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PROVISIONAL VERBATIM RECORD OF THE 60th MEETING

Held at Headquarters, New York,  
on Tuesday, 3 December 1991, at 3 p.m.

President: Mr. SHIHABI (Saudi Arabia)

later: Mr. RAZALI (Malaysia)  
(Vice-President)

later: Mr. BAGBENI ADEITO NZENGEYA (Zaire)  
(Vice-President)

- Policies of apartheid of the Government of South Africa [37]  
(continued)

(a) Report of the Special Committee against Apartheid

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- (b) Report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa
  - (c) Reports of the Secretary-General
  - (d) Report of the Special Political Committee
- United Nations Educational and Training Programme for Southern Africa [102] (continued)
- (a) Report of the Secretary-General
  - (b) Draft resolution

The meeting was called to order at 3.10 p.m.

AGENDA ITEMS 37 AND 102 (continued)

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

- (a) REPORT OF THE SPECIAL COMMITTEE AGAINST APARTHEID (A/46/22)
- (b) REPORT OF THE INTERGOVERNMENTAL GROUP TO MONITOR THE SUPPLY AND SHIPPING OF OIL AND PETROLEUM PRODUCTS TO SOUTH AFRICA (A/46/44)
- (c) REPORTS OF THE SECRETARY-GENERAL (A/46/499, A/46/507, A/46/648)
- (d) REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/46/643)

UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA

- (a) REPORT OF THE SECRETARY-GENERAL (A/46/561)
- (b) DRAFT RESOLUTION (A/46/L.25)

Mr. RAO (India): I am pleased to have this opportunity to address the General Assembly and convey my greetings to you and to the Assembly for success in your efforts. I should also like to convey our warm welcome to Mr. Nelson Mandela, President of the African National Congress, who addressed the General Assembly today. His long struggle for the complete dismantling of apartheid in South Africa and the inspiring statement he delivered this morning are a reminder to the international community of the need to continue its increasing support to the South African people in the struggle for establishing a democratic non-racial South Africa.

My appreciation goes to the Special Committee against Apartheid for its very comprehensive and informative report for the year 1991 and the valuable contributions it has made over the years to the struggle against the unacceptable system of apartheid. The diligent support provided by the Centre Against Apartheid in the international community's crusade against apartheid deserves our commendation as well.

(Mr. Rao, India)

At the December 1990 session of the General Assembly, my delegation called for the dismantling of the heinous system of apartheid. During 1991 the South African authorities have taken a number of positive steps in that direction. However, much more needs to be done in order to ensure that the changes now taking place are truly irreversible and finally meet the aspirations of the majority of the South African people. There are two aspects to this: first, repealing apartheid's unjust laws and regulations and, secondly, addressing the inequities perpetrated by such laws and regulations. As I said, certain basic laws institutionalizing apartheid have been removed from the statute books. But the important and necessary process of redressing or even tackling the effects of apartheid has yet to begin. The second progress report of the Secretary-General on the implementation of the Declaration on Apartheid and its Disastrous Consequences in Southern Africa (A/45/1052) states:

"While the most basic laws of apartheid ... were removed by last June (1991), many of the concomitant attitudes and practices, as indeed the consequences of these laws, do persist."

To quote further from the same report:

"This process (towards finally establishing a democratic government in South Africa) may be relatively lengthy, and even vulnerable, and it may be affected by the magnitude of the socio-economic inequalities that persist in South Africa and the inadequacy of the measures taken so far to address them effectively."

The recent acts of the South African authorities, as mentioned above, though eliminating some very undesirable apartheid structures, do not redress even partially the social and economic malaise created by the apartheid laws.

