose inhabitants were the victims of ill-treatment and repression at the hands of dictatorships that justified their practices by stirring up perverse and fanatical convictions within the population, as in the case of Iran.

12. Clear and encouraging progress in the area of human rights had been noted in recent years in a number of countries of Latin America, the efforts made coinciding with the restoration of democratic forms of government in those countries. Much still remained to be done, however, since the trend had not yet reached all the countries of that continent.

13. The question of East Timor continued to merit the attention of the international community, not only because of the denial of the right to self-determination of the people of East Timor, but also because of the persistent violations of the human rights and fundamental freedoms of each individual Timorese. Despite the efforts of the occupying Power, the military invasion and the time that had subsequently elapsed had not been able to cover up the problem.

14. At its most recent session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had approved a resolution on East Timor for recommendation to the Commission. Almost simultaneously, during a debate in the Special Committee concerned with decolonization evidence had been submitted of the continuation in East Timor of systematic human-rights violations, including summary executions, arbitrary detentions, disappearances, torture and general disregard for freedom of speech, association and movement.
15. As the Administering Power of a non-self-governing Territory whose decolonization process had been illegally interrupted by the military action of a third Power, Portugal considered it its duty to draw the international community's attention to the need to enforce respect in East Timor for the right to self-determination and to ethnic, cultural, social and religious identity. His Government had no desire to restore its sovereignty over East Timor and did not desire a confrontation with Indonesia. It respected all the relevant resolutions of the General Assembly and the Security Council and was always willing to co-operate with the Secretary-General in the search for a comprehensive and internationally acceptable solution to the problem. For its part, the Commission should continue to monitor the situation closely to ensure that human rights were respected in East Timor.

16. There were still numerous cases throughout the world of intolerable practices such as torture, forced disappearances, deportations and summary or arbitrary executions. In fact, the enforced disappearance or summary execution of an individual constituted a form of individual and collective torture because of the sentiment of loss, fear and general anxiety that such practices caused in a community. Such practices were often conducted under the protection of extended states of emergency which provided a legal cover to repression. Portugal's unconditional opposition to such practices was clear, and it would soon ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which it had signed on the first day that the Convention had been opened for signature.

17. His Government considered that religious conviction, one of the deepest manifestations of human nature, was inviolable and must not be repressed by any State. The same applied to churches, the institutional projection of such convictions. There was no excuse for tolerating any violations of religious convictions or their public expression in religious services. In some countries, indeed, the stirring up of religious prejudices had attained the level of official policy. Portugal condemned all forms of discrimination and repression for religious motives. There was no reason whatever why different religious beliefs could not co-exist in the same State, whatever the numbers of their adherents. It was particularly unacceptable for the State itself to repress religious plurality by imposing an official religion, or an anti-religious ideology for that matter.

18. The CHAIRMAN thanked the Minister for Foreign Affairs and Co-operation of Portugal for his valuable Statement.


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.2/1987/8/Rev.1 and Add.1 - Parts I and II; E/CN.4/1988/37, Chapter I, Section A, draft resolution V)

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 (a)) (continued) (E/CN.4/1988/37, Chapter I, Section A, draft resolution IV)

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 17 (b)) (continued) (E/CN.4/1988/2, 33, 34, 35 and 37, Chapter I, Section A, draft resolution III, A/RES/42/47, A/42/492 and 493)

19. Ms. AL-'IURIHI (Iraq) said that, on the eve of the fortieth anniversary of the Universal Declaration of Human Rights, there were still parts of the world where its provisions were not respected. In South Africa, racism had been institutionalized. The white minority had appropriated the country's wealth, the black majority was confined to arid lands, amounting to barely 13 per cent of the country by area, and its manpower and scarce resources were exploited.

20. Although the United Nations had declared racial discrimination an affront to mankind and had condemned the Pretoria régime in numerous resolutions, complaisance on the part of some countries enabled that régime to persist with impunity. Its sombre record, including arbitrary arrest and detention, even of children and infants, was reflected in the interim report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/1988/8). Constructive measures were urgently required with a view to putting an end to the abhorrent system of apartheid.

21. Nor should the Pretoria régime be allowed to continue indefinitely its illegal occupation of Namibia and its aggression against neighbouring States and southern African national liberation movements. There was overwhelming evidence of the crimes committed in that regard, including the kidnapping and murder of ANC members. The Special Rapporteur's updated report to the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1987/8/Rev.1 and Add.1 - Parts I and II) showed how transnational corporations played a primordial role in supporting the Pretoria régime and noted how certain circles condemned apartheid in words but had seemingly chosen to sacrifice the human being on the altar of sheer economic expediency and profiteering.

