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SPECIAL COMMITTEE AGAINST APARTHEID

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Held at Headquarters, New York,
on Tuesday, 2 November 1993, at 10.30 a.m.

Chairman:

Mr. GAMBARI

(Nigeria)

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The meeting was called to order at 10.55 a.m.

DAY OF SOLIDARITY WITH SOUTH AFRICAN POLITICAL PRISONERS

The CHAIRMAN: On behalf of the Special Committee, I warmly welcome all those who have accepted our invitation to join us today. I have, in particular, the honour and pleasure to welcome the President of the General Assembly, Mr. Samuel Insanally, the President of the Security Council, Mr. Ronaldo Sardenberg, and the representative of the Secretary-General, Mr. Chinmaya Gharekhan. I should also like to welcome Mr. Tebogo Mafole, representative of the African National Congress of South Africa, and Mr. Pheko, representative of the Pan Africanist Congress of Azania.

As we meet in this year's observance of the Day of Solidarity with South African Political Prisoners, proclaimed by the General Assembly in 1976, South Africa is, we hope, moving towards a political transformation into a united, democratic and non-racial society. The positive steps which have been taken recently - inter alia the agreement to hold the first democratic and non-racial elections in South Africa on 27 April 1994, the passing of the bill to establish the Transitional Executive Council, and an agreement on the establishment of the Electoral, Broadcasting and Media Commissions - represent major achievements towards democracy and a peaceful end to apartheid.

As members are aware, the President of the African National Congress of South Africa, Mr. Nelson Mandela, has called for the lifting of economic sanctions. This call has been endorsed by the Ad Hoc Committee of the Organization of African Unity on Southern Africa. Last Friday, on 8 October, the General Assembly, in its consensus resolution 48/1, also decided to endorse that call.

(The Chairman)

While we are encouraged by these developments, we are still concerned at the spiral of violence which is engulfing South Africa. Furthermore, we would like to acknowledge the fact that many political prisoners have been released since 1990 and that a mechanism has been set up to resolve the cases of remaining political prisoners. None the less, we are deeply concerned that there are still political prisoners languishing in the jails of South Africa. Therefore, we are meeting today to express and renew our solidarity with those who are still incarcerated in South Africa because of their political beliefs and activities.

It is now my pleasure to invite His Excellency Mr. Samuel Insanally, President of the General Assembly, to address this solemn meeting.

Mr. INSANALLY (President of the General Assembly):

Today - and we hope for the last time - the international community is observing the International Day of Solidarity with South African political prisoners. In doing so, we reiterate our firm support to the people of South Africa in their courageous efforts to bring about a non-racial democracy in their country through peaceful negotiations and agreement. We pay a tribute to the important role played by those who suffered as political prisoners for having raised their voices against the apartheid system.

This occasion must also stand as a solemn reminder that political prisoners have no place in any society. In the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was adopted by consensus in 1989, the release of political prisoners was considered one of the indispensable measures for the creation of a climate conducive to negotiations. Over the past years, hundreds of political prisoners

(The President of the
General Assembly)

have been released, yet some remain in prison, as the Chairman has just said. We hope that the last cases will soon be resolved through the mechanisms established for this purpose.

We are observing this Day at a time of tremendous developments in South Africa. We salute the historic decision on the establishment of the Transitional Executive Council as a significant breakthrough in the process of political settlement. The Council will enable representatives of different political organizations to participate in South Africa's first broad-based, multiracial governing body, which will oversee the functioning and decisions of the Government to ensure that they are consonant with the goal of free and fair elections. This is a victory for the people of that country, as well as for the whole international community. The United Nations can take pride in the fact that it helped to make these historic changes possible.

However, the successful implementation of the decisions taken by the multiparty negotiations will require the good will and dedication of all political leaders of the country. It is imperative that all parties resolve remaining differences by staying involved in the transition process. Non-participation and violent political confrontation will make the transition more vulnerable to fringe groups which, for reasons of their own, do not wish the process to succeed. We urgently appeal to those political leaders who suspended the participation of their delegations in the multiparty talks to return to those negotiations.

The international community remains deeply concerned at the continuing violence, which has already claimed far too many lives in South Africa and now threatens the process of political

(The President of the
General Assembly)

settlement. There is a danger that the violence will increase as political parties begin active campaigning for elections, and this might pose a considerable problem as regards the conduct of free and fair elections.

Since the national peace accord and its structures remain vital instruments for peace in South Africa, they need to be strengthened and revitalized by the cooperation of all parties. While it is the primary duty of the Government, as it is of any Government, to end violence and maintain safe conditions for all South Africans, the international community has a right to expect all those who have enjoyed its support fully to join the efforts to restore and maintain the peaceful and non-violent conditions that are so necessary for democratic elections and the establishment of a non-racial Government and Constituent Assembly.

(The President of the
General Assembly)

The creation of a climate of peace is essential for the period in the run-up to the elections. Violence must not be allowed to derail the process of peaceful transition. The lifting of economic and financial sanctions has opened the door for assistance from the international community in addressing the socio-economic problems of the country. We realize that material, financial and other help will be needed in the areas of human-resource development, unemployment, health and housing. It is crucial in ensuring a stable and smooth transition in South Africa that a new Government in Pretoria be fully supported economically and financially as it designs and implements policies to meet the tremendous expectations of South Africa's long-disadvantaged majority.

We firmly believe that, with the dedicated effort of all political leaders of that country and the active support of the international community, South Africans will finally succeed in creating a non-racial, democratic and prosperous society.

The CHAIRMAN: I now invite His Excellency Mr. Ronaldo Mota Sardenberg of Brazil, President of the Security Council, to make a statement.

