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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

MEASURES FOR EFFECTIVELY COMBATING RACIAL DISCRIMINATION AND
THE POLICIES OF APARTHEID AND SEGREGATION IN SOUTHERN AFRICA

Question of enlarging the scope of the United Nations Trust Fund
for South Africa: report of the Secretary-General

1. The General Assembly, in resolution 2547 A (XXIV), adopted on 11 December 1969, stated that:

"14. Requests the Secretary-General, in consultation with the Committee of Trustees of the United Nations Trust Fund for South Africa, to study the question of enlarging the scope of the Fund to cover all persons in the Territories of Southern Rhodesia and Namibia persecuted under repressive and discriminatory legislation;

"15. Further requests the Secretary-General, in consultation with the Committee of Trustees of the United Nations Trust Fund for South Africa, to make a detailed study of the possibility of enlarging the scope of the Fund to cover all affected persons who are victims of Portuguese colonial practices in Africa."

2. Accordingly, the Secretary-General consulted with the Committee of Trustees of the United Nations Trust Fund of South Africa and wishes to report the following.
3. The United Nations Trust Fund, it may be recalled, was established in pursuance of resolution 2054 B (XX), adopted by the General Assembly on 15 December 1965. Its terms of reference, as revised by paragraph 3 of resolution 2397 (XXIII) adopted by the General Assembly on 2 December 1968, are as follows:

- "(a) Legal assistance to persons persecuted under the repressive and discriminatory legislation of South Africa;
- "(b) Relief to such persons and their dependants;
- "(c) Education of such persons and their dependants;
- "(d) Relief for refugees from South Africa."

4. The Trust Fund is made up of voluntary contributions from States, organizations and individuals and is used for grants to voluntary organizations, Governments of host countries of refugees from South Africa and other appropriate bodies.

5. Decisions on grants are made by a Committee of Trustees composed of members nominated by the Governments of Chile, Morocco, Nigeria, Pakistan and Sweden. The Committee is also responsible for promoting contributions and for promoting co-operation and co-ordination in the activities of voluntary organizations concerned with relief and assistance to victims of the policies of apartheid in South Africa.

6. In the discharge of its responsibilities, the Committee has maintained close contact with the voluntary organizations concerned, with the United Nations High Commissioner for Refugees and with the donor Governments. In addition to promoting contributions to the Trust Fund, the Committee has encouraged direct contributions to voluntary organizations and has taken into account the direct contributions in deciding on its own grants.

7. As the voluntary organizations concerned have been engaged in providing assistance in Namibia and Southern Rhodesia, as well as in the Republic of South Africa, the Committee has always been aware of the growing needs in Namibia and in Southern Rhodesia as a result of the enforcement of repressive and discriminatory legislation such as that which prevails in the Republic of South Africa.

8. In Namibia, for instance, the South African Government, continuing the illegal occupation, has ruthlessly implemented its discriminatory and repressive legislation. Following the recent trials held under the Terrorism Act of 1967, despite the condemnation by United Nations organs, about forty persons are serving long terms of imprisonment. A large number of other persons are believed to be under detention under the arbitrary laws.

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9. According to the reports for 1969 of the Commissioner of Police and the Secretary for Law and Order of the illegal régime in Southern Rhodesia, 149 persons were in restriction at the end of 1969 and 148 were under detention. In addition, a large number of persons are imprisoned in Southern Rhodesia under arbitrary repressive and discriminatory legislation of the illegal régime.

10. The grants made from the Trust Fund could be used by the voluntary organizations for assistance to Namibians in so far as they had been persecuted under the repressive and discriminatory legislation of South Africa illegally enforced against Namibians. While the Committee was not authorized to make any grants available for the victims of similar legislation in Southern Rhodesia, it took into account, in deciding on the amounts of grants, the pressing needs which these organizations had been obliged to meet in that Territory. The substantial direct contributions received by these organizations, with the encouragement of the Committee, were generally available for assistance to Rhodesians.

11. While the Secretary-General and the Committee of Trustees are conscious of the needs in Namibia and Southern Rhodesia and share the view that assistance to victims of discriminatory and repressive legislation is appropriate and desirable, they wish to note that the contributions to the Trust Fund have not been adequate to cover the increasing needs in South Africa. The enlargement of the scope of the Trust Fund, in the absence of an assurance of a substantial increase in contributions, might oblige the Committee to reduce the level of grants for the victims of apartheid in the Republic of South Africa.

12. In view of this, the Secretary-General and the Committee of Trustees would suggest that the General Assembly might:

(a) Authorize the Committee of Trustees to decide on grants from the Trust Fund to voluntary organizations engaged in providing relief and assistance to persons persecuted under repressive and discriminatory legislation in Namibia and Southern Rhodesia, and to their families, to the extent that additional voluntary contributions are received for this purpose; and

(b) Renew its appeal for generous direct contributions to voluntary organizations engaged in relief and assistance to such persons.

13. The Secretary-General and the Committee of Trustees also considered the question of enlargement of the scope of the Trust Fund to cover all affected

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persons who are victims of Portuguese colonial practices in Africa. They note that the urgent needs in these Territories are of a different character and magnitude than those in the Republic of South Africa. The United Nations High Commissioner for Refugees is already engaged in promoting assistance for the large number of refugees from these Territories; provision for other pressing needs in these Territories is under consideration by competent organs of the United Nations and the specialized agencies concerned. It would, therefore, seem neither practicable nor desirable to expand the scope of the Trust Fund with respect to these Territories. Instead, new appeals should be made for more generous contributions to the Office of the United Nations High Commissioner for Refugees.