(Mr. Rao, India)

For example, the abolition of race classification laws, although it provides that persons born after 1991 will not be racially classified, permits at the same time the retention of the present population register until the Republic of South Africa Constitution Act of 1983 is abrogated. Similarly, the Abolition of Racially Based Land Measures Act of 1991, while permitting black South Africans legally to buy or occupy properties anywhere in the country, does not include any provisions for restitution for communities dispossessed under the provisions of the Group Areas Act or the Land Acts. What is more, those communities lack the financial means necessary to regain property lost during forced removals earlier under apartheid.\*

Apartheid, as we all know, divides people and inflicts hatred and cruelty on the innocent and unsuspecting. It breeds violence and indeed can be sustained only through violence. The world community had hoped that with the signing of the National Peace Accord in September 1991, the severe wave of violence, which had started in Natal and Transvaal in February 1991, would be controlled. Incidents of violence did in fact decline for some time after the peace accord was signed. But reports on the failure of South Africa in dealing effectively with the allegations of involvement of the police and members of the security forces in perpetrating those acts of violence and terrorism, reports on the existence of foreign mercenary groups in South Africa and revelations made in July 1991 concerning the secret use of public funds by members of the South African authorities to support the activities of various parties can only lead to suspicions of the South African Government's

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\* Mr. Razali (Malaysia), Vice-President, took the Chair.

(Mr. Rao, India)

political bias and complicity in prolonging violence in the country. Hence the indication that the continuing violence in South Africa points to the persistence of attitudes that sustain apartheid. This poses serious dangers to free political activity and the fragile process of change that is under way. It is vital that effective steps should be taken immediately to overcome that threat, so as to ensure that anti-apartheid movements in South Africa are not deterred in their endeavours to bring about a peaceful transformation there.

Another debilitating consequence of apartheid is reflected in the socio-economic inequalities which currently exist in South Africa. According to estimates, in 1991 the per capita income was 20,600 rand for whites and only 2,400 rand for blacks. In the area of employment, it is disconcerting to note that only 2.2 per cent of the managers in South Africa's top 100 companies are blacks. Those inequities are closely linked to the apartheid education system, under which the State spends five times as much for the education of a white child as for that of a black child. The Secretary-General noted that serious shortcoming in his second progress report of 4 September 1991 (A/45/1052):

"The serious socio-economic cleavages and the persistent negative attitudes towards change will have to be overcome so that the conditions of life of the disadvantaged sectors can be perceptibly improved."

During this year, the South African authorities have taken the welcome step of releasing some categories of political prisoners. Yet another positive development came in September, when the South African authorities and the United Nations High Commissioner for Refugees signed a memorandum of understanding on the voluntary repatriation of refugees and exiles and the

(Mr. Rao, India)

reintegration of South African returnees. The process remains imperilled, however, by the continued detention of several hundred political prisoners in South African jails and the difficulties experienced in the reintegration into society of those refugees and political exiles who have so far returned to South Africa. Only after the South African authorities adopt the necessary measures to overcome those hurdles can a climate conducive to negotiations be created, as required by the 1989 United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa.

(Mr. Rao, India)

An important element of the furtherance of the democratic process in South Africa is unity among the anti-apartheid forces. We are happy to note that progress was made in this direction in October this year when the ANC, the Pan Africanist Congress of Azania (PAC), trade unions and other organisations held the Patriotic/United Front Conference and reached significant agreement on a joint approach to the constitutional exercise. This approach, which has clearly delineated the underpinnings of the process for democratic transformation in South Africa, is a purposeful instrument for getting the long-suffering majority of South Africa to the destination to which it aspires. We also note the further development regarding preparatory talks which were held on 29 and 30 November for a conference on a convention for a democratic South Africa.

The communique on South Africa adopted at the end of the Commonwealth Summit in Harare in October 1991 brings the issue of sanctions in clear focus when it states that

"The purpose of sanctions had always been to bring about a peaceful end to apartheid through promotion of negotiations between the Government and the acknowledged representatives of the black majority."

