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SPECIAL POLITICAL COMMITTEE  
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at 3 p.m.  
New York

VERBATIM RECORD OF THE 41ST MEETING

Chairman: Mr. IRUMBA (Uganda)

CONTENTS

AGENDA ITEM 32: POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 32

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

The CHAIRMAN: In accordance with the decision taken at its 36th meeting on 20 November and in compliance with the request of the General Assembly, the Special Political Committee is meeting this afternoon to permit spokesmen for organizations having a special interest in the question to be heard on agenda item 32, entitled "Policies of apartheid of the Government of South Africa".

I propose that, following the practice of previous years, the Committee request a verbatim record of this special meeting. If I hear no objection, I shall take it that it is so decided.

It was so decided.

The CHAIRMAN: The first speaker is Miss Beatrice von Roemer, representative of the International Confederation of Free Trade Unions to the United Nations, and I now call on her.

Miss von ROEMER (International Confederation of Free Trade Unions): On behalf of the International Confederation of Free Trade Unions (ICFTU), I should like to express our appreciation for this opportunity to address the Special Political Committee of the General Assembly.

A year ago, from this forum, we issued an urgent warning to the international community not to be deceived by South Africa's so-called labour reforms, which by the Government's own admission were an attempt to bring the growing black trade union movement under tight control. Since then, the actions of the Pretoria régime have furnished abundant further proof of this.

In the field of legislation, several developments have caused us great concern. The most important is the Labour Relations Amendment Bill before the South African Parliament. A number of its key clauses would result in a severe crippling of the independent black trade unions. Thus it would prohibit "stop-order" facilities for unregistered unions, that is, the automatic deduction of

(Miss von Roemer)

membership fees by the employer. It would ban strike funds and place new clamps on so-called illegal strikes. Particular controversy was also aroused by a provision reintroducing the works council system. While the Department of Manpower maintains that works councils should not be seen as a substitute for full-fledged unions, we know from experience that management will attempt to use the councils rather than recognize the unions.

(Miss von Roemer)

Representatives of 29 black unions met in Cape Town in August to discuss the new bill. They declared that while they did not object to providing information with respect to their constitution, finances and representativity, they refused to subject themselves to control by anybody other than their own members and therefore resisted and rejected the present system of registration in so far as it was designed to control and interfere in the internal affairs of the union. They also agreed to support each other in defying restrictions on providing financial aid to striking workers. Finally, they rejected the present Industrial Council system and recommended that unions which are not members of these councils should not join them.

Last month, the Federation of African Trade Unions (FOSATU) was again prohibited from raising funds after an earlier ruling, against which it had appealed, had been nullified by a Supreme Court judge. Three weeks after FOSATU won its case, the Minister of Health, Welfare and Pensions, Mr. Munnik, tabled an amendment to the Fund Raising Act so as to give himself the green light for renewing the prohibition. The revised section of the Fund Raising Act of 1978 now empowers the Minister to prohibit the collection of contributions for any purpose, without giving any person or organization notice or an opportunity to make representations. It was published in the Gazette on 23 October, accompanied by a notice prohibiting the collection of contributions by or for or on behalf of FOSATU. A Johannesburg lawyer was quoted as commenting: "The legislation and the Minister's cynical use of it represent the most blatant flouting of the rule of natural justice." The ICFTU has issued a strong protest against this renewed assault on an independent black trade union federation.

Throughout the year, there have been arrests of trade unionists, particularly organizers, partly through the instigation of companies which refuse to recognize independent black trade unions.

(Miss von Roemer)

Let me give just a few examples. In September, 205 people from three different black unions were arrested in East London. This was described as the widest police action ever taken against black labour union members. They were later released on bail, but are now being charged. It seems that they had been singing freedom songs. The President of the South African Allied Workers' Union, Thozamile Gqweta, who described the arrests as "outrageous", declared: 'There is nothing illegal about singing freedom songs - this is clearly another crackdown on unionists.' It must be mentioned that shortly before the arrest of the 205, it had been disclosed in the South African Parliament that the security police had drawn up a contingency plan for breaking the East London-based South African Allied Workers' Union and that Police Minister Louis le Grange acknowledged that police had distributed the document to white company managers to solicit their support. It has also been reported that Thozamile Gqweta was harassed by the police when he attended a hearing of some of those who had been arrested. Only about 10 days ago, again in East London, a woman trade unionist was shot dead when the police opened fire on a group of black trade unionists gathered at a bus terminal after returning from the funeral of the mother and uncle of Thozamile Gqweta, who had died when their house burned down. According to the South African Allied Workers' Union, the blaze was caused by a firebomb.

After the mass firing and deportation of sugar workers at the company of Wilson-Rowntree, a country wide boycott of the firm's products was organized by the Wilson-Rowntree Support Committee. The members of that committee were subjected to police harassment, and seven of them were arrested and detained in September.

(Miss von Roemer)

The practice of mass firings for strike action is becoming more and more widespread. In addition, employers are taking advantage of the recession in Europe to recruit replacements there. Thus, British Leyland fired some 2000 workers because they wanted their union recognized and wished to enter into negotiations with management. The following week, advertisements appeared in the British press for white workers to take the place of the blacks who had been fired. Employers also resort to recruitment abroad to fill their requirements for skilled labour, rather than organize training schemes for black workers.

These recruitment campaigns and the resulting increase in immigration to South Africa are of great concern to the free trade union movement. They were the subject of a special resolution adopted last July by the ICFTU Executive Board, which reaffirms the conviction that immigration to South Africa is tantamount to a denial of livelihood to the black worker and only serves to further entrench apartheid, urges Governments to discourage sports activities and tourism to South Africa and calls on affiliated organizations to increase pressure for the closure of South African recruitment offices and undertake various information activities to discourage immigration to South Africa. A similar statement was also adopted by our British affiliate, the Trades Union Congress (TUC), at its recent congress.

Despite an increase in the use of repressive measures and strong-arm tactics on the part of police and employers, independent black trade unions continue to grow at a surprising pace. At this time, more than 20 foreign companies have recognized such unions: that is to say, they have concluded collective agreements with them. This may seem like a significant progress, since fairly recently there were only two companies that had taken this step. But it still represents only a tiny fraction of the total number of foreign companies operating in South Africa.

(Miss von Roemer)

According to the updated list about to be published by the ICFTU there are 3036 such companies - over a thousand more than appeared on our previous list published in 1978. And those few agreements were achieved only after vigorous trade union action inside South Africa, supported by strong international pressure. As the ICFTU survey points out:

Companies invest in South Africa because of apartheid and not despite it. Employers use apartheid laws to frustrate workers' legitimate demands, they take full advantage of the pass laws, the group areas act, and all the other rules, regulations and laws which reduce the black worker to a virtually stateless migrant in his own country."

Therefore, the ICFTU has always insisted that codes of conduct, such as the one of the European Economic Community (EEC), must include strong implementation clauses, providing for sanctions against companies that do not abide by their provisions.

Last year, the ICFTU convened a free trade union conference on South Africa which resulted in a programme of action later adopted by the ICFTU Executive Board. More recently, the Executive Board also fully endorsed the updated 1964 Declaration of the International Labour Organisation concerning the Policy of Apartheid in South Africa and the programme of action appended to the Declaration. We would urge States Members of the United Nations to take the steps recommended in this comprehensive programme, particularly as regards sanctions against South Africa, the cessation of public and private investment by withdrawing credit guarantees and licences, the introduction of effective enforcement clauses in codes of conduct for companies investing in South Africa and the discouragement of emigration of their nationals to South Africa.

(Miss von Roemer)

We also hope that the Assembly will adopt a resolution demanding the release of all imprisoned trade unionists, the lifting of bannings imposed for trade union activities and the immediate and complete abolition of all restrictions on the trade union rights of all African workers in South Africa.