22. The part played by transnational corporations in the apartheid system's continued existence had been further highlighted in the report by the Group of Three (E/CN.4/1988/32). South Africa was also stubbornly continuing to develop nuclear weaponry; its development and testing programme, in which Israel participated, was an ever-growing threat to peace and security.

23. The international community must step up its efforts, including the immediate application of global mandatory sanctions, in order to compel the Pretoria régime to abandon its abhorrent policies, release Nelson Mandela and other political detainees, and withdraw from Namibia pursuant to the provisions of Security Council resolution 435 (1978); it should also give full support to the national liberation movements.

24. Mr. BRANCO (Sao Tome and Principe) said that the interim report of the Ad Hoc Working Group of Experts (E/CN.4/1988/8) helped to bring home the real implications of apartheid and dispel any tendency to view that phenomenon in
the abstract. The white minority's arbitrary action against the South African black majority had reached unprecedented levels, and its aggression against neighbouring States had been condemned by the Security Council and the world community.

25. The only peaceful way of compelling South Africa to respect the world community's will and decisions was to impose comprehensive mandatory sanctions pursuant to Chapter VII of the Charter. The failure to do so hitherto was due to the position adopted, for well-known reasons, by some permanent members of the Security Council. In that connection, the Special Rapporteur's updated report (E/CN.4/Sub.2/1987/Rev.1 and Add.1 - Parts I and II) emphasized how important was the need for such sanctions.

26. The fact that sanctions would involve various degrees of adjustment by and hardship to other countries could not be allowed to overshadow the moral issue. It was increasingly evident that policies, foreign or domestic, which did not measure up to moral imperatives inevitably failed. Competing moral claims could not be solved by means of a simple formula but must be reasoned in the light of facts in particular cases, under the three dimensions of motive, means and consequences. In the case of southern Africa, the motive was the preservation of one race's supremacy; the means were repression and institutionalized violence; and the consequences were the destruction of human life, a state of permanent terror and a threat to international peace and security. All were unacceptable and had been universally condemned.

27. The moral responsibility was clear and inescapable. Action was needed to translate it into effective measures against apartheid so that the peoples of southern Africa could live in peace and security and enjoy their inalienable rights to freedom and development.

28. Mr. Delgado Barreto (Peru) took the Chair.

29. Mr. GOONETILLEKE (Sri Lanka) said that experience had shown that criticism, denunciation or strong-arm tactics rarely succeeded in persuading a State to abandon internationally unacceptable policies or practices. The case of South Africa was drastically different however; it was the only country in which institutionalized racial discrimination was practised and, unlike cases of discrimination elsewhere, in South Africa a minority was discriminating against a majority. It was ironic that, on the threshold of the twenty-first century, there could be a régime believing in racial superiority yet deluding itself that it was a democracy.

30. In order to consolidate its power, the régime had introduced a long list of extraordinary laws, including the notorious Group Areas Act of 1950, which had divided urban residential land into areas for designated races - whites, Coloureds, Indians and blacks. The recent repeal of certain laws, such as the Immorality Amendment Act of 1957 and the Mixed Marriages Act of 1949 and the pass laws, had not led to any genuine reform or a progressive dismantling of apartheid; nor had such measures altered the white minority's exclusive hold on economic and political power.

31. As stated in paragraph 154 of the Working Group's interim report, and analysis of the information received had shown that official statements were often at variance with measures taken by the Government to strengthen the
system of apartheid. The interim report also spoke of detentions, torture and other forms of violation perpetrated by the South African authorities.

32. Most damaging of all was the information on the treatment of minors; the well-documented cases of detention and ill-treatment of children had earned South Africa world-wide condemnation. The Minister for Law and Order had, in September 1987, assured the International Conference on Children, Repression and the Law that no child aged under 15 years was being held under the emergency regulations and that statement, whether true or not, certainly implied that there were indeed young people aged between 15 and 18 years in detention.

33. South Africa was continuing its universally condemned "homelands" policy and its campaign to destabilize the front-line States. Its action against Angola and Mozambique in particular had caused much death and destruction and created 1.5 million refugees within 10 years.