This echoes the objectives of the 1989 United Nations Declaration on Apartheid and its Disastrous Consequences in Southern Africa. It is in this light that we must view the present international regime of sanctions against South Africa and analyse how the process of change in South Africa, which has begun only recently, can be further encouraged. The international community agreed on wide-ranging sanctions after very careful consideration. The objective of



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sanctions was to persuade the South African authorities, with firmness and decisiveness, that unless apartheid was irreversibly dismantled the world would continue to indict them for oppression of the majority black population. The fact that the South African authorities have felt the adverse effects of the sanctions and have acted to lift some abhorrent apartheid laws testifies to the efficacy of sanctions.

The report of the Special Committee against Apartheid has rightly concluded that to promote the process of democratic transformation in South Africa the international community must continue to adopt the two-pronged approach of exerting pressure on the South Africa authorities and simultaneously providing assistance to the democratic forces in South Africa. The increase in assistance is particularly important in enhancing the strength and capabilities of these democratic forces during the negotiating process. Assistance should also promote reintegration of returning political refugees and exiles and released political prisoners as well as prepare programmes for the development of the hitherto-disadvantaged segments of the population of South Africa. Such development should specifically focus on education, training, health and housing so that when the process of transition begins the new democratic government can have adequate manpower resources to implement its policies.

Let me stress that India has subscribed to the decisions on sanctions detailed in the Harare Commonwealth Summit communique. These are also incorporated in the report of the Special Committee against Apartheid. The lifting of various kinds of sanctions has, in one context, come in response to progress made in dismantling apartheid. Simultaneously, as I said earlier,

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the remaining sanctions should be a means of encouraging, and should follow progress towards, the establishment of a democratic, non-racial government in South Africa. While it may be appropriate to lift people-to-people sanctions against South Africa at this stage, the remaining sanctions can be lifted only in stages, as further developments take place in South Africa. It is our firm view that the lifting of all, or major, sanctions can only be premature and counterproductive. The External Affairs Minister of India, while addressing the Tenth Non-Aligned Ministerial Conference at Accra recently, said that:

"we are convinced that these pressures including sanctions must continue. Most often the struggle is most difficult when the end appears to be near. This is the time for us all to strengthen our solidarity with the ANC and the PAC, the liberation movements of South Africa. We must continue to be vigilant until such time as all the people of South Africa are able to live together as fully equal citizens in a truly non-racial, democratic society within the framework of a constitution freely agreed upon by the people on a non-discriminatory basis."

We hope that the strategy in this regard, as outlined in the report of the Special Committee against Apartheid, will be adopted by the international community.

India's commitment to the struggle against apartheid needs no reiteration. We were the first to bring the problem to the attention of the international community, in 1946. Since then, India has consistently supported the struggle of the majority in South Africa for its legitimate rights. The determination and courage of the oppressed in that country and

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the international community's solidarity with them in their struggle have resulted in apartheid's retreat. India hopes that this struggle will be carried to fruition with the installation of a democratic, non-racial government in South Africa.

Mr. TARI (Israel): It is with a great deal of satisfaction that Israel's delegation, together with many others in the General Assembly, would like to note the ongoing processes of change in South Africa. We welcome the positive steps and measures which the Government of South Africa has taken in its movement towards liberalization of the political system. We trust these efforts will continue, and we are confident they will succeed.

The Secretary-General of the United Nations recently expressed in a statement the view that:

"Overall, the progress towards the end of apartheid in South Africa, although halting, remains on course. Major apartheid legal structures have been repealed; several measures necessary for a climate for negotiations as well as peace initiatives have been undertaken and South Africa appears to be moving ahead towards the beginning of substantive negotiations." (A/AC.115/PV.652, pp. 8 and 9-10)

The Secretary-General, in the same statement, also referred to the signing of the National Peace Accord on 14 September 1991 by all the major political organizations in South Africa as "another welcome development" (ibid., p. 11).

The Commonwealth Heads of Government at the Summit Conference held in Harare on 21 October 1991 also

"Welcomed the important changes that had taken place in South Africa in the last 20 months since the initiatives taken by President De Klerk."