The CHAIRMAN: The next speaker is Mr. Wilfred Grenville-Grey, representative of the International Defence and Aid Fund for Southern Africa at the United Nations.

Mr. GRENVILLE-GREY (International Defence and Aid Fund for Southern Africa): I thank you, Mr. Chairman, for the privilege of being permitted to address the Special Political Committee this afternoon.

When our President, Canon John Collins, was here at the United Nations a couple of years ago with his wife Diana to receive a special award from the Secretary-General, his wife said "The main thrust of our work" - in the Fund - "our final responsibility, has always been for those who are struggling directly face to face with apartheid tyranny." She was referring, of course, to all those courageous people, political prisoners, detainees, those on trial like Oscar Mpetha, whose trial has dragged on for more than 10 months, the banned and the banished - yes, and to ordinary prisoners, too, for who in South Africa today is not, in reality, a political prisoner of some kind or another?

May I briefly now bring you, Mr. Chairman, and your Committee up-to-date with the latest news about these silenced, but invincible, men and women of all races. There are at present 502 "security" prisoners in South African prisons. These are people who have been convicted under the country's main security laws, such as the Terrorism Act, the Internal Security Act and the Unlawful Organizations Act. If this figure were not bad enough, we learn that the total of people convicted during the period 1976-1979 for only slightly lesser political offences, such as charges of promoting unrest, unlawful and riotous assembly and sabotage, was a staggering 44,373 people. And yet, in spite of this scale of resistance, there are those outside South Africa who still have the nerve to say that the people are not doing enough to free themselves.

An especially grim feature of the present repression is that 60 people have already been hanged in 1981. Six political militants are at present under sentence of death. Since the mid-1970s the number of executions per year has trebled, and at present South Africa alone accounts for half of the world's known judicial executions.

As recently as August of this year there were 129 detainees caught in the net of State security legislation. Detainees' whereabouts are kept secret, access is severely restricted, and food and clothing parcels are accepted or refused arbitrarily. Detainees are at the mercy of the whims of their gaolers. In June this year Sadia Daniels was forbidden to deliver halal meat

(Mr. Grenville-Grey)

to her daughter Garro, who was also deprived of a prayer book and scarf for Ramadan observances. During the same month Bobby Tsotsobe, one of the six men at present in the condemned cell, told the court how he had been repeatedly assaulted by security policemen in a Soweto police station "truth room". He was whipped, handcuffed and beaten with a length of hosepipe by the security police. Under the South African Criminal Procedure Code, confessions extracted under duress have a validity which would not be admissible in other countries.

Neither youth nor age is spared under apartheid 'justice'. There are at present three prisoners all under 18 years of age on Robben Island. In June, as the 16 June Soweto Commemoration came near, more than 20 were detained from the South African Youth Revolutionary Council of the Azanian People's Organization and the Azanian National Youth Unity.

While old men like Oscar Mpetha stand trial, some, like Nelson Mandela, now in his 64th year, are forced to grow old in prison. There is a whole generation of resisters from the 1960s, and some are suffering serious deterioration in their health. We are particularly concerned about the Namibians sentenced in 1968. Shinema Nailenge is over 70 years old and suffering from high blood pressure. Njabula Tshaningau is also over 70 and becoming blind. Elizar Tuhadeleni is suffering from asthma.

During the past year the people have never been more vociferous in their opposition to apartheid. In the Ciskei, resistance to Bantustanization is reflected in the great waves of recent arrests and detentions. The Indian community have rejected the Government's scheme for them by a derisory 10 per cent turn-out in the Indian council elections. In the Bantustans it is disturbing that there have been four deaths in detention in the past 15 months, and there is a fear that the police in these areas, aided and abetted by the South African Government, are able to work in a climate of added secrecy and with more unfettered power.

To those who say to us "Surely the situation is not that bad in South Africa" we must reply "Look at the facts, the very latest facts: they speak for themselves."

The CHAIRMAN: The next speaker is Miss Annie Street, who will speak on behalf of the Interfaith Center on Corporate Responsibility, on whom I now call.

Miss STREET (Interfaith Center on Corporate Responsibility): I am honoured to testify before this Committee today.

My name is Annie Street. I serve on the staff of the Interfaith Center on Corporate Responsibility (ICCR), which is a sponsor-related movement of the National Council of Churches. The Center is a coalition of 180 Roman Catholic orders and 17 Protestant denominations. For 10 years member churches of the ICCR have worked on a wide variety of corporate responsibility issues, of which the question of corporate investment in South Africa has been a primary focus.

Whilst I cannot purport to speak for such a diverse and rich membership, I should like to describe some of the actions which the United States churches have taken on the United States corporate connection in South Africa. My testimony will be divided into two parts. First, I wish to address the question of United States bank loans in South Africa and the role of church investors in challenging such economic support for the apartheid régime. Secondly, I want to focus on the strategic and military implications of United States transnational corporations' involvement in the Republic of South Africa.

Foreign bank loans to South Africa, especially to the Government and its agencies, have played an important role in helping maintain apartheid and the status quo. This Committee is well aware of the importance of such loans to the Government of South Africa. The United States churches have spearheaded a nationwide campaign to stop banks lending to South Africa. They have appealed to management, filed stockholder resolutions, withdrawn accounts from banks and worked with a wide variety of organizations such as unions, universities and community groups in an effort to stop this financial support for apartheid.

Citibank's involvement in South Africa, and particularly its participation in a \$250 million loan in October last year, has cost the bank a considerable amount of business. In March 1980 the National Council of Churches, the Board of Global Ministries of the United Methodist Church and Union Theological Seminary announced the withdrawal of approximately \$65 million in accounts from

(Miss Street)

Citibank. In May 1980 the American Lutheran Church divested \$2 million. Over 30 church investors have now pledged not to buy Citibank certificates of deposit or bonds. In January of this year Harvard University divested \$51 million in securities, and in April 1981 New York's Riverside Church announced the withdrawal of its operating account, which had an estimated cash flow of some \$6 million for 1981.

It has been estimated that Citibank has already lost roughly the equivalent of the money it would have earned from its participation in the \$250 million loan. This loss of business has come through withdrawals of accounts and divestments in protest over the bank's policy as regards lending to South Africa.

(Miss Street)

In March 1981, Mr. William Howard, the President of the National Council of Churches and the Reverend Leon Sullivan, the author of the Sullivan Principles, held a joint press conference in New York to announce a new phase in the campaign against bank loans to South Africa. Their joint statement read:

"If United States banks perceive that our Government has abandoned its past emphasis on human rights and opposition to apartheid, they may be tempted to respond to the South African Government's request for loans with a flood of new lending...Our message to the United States banks is unmistakably clear: to United States banks considering a return to a lending as usual relationship with South Africa, we pledge our united efforts to vigorously oppose such loans. Lending to South Africa, to the Government or its agencies, and other loans that support apartheid, will be met with a massive withdrawal of deposits, accounts and the divestiture of securities. We will urge the United States public, including our colleagues in the nation's churches, to hold the banks lending to South Africa accountable.

"The black population of South Africa has shown its determination to be free, to have equal rights in all aspects of their country's life...The racial unrest in South Africa is like a time bomb that may explode into devastating violence and a great loss of life. It could precipitate global conflict. By our action today we work to keep this from happening and to contribute towards peaceful change. United States bank loans undoubtedly contribute to the support of the system of apartheid in South Africa..."

They concluded their joint statement by saying:

"Most important, we will renew our efforts to have churches and unions, foundations and universities, city and State pension funds, individual concerned citizens and other institutions (a) request a policy from their banks on lending to South Africa, (b) withdraw bank accounts, divest of securities and sever other links with banks that continue lending to South Africa in violation of the policy espoused today. We are confident that this on-going bank campaign will expand its ranks. We pledge our on-going efforts until racial justice and black majority rule are in effect in South Africa."