34. South Africa continued to occupy Namibia in defiance of Security Council resolution 435 (1978). The world had condemned South Africa's obstinate linking of Namibian independence with the departure of Cuban troops from Angola, since the two issues were entirely unrelated. His Government expressed its solidarity with SWAPO in its struggle for liberation.

35. The lack of unified international action to remedy the situation was regrettable. The World Conference on Sanctions against South Africa, held in June 1986, had concluded that the most effective peaceful measure available to the international community to end apartheid was to enforce comprehensive mandatory sanctions, since the alternative was an escalation of violence and bloodshed.

36. Some argued that sanctions would do more harm to the blacks in South Africa and harden the régime's attitude, and that the alternative was to conduct a dialogue and persuade South Africa to reform itself. However, 10 years of such efforts had brought the goal no nearer, and the international community could not wait for another 10 years. As long as the white minority wielded the exclusive political and economic power for which the apartheid system was engineered, it was unlikely to relinquish voluntarily the system which provided that power.

37. His delegation reiterated its support for the heroic South African people, under the leadership of ANC and PAC, in its struggle against a repressive régime.

38. Mr. Sene (Senegal) resumed the Chair.

39. Mr. HENNESSY (Ireland) said that it was a sobering thought, as the international community prepared to celebrate the fortieth anniversary of the Universal Declaration of Human Rights, that 20 million black and Coloured people in South Africa lived under a form of government devised at about the same time as the Declaration but embodying values that were a systematic perversion of those to which the international community had committed itself in 1948.

40. It was, of course, the black population of South Africa that daily endured such practices as the so-called resettlement policy - in effect a form
of banishment, discrimination in all matters pertaining to employment, education, health and social services and, above all, the denial of the right to choose their form of government. In view of the humiliations inherent to the odious apartheid system, it was no surprise that the majority population rejected the institutional tinkering which constituted the South African authorities' only response to the incessant demands for freedom and democracy. Only the complete dismantling of the apartheid system in all its aspects could create conditions in which the human rights of every South African were respected.

41. The South African authorities sought to deal with the understandable manifestation of popular discontent by ever more Draconian measures. Nevertheless, his Government strongly urged those striving for change in South Africa to continue to place their faith in peaceful means. While it could not condone the use of force in the pursuit of that objective, his delegation was acutely conscious of the frustration that had led many in South Africa to contemplate that option, despite the catastrophe to which it could lead. It could be avoided, however, only if a radical transformation of political life in that country were effected without further delay.

42. The need for change was graphically borne out in the Interim Report of the Ad Hoc Working Group of Experts (E/CN.4/1988/8). The evidence suggested that, while the repressive measures applied by the South African Government had varied from year to year, there had been no change in the objective of the repression or the unwillingness of the authorities to accept any constraint on the methods employed in its attainment. The state of emergency existing since June 1986 had enlarged still further the array of powers available to the security forces, and many of its provisions were designed to exclude the police and other Government agents from the normal constraints of law.

Against that background, claims by South Africa to operate a legal system which offered fair trial and due process evoked a sceptical response.

43. Many thousands of people had been held under the emergency regulations, and there was widespread evidence of physical abuse and torture. The treatment of children in custody merited special attention. At the end of April 1987, the Detainees' Parents Support Committee (DPSC) had estimated that 40 per cent of detainees - some 10,000 persons - were under the age of 18, and by the admission of the South African Minister of Law and Order, those held included 28 children under the age of 15, of which 21 were aged 12 or under.

44. Even apart from the situation under the emergency regulations, it was infinitely depressing to contemplate the discriminatory educational structure provided for the black children of South Africa. Inferior accommodation, fewer trained teachers and vastly less resources ensured gross inequality and served to aggravate the already difficult employment situation facing the majority community. Alternative educational structures, outside the State system, were however coming to play a significant role, an important development in view of the potential of education for breaking the cycle of deprivation.

45. Following the renewal of the state of emergency in June 1987, additional curbs had been imposed on the news media, and it had become an offence to call for the release of detainees or to show solidarity with them. The black people of South Africa had made it quite clear that they would not be deterred by such measures. His Government applauded the dignified response of many
black leaders, such as Archbishop Tutu, to such provocation and called upon the South African Government to revoke those measures immediately. It also wished to call once again for the release of Nelson Mandela and other political leaders currently held in South African prisons.