(Mr. Tariq Ismail)

They declared that

"The developments have brought into sight the goal of the eradication of apartheid and the establishment of a non-racial democracy in a united and non-fragmented South Africa."

The progress has equally been acknowledged by the United States and the Member States of the European Community, as well as by members of the Non-Aligned Movement. Although, as the Secretary-General indicated, "the process in South Africa may be relatively lengthy and even vulnerable" (A/AC.115/PV.652, p. 9-10), as a whole we can be assured that, as the President of the State of Israel, Chaim Herzog, stated during a recent visit by President De Klerk to Jerusalem, the developments initiated represent an essential and powerful breakthrough. We feel encouraged by the fact, among others, that it has been confirmed that a convention will be held on 20 December 1991 with the participation of the various parties in order to launch negotiations regarding the future of South Africa.

(Mr. Tari, Israel)

Contemporary Israeli society is open, pluralistic and democratic. It is also multiracial, composed of more than 100 different ethnic groups from all corners of the world. In recent years Israel has brought to its shores tens of thousands of black Jews and absorbed them with love in its own national, cultural and social fabric. The Zionist movement has served as a model for many liberation movements.

In 1987 Israel joined the other Western democracies in implementing a policy of sanctions, to which we have maintained a decisive and firm commitment over the years. This past summer, in response to the bold steps taken by the Government of South Africa, the Government of Israel decided to join with other nations in lifting most of the sanctions which it had been imposing.

On 14 July 1991 the Israeli Cabinet adopted a resolution stating that as a result of the changes and developments which had taken place in South Africa with a view to abolishing the apartheid regime, the Israeli Government decided, firstly, to welcome the modifications and reforms which had been implemented in South Africa since the election of President de Klerk; and, secondly, to cancel its decisions of 17 March 1987 and 16 September 1987 concerning its policy towards South Africa, which dealt with relations in the fields of the economy, commerce, culture, tourism, science and visits by civil servants. That resolution did not change previous Government decisions regarding the prohibition of further undertakings in the realm of defence.

At the same time, the State of Israel wishes to develop further and to intensify its cooperation with the black community in South Africa. Very strong affinities exist between the State of Israel and the African nations,

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based on mutual respect and a shared sense of dignity and underlined by a common struggle for justice and equality. Since the rebirth of the State of Israel, intimate and fraternal links of cooperation have indeed developed between Israel and many African States. Thousands of African experts have visited Israel and participated in technical cooperation programmes in the fields of agriculture, irrigation, health administration and education, and it has been a privilege for many Israeli experts to contribute, in Africa, to creative technical and scientific endeavours.

In addition, the Government of Israel, through a special fund, is extending assistance to representatives and members of the South African black and Coloured communities. Israel-based training programmes are organized for their benefit, focusing especially on comparative development. A course on the role of people's organizations in community national development was concluded some time ago; it was offered specifically to students from the South African black communities. Altogether, since 1986, nearly 450 South African black leaders have participated, in Israel, in technical cooperation programmes in health, education, social development and agriculture through Israel's African-Asian Institute and through the Division of International Cooperation of Israel's Ministry of Foreign Affairs. Israel stands among the few countries in the world which, prompted by solidarity, are implementing such constructive courses and training, and we call on other nations to act in the same spirit and manner.

On 10 November 1991, at the end of his meeting with South African Foreign Minister Botha, Israel's Deputy Prime Minister and Minister for Foreign Affairs David Levy stressed Israel's hope for stability in South Africa and for cooperation with all elements there, without favouring one or another. We maintain stable relations, which have a long history, with the

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present Government. Our aspiration is to have an open and, we hope, friendly dialogue with the black population.

I must underline once again the cynical anti-Israel propaganda manipulation of the apartheid issue. It is being used as a political tool in the obsessive campaign against Israel, but more and more African nations and their leaders are refusing to pay attention to the same tired and outdated resolutions regarding Israel and South Africa.