Mr. SARDENBERG (Brazil) President of the Security Council: I wish first of all to thank the members of the Special Committee against Apartheid and its Chairman, Ambassador Ibrahim Gambari, for the invitation to participate, as President of the Security Council, in this solemn meeting on the occasion of the Day of Solidarity with South African Political Prisoners.

We are meeting here at a moment when the people of South Africa are making decisive strides towards the complete and

(The President of the
Security Council)

definitive eradication of the heinous system of apartheid. In that process, the problem of the remaining political prisoners in South Africa will no doubt continue to be addressed with a view to an early solution.

Historic advances have already been achieved in the process of the transition to a united, democratic and non-racial South Africa, in particular with the decision taken within the framework of the multiparty negotiations that South Africa's first non-racial elections are to be held on 27 April 1994. As the President of the African National Congress of South Africa (ANC), Mr. Nelson Mandela, himself a former political prisoner, said in his statement before this Committee on 24 September, "the countdown to democracy in South Africa has begun".

The Security Council remains seized of the question of South Africa, and its members continue to follow developments in that country with keen interest. In particular, Council members have stressed on various occasions their concern over continuing incidents of violence, and have stressed the need for all South African leaders to work jointly to prevent violence in the electoral period ahead.

In that connection, I should like to inform the Special Committee that just a few days ago the members of the Council agreed to a request from the Secretary-General to increase to 100 the number of observers in the United Nations Observer Mission in South Africa with a view to enhancing the constructive role the Mission is playing in promoting the process of transition and to contributing to reinforced security and stability in South Africa during the transitional period.

(The President of the
Security Council)

The members of the Council are committed to supporting efforts to facilitate the peaceful transition to a democratic South Africa and to assisting in overcoming any remaining obstacles. Convinced that the political transition must be completed without delay, they look forward to the dawning of an age of freedom in South Africa.

The CHAIRMAN: I shall now make a statement on behalf of the Special Committee against Apartheid.

The question of racial discrimination in South Africa has been on the agenda of the United Nations since the very first session of the General Assembly, in 1946. At that time, and all through the years of its existence, the Organization, whose Charter set out to uphold the fundamental rights and the dignity and worth of the human person, regarded the question of apartheid as a crucial issue and considered that the repugnant system of apartheid in South Africa deserved the condemnation of the entire international community.

In 1962 the Special Committee against Apartheid was established, and all through these years it has exerted every effort to ensure that the policies of apartheid were completely eradicated. The Special Committee is committed to its continued support for the political process within the framework of the multiparty negotiations currently under way in South Africa until a new Government is in place, a Government resulting from non-racial, democratic elections and responsible under a non-racial constitution that truly represents the aspirations of the majority of the citizens, signalling the end of apartheid as a political and legal system.

(The Chairman)

Today we are gathered here to mark what we all hope and pray will be the last observance of the International Day of Solidarity with South African Political Prisoners, proclaimed by the General Assembly in 1976.

As multiparty negotiators proceed with the business of setting up transitional structures in preparation for the first democratic elections, a number of prisoners are reportedly still being held in connection with activities related to their opposition to the oppressive system of apartheid. We therefore appeal to the South African authorities to take the necessary steps for their immediate release.

While there are still numerous obstacles and dangers ahead, South Africans are now at the threshold of achieving what has been the goal of their many years of struggle and of arduous negotiations over the last couple of years: The first multiracial democratic elections are set for 27 April 1994. Agreements have been reached in multiparty negotiations on a Transitional Executive Council, an independent electoral commission, an independent media commission and an independent broadcast authority, which are the mechanisms that are expected to "level the political playing field" in preparation for the democratic elections. Those agreements have now been enacted into law by Parliament. It is expected that by the end of this month the plenum of the multiparty negotiations will have approved an interim constitution, including a bill of rights and an electoral bill, which together with the agreements already enacted in law will constitute the package for the transition period.

The interim constitution will also provide a constitutional framework for the newly elected non-racial Government until a final

(The Chairman)

constitution is adopted. The establishment of the Transitional Executive Council is the first step towards representative Government, with all races in South Africa now participating in a governing body. This is an important milestone on the road to democracy and a historic victory for the people of South Africa and for members of the international community and the anti-apartheid forces that have supported South Africa's struggle for freedom.

The commitment of all political leaders in South Africa is essential for the success of these transitional arrangements. We are encouraged to hear that bilateral meetings are taking place with leaders who have suspended their parties' participation in the framework of the multiparty negotiations. If we recognize that the Inkatha Freedom Party and the Afrikaner Volks Front are important constituents, keeping them engaged in the political process through dialogue on their respective concerns must be seen as an important aspect of the ongoing efforts towards a peaceful transition.

An alarmingly high rate of violence, including economic and political crime, continues to plague the country. Recent studies have shown growing numbers of South Africans who are too intimidated to participate in the electoral process - and the election is barely seven months away. Furthermore, a new study has indicated that democratic elections by themselves will not necessarily diminish violence and crime in South Africa.

Despite widespread agreement on the principle of a national peace-keeping force, details of its implementation have so far proved problematic; this has delayed a final decision on supervision and control. Yet the shape of the proposed peace-keeping force seems to be emerging, and there are indications that it could be operational by the end of the year.

(The Chairman)

With the election campaign on the way, full support for the peace structures established under the National Peace Accord is essential. The international community should be ready to respond to requests for electoral monitoring and assistance that will help to build confidence and allow for the majority of South Africans to go out and exercise their inalienable right to vote. Ultimately it is the South African people who will make the election free and fair by their courage and determination. They should therefore come out in their millions to vote in the first ever non-racial election in South Africa.