Although Citibank has been a major target of the bank campaign here in the United States, there are other banks which are also involved in lending to South Africa. The United States churches will continue to campaign to stop United States banks lending to South Africa and to join other United States banks, such as First National Boston, Irving Trust, Chemical Bank and Bankers Trust which have adopted policies limiting or prohibiting loans to the South African Government.

I should like now to turn briefly to my second area of concern this afternoon: the question of strategic and military implications of American transnational corporate involvement in South Africa. I have already underscored the importance which foreign investment plays in helping to maintain the apartheid system intact.

United States investment in South Africa has grown substantially over the last 15 years, jumping from \$1.67 billion in 1976 to over \$2 billion by the end of 1981, while that country's percentage share of foreign capital in South Africa grew from 11 per cent in 1960 to its present level of over 20 per cent.

However, far more important than the actual dollar value of foreign investments in South Africa is their strategic significance. Many of the South African economy's most vital sectors are controlled by United States corporations. For example, 33 per cent of the motor vehicle market, 70 per cent of the computer trade and 44 per cent of the market in petroleum products are all controlled by United States firms.

The United States oil firms play a particularly strategic role in the Republic of South Africa. Mobil Corporation is the largest United States investor in South Africa, with investments of over \$425 million.

In 1980, a number of church shareholders requested that Mobil follow the spirit of the United States Commerce Department's regulations and cease all sales to the South African police and military. The resolution stated:

"The Corporation and its subsidiaries shall not sell any products or provide any services to the police and military and shall monitor all bulk sales and large-scale service operations to ensure that the South African police and military are not the end-destination of purchases made by intermediaries."

(Miss Street)

Mobil Corporation's response included the following statement:

"Each Mobil subsidiary has traditionally followed the policy of corporate good citizenship in each of the countries in which it operates. Mobil's management in New York believes that its South African subsidiaries' sales to the police and military are but a small part of its total sales and typical in relative size to its sales to such groups in other countries. Total denial of sales to the police and military forces of a host country is hardly consistent with an image of good citizenship in that country. The great bulk of the work of both police and the military forces in every country, including South Africa, is for the benefit of all its inhabitants. All have a basic interest in the maintenance of public order and safety. A policy of the character advocated would deny resources for response to grave emergencies, for the apprehension of common criminals and for the protection and security of all individuals and property including that of the Corporation."

In his comment on this response before a United States House of Representatives sub-committee in October, Mr. William Howard, the President of the National Council of Churches of the United States stated:

"Mobil's response deserves an award for twisting the truth. Their defence makes the South African police and military, dedicated to upholding white supremacy, sound like the Washington D.C. traffic police."

"Never before have I seen a United States corporation go to such lengths to defend the actions of the police and military. When pressed to alter that statement at the 1980 annual stockholders' meeting, Mobil Chairman Rawleigh Warner simply said 'We stand by it.'. In short, we watch as Mobil sells to the police and military, defends the necessity of doing so and tries to sugar-coat the role of the police and military, thus implying that the Commerce Department regulations are unnecessary."

"The lesson is clear. Mobil's vested interest in South Africa and their business relationship to that Government requires a vigorous defence of the basic social system."

This position of overt collaboration with the South African police and military taken by Mobil is an outrage. It must be condemned by all who support and struggle for change in South Africa. Indeed, Mr. Howard was so moved by Mobil's stance that he has written to all African United Nations Ambassadors and to

Foreign Ministers of countries where Mobil has business operations, drawing their attention to, as he put it in his letter, this "clear public endorsement by Mobil of apartheid and the virtual police State which keeps it in place in South Africa".

General Motors and Ford also continue to sell vehicles to the South African police and military, making a mockery of the United States Commerce Department's rules prohibiting sales, by American corporations to the South African police or military, of goods containing parts manufactured in the United States or developed by United States technology. Both General Motors and Ford defend such sales in 1980 reports to shareholders, arguing that they may lose South African Government business if they discontinue such sales. Co-operation with the forces of repression in South Africa has in this way become a price of good citizenship in South Africa for numerous United States firms like General Motors and the Ford Motor Company.

This kind of strategic co-operation by United States corporations with the South African Government not only raises concerns about such close support for the apartheid régime but also calls into question the control that these corporations have over their own operations in South Africa. Under South African law the Government can take over plants if they serve a strategic purpose. We believe that United States companies like Mobil and Caltex, General Motors and Ford may soon be forced into an even closer collaboration with the repressive South African Government by putting armed militia on guard in their plants.

(Miss Street)

I very much appreciate this opportunity to testify on behalf of the Interfaith Center on Corporate Responsibility, and to draw the Special Political Committee's attention to some of the United States churches areas of concern and action on South Africa and the role of United States corporations in supporting apartheid. I would like to end by urging consideration of the following proposals: first, research and publicity on the issues of United States and other international bank loans to South Africa, and the role they play in supporting apartheid should continue; secondly, strong recommendations to the United Nations Member States to intervene and stop the flow of capital to South Africa should be made; thirdly, continued hearings on the role of foreign investments in South Africa within the United Nations by appropriate bodies such as the Special Committee against Apartheid and this Committee convened this afternoon should continue; finally, as has been passed in former General Assembly resolutions, we would urge the United Nations to use its financial leverage as a client of many banks and corporations, together with the massive power of the United Nations Pension Fund, to demand an end to investment in South Africa.

The CHAIRMAN: I now call on Mr. Luis Guastavino, who will speak on behalf of Chile Democratico.

Mr. GUASTAVINO (Bureau Chile Democratico) (interpretation from Spanish): I should like to speak on behalf of the Bureau Chile Democratico, whose headquarters in Rome, Italy is the centre for the thousands of Chilean exiles around the world.

Those who support and back the racist South African régime are enemies of the noble cause of all the peoples of Africa and of the universal democratic conscience and awareness. We have considered it our duty to come here today and report to the Special Political Committee dealing with apartheid on how the present Chilean régime, against the principles of the great majority of the Member States of the General Assembly of the United Nations, and contrary to the resolutions of the General Assembly, is backing the South African régime and intensifying diplomatic, commercial, economic, educational and, particularly, military links with the South African racist régime. Indeed, it is our duty to add that this does not represent the spirit and the feeling of the Chilean people; it is a transgression of the deep democratic feelings of the Chilean people.

(Mr. Guastavino)

Prior to the time of the present dictatorship in Chile, which was established by a military coup, successive Governments in Chile never had friendly relations with the South African apartheid régime. We have turned over documents to the Governments represented here which show the anti-democratic ideological and political convergence of the régimes of Santiago and Pretoria. Furthermore, the practical measures that the two régimes have been implementing reveal the latent threats and the future activities both would like to pursue in their friendly relations in both continents.

We should like to highlight only some aspects. During the ceremony in Chile on 23 May 1981 to decorate the South African Vice-Admiral Mathius Albertus Becker, Director-General of Services of the South African armed forces, the Deputy Chief of the Chilean navy expressed the following dangerous official geopolitical thesis:

"We necessarily conclude that the quadrilateral formed by Chile, Great Britain through the Falkand Islands, the Union of South Africa and Brazil constitutes the support base for the defence of the South Atlantic."

In other words, the true feelings of the authorities of Santiago and Pretoria could not be more complementary with regard to an approach towards the fashioning of the widely condemned military pact of the Southern Atlantic, contrary to the maintenance of peace in the area and contrary to the interests and the striving for liberation and freedom by the two peoples.

On 28 May this year, the Commander-in-Chief of the Chilean air force, who is also one of the four members of the Government Junta, General Fernando Matthei, travelled to South Africa, thus strengthening the elements of political and military alliance, and proceeded to purchase "CROTALE" surface-to-air missiles in the amount of \$40 million from the South African régime. Thus, relations between Chile and South Africa are being strengthened, something which the United Nations in a categorical and justified fashion has requested not be done, in order to isolate the South African régime, which is repudiated by the whole of mankind.