46. There was an onus on the international community to take practical steps to expedite the process of peaceful change within South Africa. Playing its part in that process, his Government did not maintain diplomatic relations with South Africa and did not encourage trade or economic links with that country. There was no Irish public investment there, and there were no Irish companies with subsidiaries in South Africa. The importation into Ireland of agricultural produce from South Africa had recently been prohibited. His Government had also done everything possible to prevent sporting contacts between the two countries.

47. As a member of the European Community, Ireland was party to a number of restrictive measures, including a ban on new investment, on the importation of iron, steel and gold coins from South Africa and on oil exports to South Africa. Only collective action by the whole international community could create conditions for meaningful change in South Africa, and his Government therefore supported the imposition by the Security Council of a set of mandatory sanctions against South Africa. To produce the desired results, such sanctions should be selected carefully, graduated for maximum effectiveness and fully implemented by all.

48. His Government was conscious of the particular burden borne by those countries in southern Africa that had endured violations of their sovereignty and severe economic dislocation as a result of South African actions, and it condemned the involvement of South African security personnel in attacks in Angola, Zambia, Mozambique, Zimbabwe and Botswana. It valued highly the views of all the States in the region on the attainment of the goal of a free South Africa, and regarded its participation in the Southern Africa Development Co-ordination Conference as an especially important channel for such dialogue.

49. The illegal occupation of Namibia by South Africa continued and was further aggravated by the intensification of the South African military presence in the area and the imposition of political structures designed to entrench further an undemocratic system rejected by the majority of the people of Namibia. His Government reiterated its call for the immediate withdrawal of South African forces and the establishment of an independent Namibia.

50. The report of the Ad hoc Working Group of Experts (E/CN.4/1988/8) disclosed a disturbing picture of human-rights violations in Namibia. Of particular concern were the numerous reports of atrocities committed by the militia force known as the Counter-Insurgency Unit of the South-West African Police (COIN).

51. One aspect of the situation in Namibia highlighted by the Working Group was the increasing tendency of the South African authorities to attack the property and staff of the churches in Namibia. Irish public opinion was strongly supportive of the efforts being made by the churches in South Africa and Namibia to promote respect for human rights. His delegation hoped that constant vigilance on the part of the international community might ensure a
measure of protection for those who continued to strive to ease the lot of their fellow men and women in those areas under the control of the South African Government.

52. Mr. MONTEMAYOR CANTU (Mexico) said that the reports before the Commission gave great cause for concern about the human-rights situation in South Africa and Namibia and, particularly, the growing death toll in the region. The United Nations had undertaken many different activities to discourage the apartheid policy, but the results had not been encouraging.

53. The updated reports submitted every year by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities showed the adverse effects on the human-rights situation of the non-white population of all forms of assistance to the South African régime. It was surprising to note the tolerance which certain countries showed towards a régime which practised systematic slavery.

54. Although more than 80 States had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid, the States which had not were the very ones which, directly or indirectly, collaborated with the South African régime. The Programme of Action for the Second Decade to Combat Racism and Racial Discrimination could not become truly effective until those States ceased their support for the Pretoria régime. The international community must redouble its efforts to find new and imaginative ways to bring down apartheid, a task to which his Government pledged its full support.

55. Mr. MALISAUSKAS (Union of Soviet Socialist Republics) said that his delegation shared the opinion of certain African and other States that there was a need to give an added impetus to United Nations efforts to fight apartheid and racial discrimination. Two different approaches had been advocated during the Commission's debate on the subject. The majority of States - including his own - considered that only complete isolation and the imposition of sanctions could put an end to apartheid. The alternative - limited sanctions - would only perpetuate apartheid and increase the suffering of the indigenous population. The Commission's decisions should be designed to ensure the abolition of apartheid forthwith and the establishment of a democratic republic in South Africa.

56. In his own country, the equality of all races and peoples was not merely an ideal, but an integral part of socialist democracy. The peoples of his own Republic - the Lithuanian SSR - and its neighbours Latvia and Estonia had suffered greatly under the Nazi occupation during the Second World War. Since the liberation, however, the three Republics had become flourishing industrial States. The people no longer needed to emigrate in search of a crust of bread, as they had done during the pre-Soviet period.

57. The Soviet policy of national and racial equality was reflected in the educational and cultural life of the Baltic republics. In the Lithuanian SSR, the national language was used in schools and higher educational establishments, in the media and in publishing. The works of authors from the Baltic republics were translated into 35 other languages of the USSR and 27 foreign languages.