I believe it is time now to start looking beyond to some of the issues that will face the new Government of national unity and reconstruction in May 1994. First among the post-apartheid problems will be the crisis of extremely high, and therefore difficult to fulfil, expectations. Many South Africans will expect that with the election of a new democratic Government their lives will be transformed, and transformed immediately. As the example of Eastern Europe shows, restructuring a country is a slow and difficult process, and things may well get worse before they get better. It will therefore be very difficult for the new Government to deliver at the speed and on the scale expected of it.

The recent call for the lifting of economic sanctions and the increase in the number of discussions and forums currently taking place among South Africans and potential foreign investors, seem to indicate that the broad majority of South Africans now welcome the inflow of foreign investment to their country. With the transitional process under way, attention is now being focused on bolstering the economy, which is struggling to recover from a four-year recession.

(The Chairman)

The challenge that lies ahead is not only the uplifting of the day-to-day lives of impoverished South Africans, promotion of equal opportunity, protection of resources and community development, but also the building of a vibrant economy and its sustenance. Without a strong economy the prospect for a stable new democratic Government will be seriously weakened.

At this point I should like to applaud all the people of South Africa, especially those who have actively fought for the eradication of apartheid: the liberation movements - in particular, the African National Congress and the Pan Africanist Congress of Azania - and all the ordinary men, women and children in townships and communities who did not give up the fight but pressed on in spite of immense difficulties in order to reach their just goals. They have been engaged in an heroic struggle that has captured the imagination of the world, and the fruits of their sacrifice are, hopefully, almost in sight.

The Special Committee believes it is the moral responsibility of members of the international community to maintain their vigilance as developments unfold in South Africa, while continuing to extend support to that country by strengthening their partnership with the people of South Africa to help eradicate the legacies of apartheid and build an equitable society so that South Africans of every colour, creed, gender and ethnic origin may share in the bounty of their land and enjoy the fruits of democracy.

It is now my pleasure to invite the representative of the Secretary-General, Mr. Chinmaya Gharekhan, to read a statement on behalf of the Secretary-General.

Mr. GHAREKHAN (Special Political Adviser to the Secretary-General): I have the honour to read out the following message from the Secretary-General:

"As we are gathered here, major decisions reached within the multiparty negotiations, particularly on the establishment of the Transitional Executive Council and the holding of universal suffrage elections on 27 April 1994, are bringing us ever closer to the new non-racial and democratic South Africa that the South African people and the international community have striven so long and so hard to bring about.

"As this observance of the Day of Solidarity with South African Political Prisoners is likely to be the last, it is important to remind ourselves of the significance of the Day. The observance was enacted by the General Assembly not only to focus the attention of the international community on the need to provide political prisoners with legal, humanitarian and legal assistance through the Trust Fund for South Africa, but also to uphold their right to freedom of expression and freedom of conscience. These essential freedoms lie admittedly at the very core of multiparty democracy, a form of government that is now spreading far and wide.

"In a sense, by observing this Day throughout the years the United Nations and the international community have demonstrated that, whether in South Africa or elsewhere, there should be no political prisoners or prisoners of conscience. The South African people, who have struggled for so long and have made remarkable progress towards the multiparty constitutional democracy with the proposed Bill of Rights, know this better than anyone else.

(Mr. Gharekhan)

"The release of hundreds of political prisoners during this past year has significantly contributed to the efforts to create the atmosphere of reconciliation and free political activity that is so essential for the conduct of negotiations and for the holding of free and fair elections.

"As we walk the last mile in South Africa we are reminded, however, that there are still some political prisoners in jail and prisoners on death row. We hope that the good will and wisdom that have materialized inter alia in the critical decisions on the establishment of a Transitional Executive Council and on a date for the general elections next year will also be brought to bear on unresolved cases and that remaining political prisoners will soon be released. In these efforts they will have the full support of the international community.

"Events are unfolding at a rapid pace in South Africa. On Thursday, 23 September, I met with State President de Klerk and on Friday, 24 September, Mr. Nelson Mandela, the President of the African National Congress of South Africa, speaking at the United Nations, called for the lifting of sanctions, with the exception of the arms embargo.

"Member States of the United Nations which have committed themselves individually and collectively within the consensus Declaration on South Africa, to support the negotiating process in South Africa, are already taking measures - political, diplomatic, economic and others - to give effect to their commitment to a new constitutional democracy in South Africa.

(Mr. Gharekhan)

"Their concern for free and fair elections and for a new South Africa that is both economically and socially viable, is real, and rightly so. At a time when the progress achieved on the political and constitutional front in South Africa is gathering momentum, it is encouraging to note that South Africans and the international community alike are keenly aware of the need to address without further delay the socio-economic inequities resulting from decades of apartheid.

"On this occasion we must place particular emphasis on the significance and the humanitarian impact of the Trust Fund for South Africa, which over the years, with the unfailing financial and moral support of the international community, has made it possible to come to the aid of thousands of political prisoners in South Africa and to hold out for them the hope of a better life in a South Africa at peace with itself, that very South Africa which we now see before us on the threshold of a new era for which we have prayed so earnestly.

"I should therefore like to offer my sincere thanks to all the donor countries and to all those who, each in their own way, have supported this humanitarian effort which does them credit and which inspires us to persevere along the path marked out for us by the founders of our Organization.

"It is a matter of no little significance to recall now that at a time when relations between States were characterized in general by dissension and misunderstanding all the decisions concerning the humanitarian programme for political prisoners in South Africa were adopted by consensus. I am pleased that consensus decisions have become the rule rather than the exception.