(Mr. Guastavino)

These significant facts would be unimaginable in a democratic Chile. They increasingly show a process that has numerous examples in recent years, including various exchanges of varied character in the most diverse fields, including the visit of a representative of the Transkei to Santiago, between the Chilean military régime and the South African régime. These unequivocally reveal ...

The CHAIRMAN: I call on the representative of Chile on a point of order.

Mr. LAGOS (Chile) (interpretation from Spanish): It is unusual for an organization to criticize a Government which is a Member State of this Organization. I should like to ask in what capacity the speaker is speaking. I should like to know why the gentleman who is now speaking has the floor, by virtue of what authority and under what rule, Sir?

The CHAIRMAN: These speakers were referred to us by the office of the President of the General Assembly. That is the only basis on which we have been able to hear him. We have taken note of your remarks.

Mr. LAGOS (Chile)(interpretation from Spanish): Should we assume from what the Chairman has just said that it is the President of the General Assembly who determined who can speak this afternoon? Does that mean that the speaker has the authorization of the President of the General Assembly? It seems to me that this procedure has no precedent in this Organization. If that was indeed the procedure used I would urgently request a legal opinion on who has the competence to give the floor to organizations that represent nobody.

I understand that under certain exceptional circumstances organizations recognized by the United Nations or with consultative status with the Economic and Social Council are permitted to speak, but I do not believe that the organization allegedly represented by the speaker is in any way recognized by the United Nations.

The CHAIRMAN: In a letter dated 18 September 1981, the President of the General Assembly informed the Chairman of the Special Political Committee that at its 4th plenary meeting on 18 September 1981 the General Assembly, on the recommendation of the General Committee, decided that organizations having a special interest in the item "Policies of apartheid of the Government of South Africa" would be permitted to be heard by the Special Political Committee.

It was in line with that decision that the representative of the organization in question wrote to the President of the General Assembly; his letter was then referred to our Committee.

I ask the speaker to confine his remarks to the policies of apartheid of the Government of South Africa.

I call on the representative of Chile on a point of order.

Mr. LAGOS (Chile)(interpretation from Spanish): The question I have raised is a question of principle. It does not concern the subject on which the speaker will make his statement. I underscore that point quite emphatically.

I do not believe that the letter about which the Chairman has just spoken can be applied too broadly; the organizations in question should at the least be recognized in some way by the United Nations. In my view, we cannot allow any organization that comes along to be given the right to speak in the United Nations; that would allow the greatest excesses and abuses.

I therefore reiterate my request that, before allowing the representative of a pseudo-organization to continue with his statement, an opinion be sought from the Legal Counsel as to what should be understood by the right of the President to determine which organizations have a special interest in the item under discussion. I do not believe that the organization represented by the speaker has such a special interest. I would request a report by the Legal Counsel with regard to the interpretation of this procedure and to the organization which has been called upon to speak at this meeting.

The CHAIRMAN: I call on the representative of Cuba on a point of order.

Mr. BLANCO (Cuba)(interpretation from Spanish): It seems to my delegation that the Chairman has received a communication from the President of the General Assembly in which he refers not to a decision taken unilaterally by him in the exercise of his presidential authority, but rather to a decision taken by the General Committee. On the basis of that decision a number of organizations made requests to speak, and their names were placed on the list of speakers for this afternoon's meeting of the Committee.

In my view, the General Committee, in its wisdom, the President of the General Assembly in the discharge of his functions, and the Chairman of our Committee have all perfectly complied with the rules in permitting these organizations, whether governmental or non-governmental, to speak.

Furthermore, it is my impression that at one point the Chairman informed this Committee of the names of the organizations which were going to address the Committee. If memory serves me, at no point was there an objection or request made by any delegation.

I would be glad of confirmation of that: was the list of those who were to address the Committee made available to members by the Secretariat?

The CHAIRMAN: The list was available at the beginning of this meeting and could have been obtained from the Secretariat, as is the usual practice.

There is evidently a difference of view regarding the granting of a hearing to the representative of Chile Democrático. There has been an objection by a member of the Committee and I would seek the guidance of the Committee. If there is no further objection, I shall ask the speaker to continue his statement but to confine himself to the item before the Committee, "Policies of apartheid of the Government of South Africa".

I call on the representative of Chile on a point of order.

Mr. LAGOS (Chile) (interpretation from Spanish): Fundamentally, I have raised a legal question and I hope I shall receive a reply in legal terms. Up to now, I have not obtained it.

I am asking whether the person whom I interrupted has the right to speak. This relates to a problem that requires a decision ...

The CHAIRMAN: I call on the representative of the Soviet Union on a point of order.

Mr. SMIRNOV (Union of Soviet Socialist Republics) (interpretation from Russian): It seems to me that the explanation is the one which you, Mr. Chairman, provided a few moments ago that the General Committee recommended to the General Assembly to authorize statements by organizations at today's meeting of the Special Political Committee on the agenda item now before us. Under that recommendation of the General Committee, the General Assembly has adopted a relevant decision, which was communicated to you by the President of the General Assembly. The list of those organizations, from which you have so far called upon speakers, is available to the delegations present and no objection to calling upon this or that particular organization had been raised.

So from my point of view, you are conducting our proceedings in the Special Political Committee in accordance with the rules of procedure and

(Mr. Smirnov, USSR)

those decisions of the General Assembly which have in fact been adopted earlier. Accordingly, as to the question of some sort of legal report raised by the representative of Chile, I think that such a question cannot even exist because there is a special decision of the General Assembly being carried out by you as Chairman of the Special Political Committee.

Mr. LAGOS (Chile) (interpretation from Spanish): The argument is made that the General Committee authorized some specialized organizations to participate in our work; but it did not specify which they could be.

Use has also been made to the argument that my delegation had not objected to the presence of the so-called delegation which has been speaking. We are precisely doing that now. We have been made aware this afternoon of the list provided by the Secretariat on which appears this pseudo-organization and from which persons would be called upon to speak; hence we have come here to raise an objection at this time. I believe that this broad power which, it is said, the General Committee has given does not have such broad flexibility as to allow any organization - even if there is no such organization - to come and speak here. I believe that this has limits. It is not possible to accept it. Consequently, my problem is of a legal nature. It is not possible to call upon any pseudo-organization to speak, because it does not even have the character of an organization and does not have consultative status with the United Nations and cannot speak here.

This precedent could give rise to major abuses. Two delegations have just intervened apparently favouring this predicament. I am wondering whether in the future some organization not dedicated to those countries could come here and speak before this Organization. Is this what is wanted?

Therefore, I should like a legal interpretation. I should like the Chairman to consult the Legal Adviser in order to ascertain precisely whether this pseudo-organization, called "Chile Democrático", has the right to speak by virtue of the letter which the Chairman read out to us.

The CHAIRMAN: I shall suspend the meeting for 10 minutes in order to obtain a legal opinion.

The meeting was suspended at 4.25 p.m. and resumed at 4.55 p.m.

The CHAIRMAN: Before the suspension of the meeting, the representative of Chile sought the opinion of the Legal Counsel as to whether or not Mr. Guastavino, who was speaking on behalf of Chile Democratico, could be allowed to address this Committee.

I now call on the Legal Counsel.

Mr. SUI (The Legal Counsel): The question before the Committee is whether it should hear a representative of Chile Democratico in the debate on policies of apartheid.

Let me first of all remind the representatives that there has been a decision taken by the General Assembly to the effect that representatives of the Organization of African Unity (OAU) and of national liberation movements recognized by the OAU would be permitted to participate in the discussions in the plenary meetings and that organizations having a special interest in the question would be permitted to be heard in this Committee.

In the past, there has always been wide latitude as to the nature of organizations having a special interest in the question and, as I can see from the list of those who have spoken up until now, this wide latitude in the question of which organizations will be heard before this Committee is confirmed.