58. In certain Western countries, emigrés from the Baltic republics helped to spread rumours about the situation of the "enslaved" peoples of those
republics. Some of them were war criminals and Nazi collaborators who had found refuge abroad, despite the USSR's attempts to bring them back to face justice.

59. His country had not solved all the problems connected with the nationalities issue, and there was continuous public debate about the best way to correct past mistakes and increase the unity and coherence of the multinational Soviet Union.

60. The Soviet people supported the adoption of decisive measures to fight apartheid and called for the implementation of the objectives of the Second Decade to Combat Racism and Racial Discrimination. It was essential that the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the International Convention on the Elimination of All Forms of Racial Discrimination should be ratified by all States, particularly the permanent Members of the Security Council. His own country was already a party to them.

61. Mr. GRIILO (Colombia) said that, although the debate within the international community on ways of eliminating apartheid had contributed to a greater understanding of the problem, it had done nothing to diminish the violence and injustice suffered by the people of southern Africa. His Government had no relations of any sort with the South African Government and complied with the provisions of United Nations resolutions aimed at the abolition of colonization and racial discrimination in South Africa. It was essential to achieve a consensus on basic issues which would allow co-ordinated action to abolish apartheid.

62. South Africa's policies were a destabilizing element which affected political development and created difficulties in the entire subregion. His delegation had noted with concern the significant increase in and greater variety of the acts of violence perpetrated by the South African authorities against the people of South Africa and Namibia. His Government strongly supported the calls for national independence for the Namibian people and hoped that an equitable solution to the problem would be found by legal means. It called upon all States to show solidarity in the just cause of racial equality in South Africa.

63. Mr. LEPRETTE (France), having commended the Ad Hoc Working Group of Experts on its report (E/CN.4/1988/8), said that the phenomenon of racism seemed particularly unjustifiable in the contemporary interdependent world. While racism was to be encountered in many places, there was one country, South Africa, in which it was enshrined in the institutions and official practices of the State by such policies as racial classification at birth, restrictions on the place of residence and segregation in public places and the transport system.

64. The prolongation of the state of emergency, press censorship, the continued detention of Nelson Mandela and most of his comrades and the regular confrontations that continued to occur were of great concern to the international community. In particular, his Government and public opinion in his country were deeply moved by the plight of the children in detention.
65. His country unreservedly condemned racism and the violence which accompanied it, and its highest authorities had made their views clear on several occasions. However, his Government did not support the adoption of mandatory and universal sanctions or a complete break in relations with Pretoria. Such measures would play into the hands of the isolationist faction in South Africa and destroy any existing potential for improvement. It would continue, therefore, rigorously to apply selective measures, such as an embargo on arms and paramilitary supplies, and the voluntary restrictions agreed upon jointly by the European Community.

66. It was essential to maintain a dialogue with Pretoria in order to provide practical assistance to the victims of apartheid. His Government had increased its programme of action for the black population of South Africa and Namibia, covering rural development, medicine and public health, social affairs, workers' rights and training, including language training. Its financial outlay for 1987 had amounted to 17.2 million francs. France also contributed to the European Community and United Nations programmes for the people of southern Africa.

67. With specific reference to children in detention, his Government had protested repeatedly to the South African authorities and provided increased assistance to the Detainees' Parents Support Committee (DPSC), whose spokeswoman had visited France to publicize the children's plight.

68. His Government had repeatedly condemned the continued occupation of Namibia, as well as the pressure exerted by South Africa on neighbouring States. It would continue to support any reasonable initiative which might lead to the settlement of the Namibian problem on the basis of the relevant Security Council resolutions.

69. Mr. CERDA (Argentina) said that apartheid could not be reformed, but must be abolished through the opening of a dialogue among all political, racial and religious sectors to set up a non-racial, representative Government.

70. The report of the Ad Hoc Working Group of Experts (E/CN.4/1988/50) described with objectivity and precision the flagrant and systematic character of the human-rights violations in South Africa and Namibia. His delegation deplored the fact that not only had there been violations of the right to life, together with torture and arbitrary detention of trade union leaders and workers, students and teachers, but also that the régime's repressive arbitrariness had affected black children, who were increasingly being subjected to harsh repression. He noted that the General Assembly had unanimously adopted resolution 42/124, which called upon the South African authorities urgently to release children held in detention and called for the immediate dismantlement of the so-called "rehabilitation camps" or "re-education centres".