(Mr. Gharekhan)

"May I therefore thank Professor Ibrahim Gambari of Nigeria, Chairman of the Special Committee against Apartheid, and Ambassador Peter Oswald of Sweden, Chairman of the Committee of Trustees of the Trust Fund for South Africa, for their unflagging efforts and their important contribution to this humanitarian endeavour. The spirit of reconciliation which is beginning to prevail and the unshakeable determination of the negotiators in South Africa to succeed in their task are a source of inspiration and hope for us all. We, in turn, should give the negotiators our full support for their praiseworthy efforts in order that we may soon see a new, non-racial and democratic South Africa finally return to the international community in newly found dignity and peace."

The CHAIRMAN: I now invite Mr. Tebogo Mafole, representative of the African National Congress of South Africa, to make a statement.

Mr. MAFOLE (African National Congress of South Africa (ANC)): A few days ago, on 7 October 1993, the United Nations General Assembly adopted by consensus a resolution lifting economic sanctions against South Africa (resolution 48/1). In so doing, the peoples of the world, as represented in this world body, delivered an overwhelming endorsement of the call made by the President of the African National Congress of South Africa (ANC), Nelson Mandela, in a meeting held by this Special Committee on 24 September. This historic decision by the General Assembly underlined a clear understanding by the world community that the democratization process in South Africa had reached a decisive stage and that therefore, in order to ensure that that process moved forward without delay, it was essential that South Africa's economy be revitalized to help address the glaring socio-economic inequities that constitute a legacy of apartheid.

(Mr. Mafole, ANC)

Thus, the significance of the resolution does not lie merely in its provision for the lifting of sanctions against South Africa but, much more important, in the fact that it serves as a definite benchmark in the conduct of relations between South Africa and the world. Indeed, it can be said that that decision will greatly facilitate the ending of the country's pariah status and clear the way for a democratic South Africa to take its rightful place among the community of nations.

That the struggle in South Africa has reached such heights is a great tribute to the people of our country who, over many decades, have waged a relentless struggle against a vicious enemy in the course of which they have paid and continue to pay a heavy price with their sweat and blood. Yet even they have never failed to acknowledge that the intervention of the international community in the struggle has been highly critical.

It is widely accepted across the length and breadth of South Africa that the various contingents of the world community, including the United Nations, have made a sterling contribution. We are therefore very pleased to place on record our indebtedness to the United Nations Special Committee against Apartheid for the pioneering role it has played over the years in galvanizing world support for our cause.

The commemoration of the International Day of Solidarity with South African Political Prisoners, for which we are gathered here today and which the Special Committee has organized every year, has always served to place the tragic plight of political prisoners in South Africa under the full glare of the international spotlight. The ruthlessness with which the apartheid regime responded to political dissent over the years meant that at any given time South

(Mr. Mafole, ANC)

Africa had the highest per capita prison population. Moreover, our country enjoyed the dubious distinction of leading the world in both the incidence and the severity of atrocities perpetrated against prisoners in general, and political prisoners in particular.

It came as no surprise, therefore, that for many years in succession South Africa had the highest number of people who died in police custody. The commemoration of this Day has therefore helped to energize people of conscience the world over, resulting in the ground swell of support for the massive campaign for the release of political prisoners in South Africa. This in turn has greatly inspired and strengthened those who were incarcerated, enabling them to withstand the atrocities in prison.

Today it is a matter of proud historical record that the apartheid regime was prevailed upon through pressure from both inside and outside South Africa to release political prisoners, including such prominent members of the ANC as Nelson Mandela, ANC Deputy President Walter Sisulu, Goven Mbeki and many others.

While the recent political developments in South Africa, particularly the progress registered at the Constitutional Negotiations Forum, amply justify optimism about the future of our country, it would be a serious error in judgement to act in a manner that suggested that the struggle for democracy is over in South Africa. On the contrary. As we approach the point where we shall for ever consign apartheid to the dustbin of history, it is precisely at this point that those who are opposed to democratic transformations are making a last-ditch stand.

There are thus a number of very serious hurdles that stand in the way of progress, and they include the following matters.

(Mr. Mafole, ANC)

First, there is the issue of political prisoners itself. On this question the South African regime has entered into a number of agreements with the African National Congress, including the Groote Schuur Minute, the Pretoria Minute, and the Record of Understanding that was signed on 26 September 1992.

(Mr. Mafole, ANC)

In the terms of each of these agreements, the regime gave solemn undertakings to release the remaining political prisoners. To this end, joint commissions have on occasion been established in order to obviate the problem of bureaucratic bottlenecks and thus speed up the process of the release of the remaining political prisoners.

It is regrettable that we must say that despite all these efforts the South African regime has yet to implement in full its commitments under the provisions I have mentioned. As a result of this, there are currently, according to our estimates, no less than 86 political prisoners in South Africa who have been acknowledged as such by the relevant judicial bodies and who are awaiting a signature from the Head of State for their release. It is also very important to note that these judicial bodies have themselves expressed concern over the fact that there has been no movement in this direction.

There is no reason why these people should continue to be imprisoned, since, according to the regime itself, there has been an understanding that they are political prisoners who are qualified to be released. Moreover, the Commission on Human Rights, in its summary report on repression for the month of September 1993, reveals highly disturbing trends. This study shows that during the month of September alone 69 people were detained without trial, bringing the total for the year to 571. This represents a monthly average of 63.4, compared to a monthly average of 37.6 last year.