On the other hand, there is no need to stress that the question of the policies of apartheid is not of a local or regional nature; it is a question of universal importance and a question that has been dealt with in the Organization precisely because it affects the principles of the Charter of the United Nations. Therefore, I would say that any organization that claims to have a specific interest in the question can be heard before this Committee, provided of course that such an organization in its statement confines itself exclusively to the question of the policies of apartheid of the Government of South Africa.

(The Legal Counsel)

Finally, I would have to add the usual caveat: if there would be opposition from the room, from the representatives, as to whether the Committee should hear the representative of Chile Democrático, specifically, then I think it would be for the Committee itself to take the final decision.

The CHAIRMAN: I thank the Legal Counsel for his statement.

Mr. LAGOS (Chile) (interpretation from Spanish): My delegation is of course extremely respectful of legal opinion, especially coming from the Legal Counsel of the Organization, which is what Mr. Suy is. I believe that in my question it was not a matter of knowing if organizations can speak on the subject of apartheid, because this concerns the whole of mankind. My delegation is perfectly aware of this.

But what does draw my attention is that the invitation was given to organizations that have a special interest. But I should like - without harming my chance to speak again - to avail myself of Mr. Suy's presence here, because I think it is very interesting to hear the opinion given us by Mr. Suy, in order to have him tell us - and I believe that the question put can be useful for the future - who determines what constitutes an organization. The truth is that I do not think that the so-called Chile Democrático is an organization. I understand that, on the basis of this legal opinion, any individual who comes along and says that he represents an organization has the right to speak.

(Mr. Lagos, Chile)

I should like it to appear on the record that that is the legal opinion and the ruling of the Chair. It seems to me that it establishes a serious legal precedent, but if that is what we want to arrive at, my delegation will accept it.

I should also like to point out that if this interpretation - that this so-called organization can speak on apartheid - is to be accepted, then I request that all its statements that have nothing to do with apartheid be expunged from the record. Of course, basing itself on the same legal opinion, my delegation will interrupt this so-called delegation, if it continues to speak, every time it departs from the item under consideration.

Mr. BLANCO (Cuba) (interpretation from Spanish): Having heard the representative of Chile, I am not at all clear whether he has finally decided to accept a ruling of the General Assembly and a tradition of the General Assembly and of this Committee. If he has, I have nothing to say. If he has not, I should like to say that the statement made by the Legal Counsel fully coincides with the criteria of my delegation, except for one matter: what he referred to at the end of his statement, which no longer relates to the legal question but rather to his personal criteria.

If I understood the Legal Counsel correctly, he said that if there were an objection in our Committee, he thought - here is where the personal element comes in - it would be incumbent on the Committee to decide. My delegation would strongly oppose creating a precedent that because someone objects to an organization's coming here to give concrete data on a topic on which the General Assembly has decided that organizations have the right to come here to give data, the matter must then be put to a vote, thus discriminating against people, individuals or organizations with information that the General Assembly needs in order to be able to act on the question of South Africa and apartheid. That would be a serious precedent for the cause of Africa, the implementation of the decisions of the Security Council and the need that we all have for information about those who violate the resolutions of the Security Council and co-operate with South Africa.

(Mr. Blanco, Cuba)

Furthermore, the organization that the representative of Chile is challenging has co-operated regularly with the Information Centre of the Special Committee Against Apartheid. Therefore, it is not the first time that the organization has given information about the policies of South Africa on this matter.

If the Chilean delegation accepts the ruling, which my delegation has accepted and which coincides with our legal criteria, which could not be other than those expressed by Mr. Suy, I should have nothing to add. If an objection by one delegation is supposed to lead to a vote, my delegation would object to creating a precedent which violates the ruling of the General Assembly, the decision of this Committee and the ruling explained by the Legal Counsel.

The CHAIRMAN: I call on the Legal Counsel.

Mr. SUY (The Legal Counsel): For the benefit of the representative of Cuba, I should like to clarify my last point. I think that it would be for the Chairman to decide whether to hear a particular individual representing an organization. If the Chairman's decision is challenged, obviously there is no other solution than to put the challenge to the vote of this Committee. That is what I meant.

Mr. SCHRÖTER (German Democratic Republic): We carefully followed the statement made by the representative of Chile Democrático. On behalf of my delegation, I should like to make it clear that that statement was fully in line with the decisions taken by the General Assembly, the Special Committee Against Apartheid and the Fourth Committee. For that reason, I see no problems about hearing the statement of the representative of Chile Democrático.

At the same time, the statement made by the representative of Chile was not a point of order; it was a question of substance, an attempt to disturb our fruitful discussion.

Mr. TAHINDRO (Madagascar) (interpretation from French): At the beginning of the meeting, Mr. Chairman, you indicated that it was a decision of the General Committee to ask the Special Political Committee to hear the petitioners, including the representative of Chile Democrático. That decision was adopted by this Committee at the beginning of our meeting, in view of the seriousness of the problem of apartheid.

The representative of Chile has raised two legal points. In order to deny the representative of Chile Democrático the opportunity to speak, he has spoken of that organization's absence of legal title to speak before the Committee. He has spoken of its lack of consultative status with the United Nations and of interference in the internal affairs of a Member State.

Problems of apartheid are considered an international public problem by the United Nations and the international community. It is sufficient to look at all the resolutions condemning the apartheid policies of the Government of South Africa. The international public character of the matter makes it possible for United Nations bodies and all subsidiary bodies to hear any information relating to the problem of apartheid.

As regards the problem of interference, my delegation listened carefully to what the representative of Chile Democrático said. He did not speak of domestic affairs of Chile; he spoke of the military co-operation between the Governments of Chile and South Africa. It must be remembered that numerous United Nations resolutions condemn military co-operation by Member States with South Africa. Therefore, the representative of Chile Democrático should be authorized to speak, because he is speaking not about the internal problems of Chile but about the military co-operation of a Member State of the United Nations with the South African Government.

The CHAIRMAN: The observer of the African National Congress has asked to speak. I request him to be brief and to confine himself as much as possible to the point at issue.

Mr. MAKATINI (African National Congress): The issue before us is of paramount importance in that here we are dealing with a situation that involves the violation by the apartheid régime of all the ideals and objectives embodied in the Charter of the United Nations and the Universal Declaration of Human Rights. We are dealing with a situation that has been condemned time and again by the United Nations as a crime against humanity and as constituting a threat to international peace and security. We are dealing with a situation which has taken the form of a public outcry against those countries that collaborate with this system and, in listening to the counsel given by the legal expert, we are quite happy with the decision which points to the fact that every nation, every organization and every individual has a special interest - and we maintain that all decent people of the world who love justice, whichever corner of the globe they may emanate from, have an interest in the elimination of the apartheid system - and therefore we think that the first part of the opinion given suffices, because to go further would create a precedent that could lead to creating a situation that would favour the attempted conspiracy of silence on such collaboration.

Mr. KANAKARATNE (Sri Lanka): There is an old saying "Fools rush in where angels fear to tread", and at the risk, perhaps, of proving that point, my delegation believes that an important issue is at stake and I wish very briefly to invite the attention of representatives in this Committee to that issue.

I believe it is quite clear that in this particular instance the Committee, at one of its earlier meetings, approved a series of speakers who had applied to speak before this Committee and the application of the organization known as Chile Democrático to speak before this Committee had been approved and I believe that fact is on record.

The second issue is what that speaker says. Now it is up to us, the audience of these petitioners, all of us representing sovereign Governments and presumably all of us intelligent enough to see the relevance or irrelevance of what a particular petitioner says, to assess what importance and weight we would attach to the content and the substance of the petitioner's remarks in relevance to the subject at issue, whether it be apartheid or something else.