That change of mind has been reflected in the steady improvement in relations between Israel and African States and is evident at the present session of the General Assembly, which has begun to show a shrinkage in what was once known as the automatic majority against Israel. We trust that this new attitude will also be reflected in the coming debate and vote. In the changing world of the present day, this traditional debate on apartheid presents us with a rare opportunity: the opportunity not only to take note of a major positive development in contemporary history but also to contribute to its consolidation and acceleration.

In conclusion, I should like to reiterate our fervent hope that the Government of South Africa will continue with its programme of liberalization and substantial reforms, and that the various communities in South Africa will soon be able to live in the peace and harmony they have been denied for so long.

Mr. KANE (Mauritania) (interpretation from French): Our debate on the policies of apartheid of the Government of South Africa is taking place against the background of an international situation which today is marked by the gradual disappearance of yesterday's antagonisms and by the emergence of an era in which dialogue and cooperation are supplanting the confrontations of

(Mr. Kane, Mauritania)

the past. That positive process has been reflected in an encouraging manner in South Africa, where the heroic struggle of the oppressed South African people, supported by international solidarity, has forced the supporters of the odious policies of apartheid to respond to the legitimate aspirations of the South African people and to heed the repeated appeals of the international community.



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Thus, the unconditional liberation of the African patriot Nelson Mandela, the legalisation of political parties and organisations and independence for Namibia have opened a new chapter in intercommunity relations in South Africa and, beyond it, in inter-State relations in that part of the continent.

Mauritania, like other Members of the United Nations, welcomed this new trend and has been constantly encouraging it in the hope that soon we shall see a democratic, non-racial, united South Africa.

However positive and encouraging progress in South Africa in the last few years may have seemed, we must not forget what the final goals of the struggle of the South African people: the complete eradication of all remnants of apartheid and the establishment of a multiracial society and a united and democratic State. To that end, the international community has already adopted the Declaration on Apartheid and its Destructive Consequences in Southern Africa and announced a number of measures and principles in order to encourage real dialogue which should lead to the desired result.

Since that Declaration was adopted many obstacles have been smoothed away and the psychological wall of fear and distrust has cracked wide open. Does this mean that the process is now irreversible? Some are in a rush to think so and believe so, but we are still convinced that as long as the fundamental goal - the complete eradication of apartheid - has not been attained, then constant vigilance is necessary.

The continuing violence in the townships, the obstacles erected by the official authorities with regard to the return of and amnesty for political refugees and exiles, the secret use of public funds to whip up trouble

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between different groups, the survival of some aspects of the repressive laws, particularly the Internal Security Act, and the strengthening and expanding of some bantustans should make the international community a little more cautious and vigilant.

Despite the de jure repeal of the pillars of apartheid, that shameful system continues to be the basis for the acts, deeds and words of the partisans of the regime. How else could we understand their rejection of the democratically elected constituent assembly or their insistence on remaining in control of the entire process? This attitude reeks of practices of bygone years and is a severe test of the sincere commitment of some of the major figures in the current Government. That is why we still believe that sanctions should not be lifted until a democratic constitution and the right to vote have been fully established.

Despite these ongoing potential dangers, we continue to follow developments in South Africa with interest and hope. Thus we welcomed the establishment on 26 and 27 October last of the United Patriotic Front between the African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC) and other patriotic organizations. We also welcomed the National Peace Agreement signed on 14 September 1991 between the ANC, the Government and a number of political and trade union organizations. We hope that these positive actions will soon be reflected in the beginning of a real negotiating process for a new South Africa free of apartheid and its consequences. In this connection, we rejoice at the prospect of the first constitutional discussions scheduled to take place on 20 and 21 December.

Mauritania remains in solidarity with the struggle of the South African people. We shall spare no effort to ensure victory for the ideals of freedom,

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justice and equality, for which our brothers in South Africa have paid so heavily.