Furthermore, at the end of September this year, 82 political trials involving 744 accused were still ongoing. During the same month, there were 214 politically related arrests. It is alarming

(Mr. Mafole, ANC)

and totally unacceptable that as we seriously grapple with the formidable task of formulating a constitutional dispensation, the regime should be reverting to the totalitarian methods which characterized the worst features of apartheid rule. It need hardly be emphasized that unless the issue is given the very serious attention it deserves, it may yet lead to the erosion of the very good faith that is so essential in the continuing negotiation process. It would therefore seem that the international community should continue to exercise its leverage in order to ensure that the regime fully meets its solemn commitments in this regard.

The second major problem that cries out for a speedy solution is the escalating political violence. The toll in life and property is extremely heavy; indeed, it has now reached alarming proportions. The report of the Commission on Human Rights I referred to earlier states that during the month of September there were 577 incidents of political violence, which claimed over 479 lives, an average of 16 deaths per day. The total number of deaths this year alone is 3,049. The sheer magnitude of human misery resulting from this violence is itself sufficient reason for a concerted effort to be made in search of a solution.

The second and equally important reason for concern is that unless something is done about this violence the successes in the negotiations for a democratic constitution may very well fail to translate into a democratic South Africa. It is our considered view that to address this issue effectively requires a very clear understanding of the causes of the violence. We are in total agreement with Justice Goldstone, who declared that the fundamental cause of the violence in South Africa is apartheid. Through the systematic and persistent use of violence, the apartheid regime

(Mr. Mafole, ANC)

promoted and nurtured a culture of intolerance. Furthermore, the extreme deprivation of the majority of the people through the most brutal exploitation has created a very fertile ground for such violence. In instances where people have nothing to fight for, nothing to live for, it is understandable that they should see violence as a way out.

To say this is not to say that we condone violence. All we are saying is that unless those conditions that have given rise to the measures of violence and continue to feed it are addressed there is very little chance of succeeding in addressing this issue. To say this is not to suggest that the South African political parties themselves have no part in addressing this question. But while all the parties in South Africa have a responsibility to find the means to end the violence, it remains the primary responsibility of the regime to use its resources to stop this violence. It is therefore not by accident that both the General Assembly and the Security Council have repeatedly called upon the Government to address this matter in a very serious manner.

In its resolution, the Security Council urged the regime to implement in full the recommendation of its own commission, the Goldstone Commission. And again it is sad to have to say that, in spite of the repeated calls from the international community, the regime has yet to implement in full the recommendations of the Commission it established itself.

In many ways, the political violence in South Africa is directly linked to the negotiation process currently under way. It is no secret that violence is by and large fomented by those who are afraid of democratic transformations and who therefore have a vested interest in the status quo. It is also not very difficult

(Mr. Mafole, ANC)

to see that each time there is about to be a breakthrough in the negotiations, a new spiral of violence erupts. The most recent developments seem to point ominously in the direction of an escalation rather than a deceleration of violence as we move towards the elections.

If the intentions of the recently established Freedom Alliance are anything to go by, then the chances of resolving the violence in South Africa are in fact diminishing. This political grouping, comprising the Inkatha Freedom Party, the Afrikaner Volks Front, the Ciskei National Independence Party and the Bophuthatswana Democratic Party, has as one of its declared objectives to ensure that the very first democratic elections, scheduled for 27 April 1994, do not take place.

It is therefore to be hoped that the Special Committee and the United Nations generally will pronounce themselves on this issue in an effort to encourage all the parties to commit themselves to the programme that has already been agreed to. It is a paradox of South African political reality that while the inability to deal effectively with violence impacts negatively on the delicate process of negotiations and indeed has the potential to scuttle the entire process, the perception of endless negotiations with no tangible results may itself lead to the exacerbation of violence. This therefore clearly dictates that a viable approach to the current problem is one that will seek to strengthen the structures established within the framework of the National Peace Accord, imperfect as they are, as well as to encourage universal participation in the negotiation process.

This, in the view of the ANC, is not just the best option: it is essentially the only option we have if our country is not to be thrown into a deeper tragedy.

(Mr. Mafole, ANC)

In this regard, we would like to register our deeply felt satisfaction with the work of the United Nations Observer Mission in South Africa. We greatly appreciate all the efforts aimed at strengthening the Mission, given the enormous task that is facing the entire body of international observers. In this connection, we would like to place on record our appreciation of the decision by the Secretary-General and the Security Council to increase the number of United Nations observers in South Africa. We wish, however, given the figures we have cited and the escalating situation of violence we have mentioned, to appeal to the Secretary-General and the Security Council to see their way clear to increasing the number of observers even further.

(Mr. Mafole, ANC)

Allow me to flag one more point before I conclude: the question of the way forward. Where are we going from here?

As is clearly understood, we are at a point where we are about to establish the Transitional Executive Council, pending the adoption of an interim constitution, which in turn will be ratified by a special session of Parliament. It is to be hoped that once these formalities have been completed, possibly by next month, we shall have established that Council.

The significance of that Council lies in the fact that it has within it certain very important bodies, including the Independent Electoral Commission, which has been charged with the responsibility of conducting elections in South Africa. The establishment of that Commission will, in our view, help facilitate and define the role of the United Nations in the electoral process in South Africa. The Commission will seek to work out the precise nature and precise manner of United Nations intervention in South Africa. We feel that this is very important because, as we have said in the past, when 19 million South African voters are going to the polls for the first time, it is extremely important that the political playing field be level and that, when the results are in, the election be seen to have been free and fair. We are therefore looking forward to the establishment of this Council, its Commission and the participation of the United Nations in this effort.

We are gratified that the Special Committee against Apartheid has already, with its previous work, organized United Nations organs and bodies in preparation for their future role in South Africa. We would therefore hope that in its report to the General Assembly the Special Committee will urge the Assembly to give a very positive response to the call that is to be made by the Electoral Commission.