Now what my delegation wishes to bring to the attention of the Committee and particularly to the attention of the representative of Chile is that since the Committee has approved the right of a representative of Chile Democrático to speak here, thereafter it is a matter of our own individual delegation's views as to what importance or relevance we attach to what that speaker says on the issue of apartheid and therefore under those circumstances I think that this Committee will not rush into creating a very dangerous precedent in deciding by vote which speaker, petitioner or organization should be given the right to appear before this Committee, particularly in view of what the Legal Counsel has said regarding the legal position based on the decisions of the General Assembly. I therefore see no practical problem. The organization called Chile Democrático had been given the right to appear before this Committee. A representative of that organization has appeared before this Committee and is in the process of speaking. Thereafter the relevance or otherwise of what he says is a matter for us and I am sure that the Chairman will indicate whenever a particular speaker goes so far off the subject as to suggest that he is speaking on subjects other than the matter under discussion.

Mr. ROSENSTOCK (United States of America): My delegation will not at this point address the issue that is before us, of whether some particular organization should or should not be heard, but rather would raise a question with the Chairman. We have now heard two assertions: first, that there was a decision at the beginning of this meeting; secondly, that there was a decision at some earlier meeting, expressly to hear the organization in question. We are unaware of any such decision and we think that if there was such a decision it would be obviously helpful to the Committee to know. If there was not such a decision - and I must say we believe that to be the case - then it would also be helpful if that were clarified before we proceed any further on a misconception.

The CHAIRMAN: In clarification of the point raised by the representative of the United States, there was no formal decision taken on whether to approve the speakers we shall hear today, but the list was available at the beginning of this afternoon and members were free to object to speakers as and when they spoke. This was in accordance with previous practice.

Mr. ROSENSTOCK (United States of America): Thank you, Mr. Chairman, for clarifying the point that there has been no decision taken to hear the organization in question at this or any other meeting of this Committee.

My delegation would like to revert back to the carefully phrased statement we heard from the Legal Counsel. What the Legal Counsel said is that there has been latitude with regard to hearing speakers. But latitude does not mean licence, it does not mean anybody and everybody, it does not mean that when we have an organization come in here and tell us "We care about this particular problem", that therefore we are obligated immediately to hear it because of past precedents. It may well be that one must err on the side of liberality in order to avoid excluding an organization which may have a particular interest or a particular concern.

There would appear to be no basis whatsoever for believing the organization in question has a particular concern. If there is a basis, we have not heard it. We have listened to the speakers who spoke and we have heard them say that they are willing to hear them and we have heard them say that there has been a measure of latitude, but we have not heard it suggested that this body of sovereign States, which has a liberal attitude towards hearing those with particular information, has suddenly turned itself into a hearing-ground for anybody and everybody with a particular cause to come and bring itself before this Organization, be it the free "this" or the free "that", the free "this member" or the free "that member", and if we embark on this course we should be aware of what we are embarking on. We should also be asking ourselves why our work is being interrupted at this point by an organization whose main and primary concern is otherwise. After all, it is perfectly clear from what one does know that the primary interest and concern of this organization that wishes to be heard is not the problem of apartheid. Its geographic location does not suggest it has particular information to bring to bear on the question. We have heard a State raise a question with regard to it and therefore we ought to ask ourselves what the facts are, because this can very readily and easily be multiplied out, to the detriment of the work of the Organization on the vital and important question of apartheid, as well as on other matters. There are many countries here with opposition groups. There are countries here which have swallowed other once sovereign countries and some of those countries still have representation in various capitals. Is that what we are heading towards? Is that what we want?

(Mr. Rosenstock, United States)

Is that how we want this Organization to focus itself on the problems properly before us? Yes, apartheid is a matter of global concern, no issue before the United Nations is more so, but it is not the only issue of global concern and there are a number of other issues of global concern before the United Nations, but we cannot, we should not; we serve no useful purpose if we do permit the United Nations to be turned into an opportunity for publicity-seeking by all manner of groups, merely because they assert that they are opposed to apartheid or that they are in favour of this or opposed to that, and it is the necessity to maintain some criteria, some standards -- yes, latitude, but not "anything goes".

Mr. BLANCO (Cuba) (interpretation from Spanish): I apologize, first of all, for speaking once again, but the statement just made by the representative of the United States only confirms the fears expressed by my delegation in my previous statement. What we have heard here from those who have always been on the side of South Africa when voting on resolutions dealing with South Africa, rather than on the side of the majority, demonstrates a discriminatory attitude against persons and organizations that come here to give information on how Security Council resolutions are being violated.

While being told to be careful, are we not now being pushed on another course, towards creating precedents so that if a professor from Harvard or a United States university came here to tell us how they were co-operating with South Africa, sometimes on nuclear matters, and the United States delegation objected to that person speaking before this Committee, we would have to challenge the ruling of the Chair or question the decisions of the General Assembly and all of the traditions that have been established here. Is that what we want? It is allegedly only a regional problem as if those who do not live in Africa do not have a vote and an opinion on the problem. Is this perhaps a way of fragmenting African solidarity against apartheid? But apartheid is of concern not only to Africa but, as stated by the Legal Counsel, a matter of international concern. Is it perhaps the "Moral Majority", the new right, that has to decide who may speak here?

Mr. LAGOS (Chile) (interpretation from Spanish): I am not going to answer the propagandistic and imaginative utterances of the representative of Cuba. It is pointless, for what my delegation did was to raise a strictly legal question. The question of apartheid is not at issue. We have said this from the outset. We are not discussing the importance of that phenomenon. Therefore, what has just been said is irrelevant and just more propaganda.

What emerges from this debate is that the Committee apparently does not decide on requests to speak here. As the Chairman has indicated, simply to register one's name with the Secretariat suffices for anyone to be considered an authorized speaker and be allowed to address this Committee. This is an important consideration to be kept in mind.

(Mr. Lagos, Chile)

As I indicated - and I repeat this - my delegation will defer to the opinion of the Legal Counsel. But we wish it to be recorded along with the fact that this Committee consents that any person, any individual, who indicates that he has a special interest in speaking on the subject of apartheid may do so. I think this deserves a decision by the Chair: namely that any person, any individual, any organization, that says or thinks it has the right to speak on apartheid will be allowed to do so.

I say this because it is obvious in the case of the representative of the so-called organization that now has the floor that it is not the question of apartheid that is of interest to his pseudo-organization but only the overthrow of the Government of Chile, whatever the means, whatever the expedient, and whether speaking in the Fifth Committee, the Fourth Committee, the Third Committee, or the First Committee.

Consequently, the specific interest has not been demonstrated in any way. If we are to accept the precedent which I have pointed out and which derives from an apparent consent of the members here and concerning which I should like to have a decision by the Chairman, then any organization, any individual, exploiting the item on apartheid will in future be able to come before this Organization and this Committee and be allowed to speak.

I believe that I have the legitimate right to ask that this appear in the record and that there be a ruling by the Chair.

The CHAIRMAN: My ruling would be in line with what the General Assembly has decided, namely, that any organization having a special interest in the question will be permitted to be heard by the Special Political Committee and, as the Legal Counsel stated, subject to the agreement of the Committee. If the appearance of any speaker is objected to and is challenged, the Committee can take a decision on whether to hear him or not. I think that accords with the opinion of the Legal Counsel, and I think it is in accordance with the directive received from the General Assembly.

After hearing the speakers and the opinion of the Legal Counsel, may I take it that the Committee wishes to agree to hear the representative of the Chile Democrático on the understanding that he confines his statements to the policies of apartheid of the Government of South Africa.

It was so decided.

The CHAIRMAN: I call on Mr. Luis Guastavino.

Mr. GUASTAVINO (Chile Democrático) (interpretation from Spanish):

I believe that everyone fully comprehends the basic reason for that lamentable interruption, which is absolutely understandable.