71. His Government condemned the inhuman and brutal treatment of South African minors and called on the Government of South Africa immediately to desist from such practices. It also called for the release of Nelson Mandela and all those who had been detained for their opposition to apartheid, and the establishment of political freedom which would recognize the legality of the African National Congress and other parties. It was also concerned at the continued policy of Bantustanization and mass removals of populations by force.
72. The South African régime was not only flagrantly violating the human rights of the black majority but was also launching attacks against neighbouring countries. That aggression was contrary to international law and posed a serious threat to international peace and security.

73. His Government supported mandatory sanctions against South Africa because it believed that they might exercise the pressure necessary to avoid greater violence and might force the South African Government to change its ways. Although sanctions might require adjustments from other States, and might even cause some hardship to the suppressed peoples of South Africa, his delegation agreed with the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and the Protection of Minorities, that the sacrifice would be a small one in comparison with the current suffering and the danger that the conflict might spread.

74. His delegation noted with satisfaction the information provided in the Special Rapporteur's report (E/CN.4/Sub.2/1987/8/Rev.1 and Add.1 - Parts I and II) concerning the legislation adopted by various states and cities in the United States banning investment in South Africa, and the efforts of the United States Congress to restrict trade with South Africa. The implementation of those measures, together with the favourable attitude of the Nordic countries, France and other Western countries, represented significant achievements which should be intensified in order to weaken the South African economy and force the régime to abandon its racist policy.

75. Despite such progress, and the reduction of investment in South Africa, fictitious disinvestment by banks and companies was a matter of concern. In that regard, his delegation looked forward to the study requested of the Special Rapporteur by the Sub-Commission in its decision 1987/5.

76. His delegation supported the work of the Special Rapporteur of the Sub-Commission, on measures to combat racism and racial discrimination, and felt that he should continue his study and that States should supply him with any additional information he might request. The information needed might be available from the Committee on the Elimination of Racial Discrimination (CERD).

77. Argentina had submitted its report to the Group of Three established under article VII of the International Convention on the Suppression and Punishment of the Crime of Apartheid. It felt that a greater number of ratifications of the Convention would help progress towards the speedy eradication of apartheid.

78. His delegation had supported General Assembly resolution 42/47, concerning the Second Decade to Combat Racism and Racial Discrimination, and his Government intended to participate fully in its plan of activities. Broad participation by States would help the peoples of South Africa and Namibia to overcome the tragic situation in which they found themselves.

79. Mr. KUNIEDA (Japan) said that it was astonishing that the Government of South Africa refused to acknowledge what was clear to all the world, namely, that the source of its domestic troubles was the abhorrent and dehumanizing system of apartheid. Instead, the Pretoria régime was still trying to
suppress popular discontent by brute force, a futile strategy that had resulted in the loss of thousands of lives, while continuing to launch military incursions into its neighbouring States.

80. His Government's steadfast opposition to apartheid was clearly reflected in the full co-operation it had extended to international efforts for its eradication. It maintained no diplomatic relations with South Africa, had imposed restrictions on sports, cultural and educational exchanges, did not engage in any military or nuclear co-operation with that country, had banned all direct investment in South Africa since the middle of the 1960s, had restricted commercial loans and had prohibited iron and steel imports, arms exports, and the export of computers to South African institutions that enforced apartheid. It had also appealed to the Japanese business community to ensure that its commercial activities did not in any way undermine the effectiveness of sanctions or similar punitive measures taken by other countries.

81. Apartheid was the most serious issue confronting the Second Decade to Combat Racism and Racial Discrimination. In the implementation of the Programme of Action for the Second Decade, the placing of more emphasis on long-range educational programmes and public information campaigns aimed at achieving international understanding of and respect for fundamental freedoms and human rights might be greatly conducive to the common goal of eradicating apartheid. To that end, his Government had increased its contribution to the United Nations Educational and Training Programme for Southern Africa, had set up a Japanese scholarship fund for South African black students and had contributed $US 400,000 in 1987 to medical, educational and housing projects for the victims of apartheid.

82. His Government intended further to intensify its dialogue with black African leaders and was determined to strengthen its economic co-operation with the neighbouring African States that were suffering economic difficulties due to South African harassment. It called upon the South African Government to lift the state of emergency, release Nelson Mandela and all other political prisoners, repeal its ban on anti-apartheid organizations and enter into a serious dialogue with all the parties concerned.