(Mr. Mafole, ANC)

The General Assembly will be debating the issue of South Africa beyond the question of sanctions. We are looking forward to this debate precisely because it is, we hope, the last debate we shall hold. In fact, it can easily be regarded as a make-or-break debate, depending on how properly it defines the role of the United Nations and the international community and prepares them to give the people of South Africa the requisite assistance to ensure that a free and democratic South Africa emerges from the ashes of the outdated apartheid system. We are also hopeful that the General Assembly's resolution on lifting sanctions will, in fact, enable the various Member States to provide the assistance required to ensure that a democratic government in South Africa is well placed to address the glaring socio-economic inequalities bequeathed to us by apartheid.

We are hoping, finally, that this will be the last time that we commemorate the Day of Solidarity with South African Political Prisoners. If everything goes according to plan, come 27 April the people of South Africa will vote and will settle all the issues, including whatever might remain of the problem of political prisoners in our country.

The CHAIRMAN: I now call on Mr. Pheko, representative of the Pan Africanist Congress of Azania, to make a statement.

Mr. PHEKO (Pan Africanist Congress of Azania (PAC)): On behalf of the Pan Africanist Congress of Azania (PAC), the true custodian of the national aspirations of the oppressed and dispossessed people of Azania, I thank the Bureau, the entire staff of the Centre against Apartheid and all those present for convening this meeting.

(Mr. Pheko, PAC)

The PAC is grateful to the United Nations for having designated 11 October the Day of Solidarity with South African Political Prisoners. This day also gives the PAC the opportunity to inform the international community about the real situation in South Africa.

The PAC also expresses deep appreciation for the role the United Nations, the Organization of African Unity and others are playing with regard to the violence in South Africa.

As the informed know, PAC leaders and members, as a result of the Poqo uprising, were the first in this century to be sentenced to life imprisonment on Robben Island. Others, including Mr. Nelson Mandela, were sentenced to life imprisonment 18 months later. This is why the PAC feels strongly that political prisoners in South Africa should not be forgotten.

There is misinformation going around in the world today that all political prisoners have been released by the South African regime. This is not correct. In fact, South Africa is imprisoning and detaining more political prisoners. To date, 502 African political activists have been detained without trial, and altogether 4,168 Africans were arrested for their political activities between January and August 1993.

There are still unreleased political prisoners in South Africa; this is in violation of the United Nations Second Optional Protocol declaration of 15 December 1989. But even worse, over 300 political prisoners are on death row. Meanwhile, the South African regime has treated many of its criminals as "political prisoners" and has released them.

The classic example of this is Barend Strydom, the criminal of the South African regime who murdered eight Africans in broad

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daylight in the heart of Pretoria in 1988. He was released as a "political prisoner", according to the Record of Understanding of 26 September 1992.

But the fate of real political prisoners who are fighting for the oppressed is different. Between January and June 1993, 20 African detainees died in prison. The recent cases are those of PAC supporters Edgar Mohapi and Sibiya Sabata, both of whom were imprisoned by the South African regime. Mohapi died in jail; he was shot in the head. The South African police said he was shot by mistake, and they said Sibiya Sabata committed suicide. As in many other cases of this nature, a prominent pathologist carried out a post-mortem examination on Mr. Sabata. He established that Mr. Sabata had been murdered: his wounds were not self-inflicted.

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In recent months, the South African regime has imposed ridiculous bail terms on African political prisoners, especially those of the PAC. Mr. Enoch Zulu, a member of the PAC National Executive Council, has been asked to pay R3,000. Mr. Simon Ngcime has been asked to pay R20,000. Mr. Mduduzi Ngema was operating in Natal. He has been confined to solitary confinement in prison since May 1993.

This meeting was to have been addressed by the PAC Secretary for Political Affairs, Mr. Jaki Seroke. He has been unable to come because of a massacre of five children by the South African army. On Friday, 8 October 1993, at about 5 a.m., the home of Mr. Siggibo Mpendulo, a PAC supporter, was attacked in South Africa by a section of the South African army believed to be commandos based in East London. The twin 16-year-old sons of Mr. Mpendulo, whose names are Sadat and Samora, were killed in their sleep. Another son of Mr. Mpendulo, Mzwandile Mseya, aged 12, was shot 15 times. Two of Mr. Mpendulo's nephews living with him, Thando Mthembu and Sandiso Yase, were also cold-bloodedly murdered by the De Klerk army. The house in which they lived was riddled with 81 bullets. The house was littered with 9mm. cartridges. According to reports, the South African army used Israeli-made Uzi machine guns with silencers.

The leader of this unwarranted and unprovoked raid on innocent children claimed that this apartheid and colonial barbarism was to teach the Azanian People's Liberation Army (APLA) a lesson and to demonstrate to the outside world that, now that economic sanctions have been lifted from South Africa, investors can come to South Africa with confidence that the regime is in full control of the situation. The regime's army claimed that these children were PAC guerrillas.

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The children killed by the South African regime on the same day that the United Nations was persuaded to lift economic sanctions were students at Mqanduli School. The principal of this school has confirmed that Sadat and Samora were in fact due to write their exams on 8 October 1993. The funeral of these children took place on Saturday, 16 October 1993.

The Deputy President of the PAC, Mr. Johnson P. Mlambo, has said that the PAC notes that this adventurous action, like the 25 May 1993 nationwide raid on offices and arrests of PAC leaders and members:

"comes at a time when the representatives of the Azanian People's Liberation Army and the South African Army and South African Police were due to meet on 28 October 1993 to specifically address the issue of mutual cessation of hostilities. The attack in Umtata is clear evidence of the continued bellicose nature of the South African regime's army."