During my statement, as has been underlined by various delegations, I have referred to the dangers of the apartheid policy, carried out by the South African Government, in an international context and to the closer relations with areas of the world, concerning which public opinion and the international community are well aware of the danger of setting up the military pacts that are being organized and directed from South Africa, the centre of apartheid.

My statement is absolutely relevant, and I am obliged to state that I am not speaking as the representative of a pseudo-organization. The name of Chile Democrático is mentioned in many United Nations reports, of the Commission on Human Rights, the General Assembly, the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Its representatives are received by the Secretariat of the United Nations. It has contacts with the Ministries of Foreign Affairs of a very large number of countries represented here, and all know that it represents - I say this serenely but not without the emotion and passion it arouses - an immense part of the citizenry of our country which enjoyed legitimate and constitutional representation ...

The CHAIRMAN: I call on the representative of Chile on a point of order.

Mr. LAGOS (Chile): As the Committee heard, what the speaker was saying has nothing to do with the question of apartheid. I request that, in accordance with the Chairman's ruling, he deal only with the question of apartheid and not with other matters concerning the internal situation in Chile. It is neither permissible nor justifiable that he make any sort of comments concerning that situation; the Chairman's ruling was very clear in that respect.

The CHAIRMAN: I request the representative of Chile Democrático to confine his statement scrupulously to the subject of the policies of apartheid of the Government of South Africa.

Mr. GUASTAVINO (Chile Democrático)(interpretation from Spanish): Out of respect for the Chairman and representatives, I believe it necessary that I explain on whose behalf I am speaking, and the nature of my organization, and I have done so. It has several times been said here that my organization has a pseudo-representational character. I think that it is an elementary norm of respect to --

The CHAIRMAN: I call on the representative of the United States on a point of order.

Mr. ROSENSTOCK (United States of America): We are again hearing material that does not relate to the question of apartheid or the policies of the Government of South Africa with relation thereto.

The CHAIRMAN: I once again ask the speaker please to deal with the subject under consideration.

Mr. GUASTAVINO (Chile Democrático): I was about to finish my statement when I was interrupted.

Our organization is deeply concerned about all those problems which are of interest to the international community as reflected in the international instruments agreed upon by the international community. Such instruments with regard to apartheid have repeatedly been adopted by this Organization.

(Mr. Guastavino)

It is from this viewpoint that we wish to underscore the danger posed by the existence of a régime such as the South African régime, which spreads its military tentacles to other parts of the earth, and not only in the immediate geographical confines of southern Africa. Public opinion has been assaulted by the expansionist policy of the Republic of South Africa and its attacks on fraternal countries and peoples in that part of Africa. My organization is concerned to see the dangers posed by the policies of apartheid. They do not stop with the commission of such acts, but rather extend to other areas and countries; this is of concern to organizations such as mine, Chile Democrático.

That is why Chile Democrático considers it absolutely relevant and necessary for it to have attended this meeting of the Special Political Committee. We went through the appropriate channels in order to express our solidarity with the South African people and to denounce the collusion in support of the apartheid régime from other parts of the world. We consider it useful to point out who it is that is supporting and backing the racist régime of South Africa: they are enemies of the cause of the liberation of the South African people, and they violate the repeated resolutions of the United Nations.

The CHAIRMAN: I now call on Mr. William Booth, the President of the American Committee on Africa.

Mr. BOOTH (American Committee on Africa): On behalf of the American Committee on Africa I should like to thank the members of the Special Political Committee for this opportunity to share with them some of our concerns about current developments relating to the United States and South Africa.

In late August, Assistant Secretary of State for African Affairs Chester Crocker made a major address elaborating the Reagan Administration's policy on Africa, in which he proclaimed United States neutrality regarding development in South Africa. He said:

"It is not our task to choose between black and white. We will not lend our voice to support those dedicated to seizing and holding power through violence...".

The political blindness and moral bankruptcy of that statement cannot be overemphasized. At a time when the Reagan Administration is increasingly supportive

(Mr. Booth)

of the propaganda of the South African régime and increasingly committed to "constructive engagement", it behoves us to demonstrate again and again the consequences of that policy.

Not choosing between black and white in South Africa is to ignore the plight of 2,000 squatters outside Cape Town, who have been driven from their homes by bulldozers and have watched the deliberate burning of their shacks by the police. It is to ignore the cruelty inflicted on women and children who are detained and then deported to barren homelands 800 miles to the east where they are dumped in the bush that cannot support them. The Minister of Co-operation and Development, Mr. Pieter Koornhof, who is responsible for the removals, says that the problems have arisen because of concessions he made in the past to illegal migrants because he has been "too human".

And the United States Government will not choose between Koornhof and the woman who has lost track of her husband and lives in extreme poverty with her children in a barren reserve because of his racist laws, which make it illegal for black families to live together under the same roof in a place where there are jobs and services to sustain decent human life. The Reagan Administration would not even participate in a French-initiated, mildly-worded expression of concern about the squatters, even though it was supported by Austria, Sweden, Belgium and Denmark.

The United States "will not lend support to those dedicated to seizing and holding power through violence". How does it think the South African Government stays in power? Let us not forget Sharpeville, or the deaths following the 1976 Soweto uprising, or the recent detentions of black trade unionists.

Let us not forget that three men were recently sentenced to death by the South African régime. Members of the African National Congress, they were alleged to have been involved in acts of sabotage. No one died from their alleged actions, as property, not people, was the target. The men were sentenced to die none the less. Johannes Shabangu, David Moise and Anthony Tsotsobe had been held under the Terrorism Act which permits the state to detain suspects indefinitely without charge and without access to lawyers or relatives.

All three were convicted on the basis of "confessions" extracted under torture. Johannes Shabangu was hung head down by his leg irons from a tree during his interrogation. Anthony Tsotsobe was stripped and a wet sack was pulled tightly over

(Mr. Booth)

his head making breathing extremely difficult, while he was beaten with a hosepipe.

But the United States is against "holding power through violence".

This becomes even more meaningless in light of the South African invasion of Angola in August of this year. The attack was made in an attempt to destroy the South-West Africa People's Organization (SWAPO) and to punish Angola for its continuing support for the Namibian liberation struggle. The invasion penetrated 120 miles into Angola, occupied six Angolan towns, bombed villages to smithereens and left more than 1,000 people dead.

(Mr. Booth)

When the Security Council passed a resolution condemning the South African invasion, the United States was the only nation to cast a veto. That veto was justified, in the Reagan Administration's view, because the resolution "places blame solely on South Africa". The Reagan Administration wants to shift the blame for the continuing conflict from South Africa to the South West Africa People's Organization (SWAPO), Cuba, the Soviet Union and Angola. The South African invasion had to be seen in the "context" of the Cuban and Soviet presence in Angola, and their support for SWAPO, said an Administration spokesman.

The Reagan Administration has linked a Namibian settlement with the withdrawal of Cuban troops from Angola by calling for "parallel movement" in the two areas. In effect, this justifies South Africa's continued occupation of Namibia so long as there are Cubans in Angola.

This linkage brings to the surface the world view which underlies Washington's embrace of Pretoria as a friendly ally. Apartheid and racism are perceived as a lesser evil than any association with a liberation struggle backed by the Soviet Union.

The current Administration's hostility to the Movimento Popular de Libertacao de Angola (MPLA), the political leadership of Angola, has a considerable history. Even before his election, Reagan told The Wall Street Journal that he was willing to sell arms to the National Union for the Total Independence of Angola (UNITA), the rebel Angolan group being kept alive by South Africa. More recently, Mr. Crocker announced that, in Washington's eyes, 'UNITA represents a significant and legitimate factor in Angolan politics.' Thus the Administration has consistently urged the repeal of the Clark Amendment, which prohibits covert United States actions in Angola. The vote on this crucial matter will come in the United States Congress in the next few weeks.