83. Mr. MEZZALAMA (Italy) said that there was a broad consensus in the Commission as to lack of any significant improvement in the extent to which human rights were respected in South Africa. The interim report of the Ad Hoc Working Group of Experts (E/CN.4/1988/8) provided solid and unequivocal evidence in that regard. In order to uphold the apartheid regime, a cycle of violence had been set into motion.

84. The system of racial discrimination in that part of the world could not be reformed. It could only be dismantled and replaced by a free, democratic and multiracial system. The first substantial steps towards the realization of that goal should be the repeal of the most undemocratic laws, the revocation of the ban on the forming of political organizations and free trade unions by the black majority, and the release of all political prisoners.

85. The time had come for the world community to exert effective pressure on the Pretoria Government. The European Community and its member States were committed to a major effort along those lines. For its part, his Government had adopted a number of political, military and economic restrictive measures
against South Africa and had made a substantial contribution, on a bilateral basis, to programmes aimed at strengthening the economic independence of the front-line States and assisting the victims of apartheid.

86. Economic sanctions had become a necessary part of a strategy aimed at promoting peaceful change in South Africa, provided that they did not deprive the international community of its capability of influencing developments in that country. In the context of a carefully studied and generally agreed strategy, selective sanctions could play a useful role as a powerful political message to South Africa and as an instrument to exert gradual pressure for change.

87. His delegation still had some reservations, however, about the way in which the Sub-Commission's Special Rapporteur was carrying out his mandate. Moreover, the list appearing in his report (E/CN.4/Sub.2/1987/8/Rev.1 and Add.1 - Parts I and II) was unbalanced in its composition and, as far as Italy was concerned, did not reflect the real situation and the results of the restrictions that had long since been imposed on the activities of Italian companies in South Africa.

88. The lack of progress in resolving the question of Namibia seemed clearly to be an external projection of the inability of the South African Government to resolve its domestic confrontation between the majority of its population and the ruling minority. The violation of human rights perpetrated through apartheid in South Africa and Namibia inevitably paved the way to violence. It was the duty of the international community to put an end to the apartheid system and to the aggressive policy of the Pretoria Government.

89. With regard to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, his delegation was pleased to see the practical character of the activities initiated, which made a limited but useful contribution to overcoming some of the problems generated by the existing manifestations of racism and racial discrimination.

90. Improvement of living conditions and the strengthening of stability were of paramount importance to the effort to secure an atmosphere of peaceful and fruitful co-existence in Africa. The existence and perpetuation of apartheid was one of the major obstacles to that end, and it was therefore in the interest of the international community to act in order to eliminate that shameful phenomenon.

91. Mr. KOENTARSO (Observer for Indonesia), speaking in exercise of the right of reply, said that it was unfortunate that the Minister for Foreign Affairs of Portugal should have seen fit to misuse his invitation to address the Commission, and attack Indonesia, a State Member of the United Nations. In view of the fact that his delegation had made its position clear on a number of occasions he did not think it necessary to repeat its emphatic denial of the guest speaker's allegations. He did, however, reserve the right to address the substance of the accusations, if necessary, under related agenda items.

92. Mr. ASSADI (Observer for the Islamic Republic of Iran) said, with respect to certain remarks by the Minister for Foreign Affairs of Portugal concerning the Islamic Republic of Iran, that he would like to invite the Minister to visit Iran and see the situation for himself so that he might correct his
erroneous and unfounded impression. The term "fanaticism" had certain connotations in the Western world, which had gone through a period of darkness in its history but fanaticism in that sense, did not exist in Iran.

93. If, however, the representative of Portugal had meant by the term a return to genuine values and traditions, then it did apply to Iran since it was the opposite of modernism, i.e. freedom from commitment to all moral values. The Islamic Republic of Iran was dedicated to creating a progressive society in which all human and divine values were preserved.

94. Mrs. MARTINS GOMES (Portugal), speaking in exercise of the right of reply, said that some States Members of the United Nations still did not respect human rights. Since Portugal was also a Member of the United Nations and of the Commission, its Minister for Foreign Affairs had addressed the question of East Timor because there was a real problem of human-rights violations there, a problem that needed to be discussed and resolved.

95. As for the reply by the representative of the Islamic Republic of Iran, she noted with satisfaction his invitation to her Minister to visit Iran, and hoped that a similar invitation would be extended to the Special Representative on the human-rights situation in that country, who had not so far had the opportunity of studying the situation on the spot.

The meeting rose at 1 p.m.