This is not the first time that the military agents of the South African regime have made false claims.

In March this year, the South African regime claimed that APLA had killed a white woman and two children. The regime's police arrested 17 students in Ficksburg on the boundary with Lesotho. The regime claimed that these students were APLA guerrillas. The PAC produced a list of 17 names showing that they were students. The regime later quietly released them.

On 25 July 1993, the South African regime killed 12 white people in a church in Cape Town. The regime's police then arrested Mr. Kentani, a schoolteacher who is a PAC member. He was detained under the Internal Security Act and tortured. After a month, he was released. The regime's police could not find any evidence linking the PAC with the attack on the church.

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Anything negative that comes from the regime and its collaborators must always be taken with a pinch of salt. The South African regime is not ready for fundamental changes in South Africa. It is playing the game of giving apartheid a new complexion.

The PAC position is that all killings must stop in South Africa. All life is sacred and God-given. There is no life that is less human or more human. Human life is human life; it must be accorded equal treatment and protection. The 1948 Universal Declaration of Human Rights mentions the right to life among the many important rights. The lifting of sanctions against South Africa, for the mere economic advantage of investors, in a situation of genocide violates this fundamental human right - the right to life. The United Nations is the last hope for the oppressed. The United Nations must demonstrate that it values human life. Silence on the violence and on the resolution lifting sanctions on South Africa sends a very wrong signal to the dispossessed and oppressed people there. The oppressed must be shown that their right to life is important.

It is an open secret that the De Klerk regime does not treat the death of an African with the seriousness it attaches to every European death. This has been demonstrated in the large sums of money it offers in reward when whites have been killed, but the very little or nothing it offers when Africans have been killed.

We would be dishonest if we did not once again point out that the PAC opposed the lifting of sanctions before there is profound and irreversible change in South Africa, as called for in the United Nations Declaration of 14 December 1989. The PAC reiterates its position that the lifting of sanctions is badly timed and can

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only strengthen the regime, particularly in the unfortunate situation where the PAC demands for a neutral convener and neutral venue were for the first time resisted by the apartheid colonial regime of South Africa.

The PAC and the majority of the dispossessed people of Azania are not happy that the United Nations resolution lifting sanctions completely ignored the genocide perpetrated by the South African regime on the indigenous African majority; and yet, in July and August 1993 alone, 1,159 deaths were registered among Africans. This death toll is higher than that in Bosnia and Herzegovina, where there is war.

The PAC is concerned that children, women and men are suffering in Libya, Iraq and Cuba as a result of sanctions and blockade. It is therefore puzzling that sanctions are being lifted from a regime that is committing genocide against the Africans and has committed the crime of apartheid, declared a crime against humanity by the United Nations.

To date, 50,000 Africans have been killed in South Africa by the regime, using agents such as Buffalo Battalions 31 and 32, Koevoets, Selous Scouts, Askaris and other death squads. The South African regime is distributing guns among whites throughout South Africa. In Graaf-Reinet, the home of the founding President of the PAC, Professor Mangaliso Sobukwe, 2,400 guns were distributed in July 1993 alone. Commandos are being trained, some abroad.

Positive changes cannot coexist with genocide committed against the victims of apartheid in South Africa. From the beginning of the negotiations, the South African regime continued to have a military budget of more than R11 billion. The regime also set aside R5 billion for secret operations. This enormous

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amount is not subject to audit. The South African regime also continued to conscript. Under apartheid laws, only whites could be conscripted. The conscription excludes Africans. This is a clear sign that military training is not for the defence of the country from external aggression but for preserving white supremacy by perpetrating genocidal violence on the African people. Thus far, no one has asked the South African regime what it is doing with so much money for military and secret purposes.

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The world has been made to believe that there is a "third force" in South Africa which is working against the intentions of Mr. De Klerk to democratize the country. Many have repeatedly put the blame on this mysterious force operating apart from the South African regime as being the main source of violence.

When asked to produce evidence, the exponents of the "third force" view have failed dismally to provide any evidence for the existence of such a force. The fact is that the so-called third force does not exist. Violence in South Africa is carried out primarily by the regime using mercenaries such as Buffalo Battalions 31 and 32, Koevoets and other death squads. This is where some of the 5 billion rand for secret operations is spent. It is the source of over 100 massacres of Africans that have occurred in recent years.

The outcome of negotiations in South Africa increasingly demonstrates the correctness of the PAC's view that these negotiations would result in co-option and disguised forms of apartheid, the perpetuation of colonialism and the ruthless exploitation of the economic resources of the country by the regime and its supporters.

There has been no neutral convener in the negotiations in South Africa. This is the only country in the world where colonial oppressors have been allowed by the international community to be both play and referee, prosecutor and judge.

Euphoria has once again been fomented by the establishment of what is called the Transitional Executive Council (TEC). This type of euphoria was created over the collapsed Convention for a Democratic South Africa (CODESA) fraud not long ago.

The TEC is an advisory board to the South African regime. The TEC will take decisions on a 75 per cent majority. The South

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African regime has rejected the PAC proposal that there be a transitional authority with executive powers and control over the South African army and the police. It is the South African army and police that are involved in the genocide of the African people in South Africa today.

The Transitional Executive Council is not executive. It is not a transitional Government. It is a body that is controlled by the South African regime except, theoretically, if it is opposed by a 75 per cent majority.

Mr. Roelf Meyer, an official of the South African regime, has said of this so-called TEC:

"We are satisfied that this Bill does not provide for a substitute of the government in any way whatsoever, or joint control of the armed forces."