Besides a strong effort on the part of the Administration to see the Clark Amendment repealed, the United States is also moving away from an effective enforcement of the United Nations arms embargo against South Africa. Chester Crocker has told top-level South African officials that the United States will work towards 'a greater acceptance of South Africa within the global framework of Western security'. Since the new Administration took office,

(Mr. Booth)

there have been instances of increased South Africa-United States military relations, relaxation of arms embargo regulations and cases where evidence indicating a possible violation of the arms embargo has not been adequately investigated by the Administration.

In June, the Reagan Administration revised the controls on exports to South Africa and Namibia, so that certain products may now be sold directly to the South African military and police. Restrictions were lifted on the sale of medical supplies to South African military and police institutions. Further, the Administration used the United States commitment to international civil aviation safety to justify the relaxation of controls on the sale of equipment to South Africa and Namibia, including sales directly to the military and police, which will be used "to combat international civil aviation terrorism". This amendment has already allowed for the sale of metal detectors to the South African police and may possibly have also facilitated computer sales to the military.

Particularly disturbing is the fact that equipment purchased from the United States under the pretext of maintenance of civil aviation safety could also easily be used by the police and military in carrying out their repressive functions as enforcers of apartheid. Also, the new export control regulations do not define exactly what constitutes "civil aviation terrorism". The phrase "combating international terrorism" is open to wide interpretation and legitimate action by South African freedom-fighters is regularly termed "terrorism" by the régime. Under this amendment to the regulations, United States equipment might be sold to the South African military and police which would be used in suppressing the legitimate struggles of the oppressed peoples of South Africa and Namibia.

The Reagan Administration appears to be encouraging contacts between the United States and the South African military and police. Last March, five top-ranking South African military officers met with members of Congress and the National Security Council in Washington and with United States Ambassador to the United Nations, Jeane Kirkpatrick, in New York. In September, two South African military officers, one from the Navy and the other from the Air Force, attended a United States Coast Guard training programme in New York.

(Mr. Booth)

Washington and Pretoria recently increased their military attachés in each other's embassies. This fall, three top-ranking South African police officers were allowed to attend international police conferences in the United States. Two Major-Generals from the South African police attended the International Association of Chiefs of Police in New Orleans from 26 September to 8 October. In New York, an officer from the South African Railway Police attended the meeting of the Board of Directors of the International Association of Airport and Seaport Police. A State Department spokesman noted that granting visas for these agents of apartheid constituted a break with past practice.

Last month, a team of American nuclear experts held high-level talks in Pretoria, foreshadowing the likelihood of the United States resuming sales of enriched uranium to South Africa. The United States had suspended such sales in 1975 because South Africa had refused to sign the nuclear Non-Proliferation Treaty, which pledges the disavowal of any nuclear-weapon development. It is now widely accepted that Pretoria has the capability to produce such weapons, and enriched uranium from the United States could be used by South Africa in the further development of a nuclear-weapon programme.

While research and investigation are still in progress, there is also ample evidence to suggest that certain aircraft and computer companies are selling products to the South African military in violation of the arms embargo. Our official enquiries indicate that the Reagan Administration has not made any attempt to investigate these possible violations.

The policy of the Reagan Administration makes it imperative that the American people take action against United States "constructive engagement" with South Africa. One of the most important arenas for this action is state governments and city councils. Legislation which prohibits the investment of public money in banks and corporations that operate in South Africa is being introduced in dozens of places across this country.

State and municipal action was stimulated by a unique national conference held in June in New York City. Attended by 200 State and municipal legislators, investment experts, trade unionists, church leaders, academics and

(Mr. Booth)

grass-roots activists, it gave participants the opportunity to learn from previous campaigns and gain skills for launching new ones. Of special importance helping legislators appreciate the significance of their efforts was the press conference held at the United Nations hosted by Ambassador B. A. Clark of Nigeria, who was then Chairman of the United Nations Special Committee against Apartheid.

A field representative of the American Committee on Africa, Mr. Dumisani Kumalo, has just completed a trip to the Midwest and the Far West, where he has helped to focus attention on the importance of this kind of action against apartheid. So far, legislation has been successful in Massachusetts, Connecticut, Michigan and Nevada and bills are pending in at least eight more States.

Student action against apartheid is also growing and, again, the United Nations has played an important role. A National Student Anti-Apartheid Strategy Conference was sponsored by the Hunter College Student Government in early October in New York. Organized by the American Committee on Africa and supported by the United Nations Special Committee against Apartheid, it was attended by students from 50 campuses in 20 States.

A useful way of increasing the over-all effect of inherently decentralized campus activity is to have activists from different campuses plan their major events within a limited time span and well in advance. Two weeks of national action will be held from 21 March to 4 April, commemorating the dates of the Sharpeville massacre and the assassination of Martin Luther King Jr.

Although the particular nature of the activity will vary from campus to campus, to give the two weeks of action national cohesion, the following four-point political focus has been adopted by the students:

First, support for the liberation movements of southern Africa and, in particular, a call for the immediate independence of Namibia;

Secondly, demand the immediate withdrawal of United States corporations from South Africa and Namibia and an end to all bank loans; build support for mandatory United Nations sanctions against South Africa, particularly an oil embargo;

(Mr. Booth)

Thirdly, opposition to the Reagan Administration's increasing collaboration with South Africa and the current effort to repeal the Clark Amendment: and

Fourthly, stress the links between United States support of racism in South Africa and racism in this country.

Since the weeks of action run through 4 April, groups are to plan events that link commemoration of Martin Luther King Jr. with support for African liberation.

In conclusion, Georgia State Legislator Julian Bond was the keynote speaker at the June Conference on Public Investment and South Africa. Speaking here at the United Nations in a Friday night session, he spoke for all of us. He said:

"South Africa today constitutes a direct personal threat to us all. Forty years ago, Adolf Hitler demonstrated that genocide is yet possible, even in democracy, even among people who look alike. Apartheid is evil and we cannot allow it to continue. To be neutral on this issue is to join the other side."

Mr. NWACHUKWU (Nigeria): It is with a very deep sense of sorrow, horror and loss that my delegation takes the floor to announce the assassination in Durban, South Africa, of Mr. Griffith Mxenge.

Mr. Mxenge was until his death a prominent member of the African National Congress (ANC) and a member of the South African Bar. It will be recalled that Mr. Mxenge, until his untimely death, was at the forefront of the struggle for freedom in apartheid South Africa. He even paid the price of serving a term of imprisonment on the notorious Robben Island.

He earned the respect and admiration of the oppressed black people throughout the country by his tireless role in providing legal defence to the cause of ANC freedom-fighters and other patriots, who daily face arbitrary trials resulting from the brutal repression that is currently being carried out by the apartheid régime.

Mr. Mxenge's death, coming in the wake of the murder of Joe Gandhi in Zimbabwe, and amidst repeated threats by the Pretoria régime to assassinate ANC leaders and activists wherever they are to be found, is a dastardly crime which further underscores the Fascist and terrorist character of the Botha régime. It calls for strong condemnation by all nations, organizations and individuals which cherish justice.

It is for these reasons that we kindly request, Mr. Chairman, that you use your good offices to urge the United Nations Member States and solidarity organizations throughout the world to send messages of solidarity to Mr. Mxenge's wife, whose address I shall provide to you. Such messages of condolence and solidarity could be read at memorial services due to be held on Thursday 26 November 1981.

In conclusion, I should like to remind the Committee that the inhuman régime of South Africa has not merely made up its mind to liquidate the soul and body of the freedom-fighters embodied in the ANC movement. We call upon you, Sir, to use your good offices to appeal to the soul of all the organizations in the United Nations system to lend their support and solidarity.

The CHAIRMAN: The request of the representative of Nigeria will be brought to the attention of the members so that those who are able may send their condolences, and with the permission of the Committee I shall send a message of condolence in the name of the Committee. Since I see no objection, I shall do so.

The meeting rose at 5.55 p.m.