In conclusion, may I extend my warmest congratulations to the Special Committee against Apartheid and its Chairman, Mr. Ibrahim Gambari, for their devotion and commitment to the cause of the liberation of the oppressed South African people.

Mr. ELHOUEIRI (Libyan Arab Jamahiriya) (interpretation from Arabic): For more than 40 years, the policy of apartheid practised by the South Africa racist regime has continued to figure as a principal item on the agenda of the United Nations. Over that long period, the General Assembly and many other international and regional forums have adopted a large number of resolutions with the aim of putting an end to the suffering of the people of South Africa and the policy of apartheid applied against it. Nonetheless, Africa whose people have struggled for independence and freedom and have paid with the lives of thousands of martyrs in defence of man and his dignity, finds that that part of its land continues to be subject to one of the ugliest forms of discrimination at the hand of a minority which has denied the fundamental principles of the Charter of the United Nations and the Universal Declaration of Human Rights.

The international community has condemned the abhorrent policy of apartheid as a crime against humanity and called for its eradication.

The General Assembly is now considering the policy of apartheid at an important juncture in the history of southern Africa. Over the past two years, the region has witnessed numerous developments which have followed upon the heels of one another, such as the signing of a Peace Treaty in Angola and the initiation of negotiations between the Government of Mozambique and

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RENAMO. In South Africa itself, developments have taken place which have promoted the opportunities of reaching a settlement to the dispute, such as the freeing of many political prisoners, the return of many of the exiled as well as the legalisation of political organisation and the abrogation of some of the laws which were previously considered as the cornerstones of apartheid.

The international community has followed the developments in South Africa with a great deal of attention. This attention has given rise to a great deal of over optimism on the part of some to the point where sanctions have been watered down. Indeed, some have expressed the intention of lifting those sanctions altogether on the assumption that the regime is near its end. However, objective scrutiny of the actual outcome of these developments to date clearly shows that what has taken place falls short of the goals of the international community. The apartheid regime still exists. Practical measures aimed at its final eradication - that is, constitutional negotiations which are vital for the establishment of a non-racial State - have not started yet.

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Indeed, even the process of dialogue which has begun between the leaders of the regime and the leaders of the liberation movements and has led to some concrete results is now at risk because of the spread of the acts of violence in the country and the suspect activities of the apartheid regime which continues to obstruct the return of the exiled and insists on keeping many political prisoners in jail. All this has given rise to suspicions with regard to the seriousness of the Pretoria leaders in responding to the goals after which the people of South Africa aspires. Those goals are enshrined in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly by consensus in December 1989.

The essential prerequisites for confidence building, creating a spirit of cooperation and demonstrating the regime's sincerity in wishing to end the policy of apartheid are: facilitating the return of the rest of the exiled and making it possible to reintegrate them in society, desisting from the tactics of procrastination with regard to the freeing of all remaining political prisoners, abrogating the oppressive laws which are still in force and eradicating the grave injustices which have been spawned by apartheid laws.

One of the principal factors of democratic transformation is the need for the regime to stop fuelling the acts of violence which are taking place. There is no doubt now as to the regime's responsibility in fuelling those violent acts with a view to aborting any movement towards any unified effort to eradicate apartheid. Furthermore, the regime is called upon to create the necessary climate to begin negotiations aimed at eradicating all aspects of apartheid and replacing it with a democratic non-racial society where all would enjoy their full freedom and equality regardless of colour, race or national origin. Until such time as that happens, the international

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community, which has committed itself through successive resolutions to the necessity of eradicating this system, must not be satisfied with the developments that have taken place, nor must it believe that the changes in South Africa are final and irreversible.

The indiscriminate lifting of sanctions is premature. It will only lead to the opposite of the result we all desire. Furthermore, it will deprive the international community of the means of influencing the course of events in South Africa and speeding up the process of eradication of apartheid. Consequently, the international community is duty bound to increase its support of the forces of democratic transformation in South Africa and to continue to exert pressure until the people of South Africa regains its full legitimate rights and enjoys full equality, regardless of the colour of people's skin.