Sub-councils of the Transitional Executive Council will operate on two-thirds majorities. But, even worse, issues concerning defence, police and intelligence sub-councils themselves will require a 75 per cent majority. As one writer puts it,

"If the Government decides to introduce the state of emergency, it can only be overturned by an 80 per cent majority of the Transitional Executive Council. On that basis the Government of De Klerk's National Party - with two votes in their own right on the Transitional Executive Council - are likely to have little difficulty in delivering minority vetoes."

The PAC National Executive Council held an extraordinary meeting on 18 and 19 September 1993. The PAC, after seriously analysing the Transitional Executive Council, resolved that, among other things, it will not participate in this Council. But

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"In spite of the PAC's opposition to the TEC, the organization remains open to discuss and put into place a sovereign Transitional Authority whose main purpose should be to ensure that elections are free and fair."

On this important day when we remember the political prisoners in South Africa, dead and alive, it is important to be vigilant and to be careful that the courage of these political fighters for freedom in Azania is not sacrificed on the altar of political convenience and international expediency. The objective of the Azanian struggle is total liberation, not total evil co-option.

It seems that the regime has not been negotiating in good faith. There is a hidden agenda not only for co-opting the African majority, but also for rigging elections. The World Trade Centre where negotiations are supposed to be taking place has been turned into an oven to warm food that was cooked elsewhere. This will have very serious consequences for the future of the country. Indeed, the PAC President, Mr. Clarence M. Makwetu, who is known to be very selfless, accommodating and full of wisdom, has said:

"People who thought liberation should come from the World Trade Centre should banish the thought from their minds."

Our struggle has reached a critical stage where it seems that the fundamental interests of the victims of apartheid in our country are in conflict with the national interests of certain countries, particularly the traditional friends of South Africa. This is no surprise to the PAC and the dispossessed African majority in South Africa.

In the words of our founding President,
Mr. Mangaliso Robert Sobukwe:

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"The lesson of history ... shows that we can get the moral support and sympathy of friendly peoples; they can never liberate us. This means among other things that we must develop policies not merely aping this or that country, or merely fashioned to approximate or to please certain Powers or constellation of Powers or peoples. Our policies must flow from the logic of the African situation and from the fundamental long-term interests of the vast African millions."

The CHAIRMAN: The last speaker is the representative of the Permanent Observer Mission of Palestine to the United Nations, Mrs. Somaia Barghouti.

Mrs. BARGHOUTI (Observer Mission of Palestine to the United Nations): On behalf of the delegation of the Permanent Observer Mission of Palestine, I would like to express my thanks and appreciation to the Special Committee against Apartheid for inviting us to participate in this important meeting.

The observance of the International Day of Solidarity with South African Political Prisoners comes at a momentous time of new hope in the ability of the peoples of the world to attain their just and most fundamental rights and freedoms. It is a time when South African society is in the process of transforming its political system to a democratic, non-racial system. The decision to hold elections for all parties and the establishment by law of the Transitional Executive Council in South Africa have been welcomed by the entire international community. These positive developments have transpired because of the persistent struggle of the South African people in their quest for emancipation, equality and majority rule.

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Yet the road to freedom and equality remains difficult and painful. The long and bitter struggle of the South African people has been costly; a high price has been paid in suffering as well as in lives. For the elimination of apartheid and the establishment of a democratic and non-racial South Africa, the South African people have endured many hardships under the oppressive policies and practices of apartheid, including killing, torture and imprisonment. The South African political prisoners continue today to suffer gravely.

Although my delegation welcomes the recent release of several of South Africa's political prisoners, we realize that many remain imprisoned, still awaiting the day they will be freed, bringing an end to their unjust and inhumane conditions. We look forward to a time when the positive developments that have unfolded will lead to a lifting of the apartheid system and all its oppressive measures, mainly the release of all South African political prisoners. This will enable them actively to participate in the challenging task of building and developing their new society.

The progress that is taking place in South Africa coincides with the positive steps that have recently been taken concerning the Palestine question. Yet many Palestinians also remain in Israeli prisons and detention centres, being held unjustly and suffering maltreatment as political prisoners. It is our hope that they too will be released so that they may join in the new efforts to build Palestine. We believe that a free and democratic South Africa can enhance prospects for the peace process and for the achievement of the fundamental rights of the Palestinian people, above all their right to self-determination and independence.

My delegation believes that the international community, in particular the United Nations, has a moral, political and legal

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responsibility to continue assisting the people of South Africa and the people of Palestine by all means possible until the system of apartheid has been effectively dismantled and a comprehensive settlement and real peace have been achieved in the Middle East. Further, we urge the United Nations to play a more active role in providing protection for both peoples during these transitional phases and in the implementation of all Security Council and General Assembly resolutions.

In conclusion, my delegation would like to take this opportunity to reiterate its full support for and solidarity with the South African people, especially those who remain imprisoned. We sincerely hope that the day will soon arrive when we can all live in peace, free from the oppression and burden of apartheid and occupation.

The CHAIRMAN: Before adjourning the meeting I should like to announce that on this solemn occasion the Special Committee has received a message from the Head of State of Nigeria.

The Special Committee has also received messages from the Foreign Ministers of Algeria, Guinea and the Libyan Arab Jamahiriya. A message has also been received from the European Community.

We have thus come to the end of this solemn meeting in observance of the Day of Solidarity with South African Political Prisoners. As this may well be the last such observance, I wish to pay a special tribute to all those who have participated in the observance today. I also wish to thank all Member States that have consistently attended the observances. The oppressed people of South Africa will never forget their support.

The meeting rose at 12.15 p.m.