Denial of a people's rights on the grounds of racial, colour or religious differences undermines human dignity anywhere and at any time. In this last decade of the century, the international community must not accept in its midst any regime or entity that is founded on discrimination and the denial of the rights of others such as the apartheid regime in South Africa that has humiliated an entire people or like the Zionist entity which has usurped the land of Palestine, dispersed its people and continues to humiliate the remaining Palestinians in detention camps and jails in violation of all the international principles and norms contained in the Universal Declaration of Human Rights.

Those two regimes have increased and consolidated their collaboration in all fields especially in the military field and more specifically the

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nuclear-military field. This collaboration poses a threat that goes well beyond the Arab and African regions and frustrates all the efforts aimed at turning Africa and the Middle East region into nuclear-free zones. The Special Committee against Apartheid continues to warn us of the dangers of this collaboration. The Committee devoted part of its report (A/46/22) to the forms of collaboration between the South African regime and Israel. It stated that collaboration between South Africa and Israel in the nuclear field is cause for the grave concern of the Special Committee. It also stated:

"The military and nuclear collaboration between Israel and South Africa was the subject of elaboration in a book published in 1991 entitled The Samson Option by the United States journalist Seymour Hersh. He confirmed previous reports that South Africa and Israel had tested a nuclear warhead 1,500 miles off the Cape of Good Hope in September 1979." (A/46/22, para. 206)

The Libyan Arab Jamahiriya has always had a clear and concrete position with regard to the racist apartheid regime and its practices. In addition to our continued condemnation of that regime, my country has repeatedly stressed its firm belief in the need fully to eradicate this regime through the efforts of the Organization of African Unity (OAU), within the Non-Aligned Movement and by supporting the oppressed majority of the people in South Africa who continue to struggle for their legitimate rights. My country is proud of its role in support of liberation movements and support for the steadfastness of the front-line States in bearing the burden of those policies of discrimination. We are also proud of our participation in and contribution to international efforts to provide assistance to the victims of apartheid.

(Mr. Elhoudeiri, Libyan Arab Jamahiriya)

In conclusion, I cannot fail to commend the valuable efforts and continuing endeavours of the Special Committee against Apartheid. The Committee's report (A/46/22) clearly reflects its activities as well as its role in the efforts aimed at the final eradication of apartheid. The report describes apartheid correctly as an insult to mankind and adds that it is the reason for all the tragedies and suffering of the people of South Africa.

Mr. ELARABY (Egypt) (interpretation from Arabic): Allow me at the outset to extend my congratulations to Mr. Boutros Boutros Ghali after the Assembly this morning adopted the resolution confirming his appointment as Secretary-General elect of the United Nations. His experience, skills and impartiality will, I am sure, enable him to discharge the functions of this high post.



(Mr. Elaraby, Egypt)

Let me seize this opportunity also to extend appreciation to the present Secretary-General, Mr. Perez de Cuellar, who has accomplished his mission and carried out the work of the Secretary-General for 10 years with great skill.

I also take pleasure in extending a welcome to Mr. Nelson Mandela, President of the African National Congress, whose statement we heard this morning with immense interest. He has shown great wisdom as representative of the great majority of the black inhabitants of South Africa in his efforts to put an end to the apartheid regime. We support his efforts to ensure that South Africa will become a unified and non-racist democratic country.

Today we meet in order to consider the progress achieved towards the implementation of the Declaration on Apartheid (A/RES/S-16/1), adopted on 14 December 1989, which crowned the work of that special session of the General Assembly. The point of departure clearly lies in the content of the Declaration, which expresses the will of the international community to implement the principles and objectives concerning the process of negotiation with a view to putting an end to the policy of apartheid.

Two years have passed since the adoption and publication of that Declaration. This is enough time for us to be able to study the situation and decide what needs to be done in order to achieve its objectives, which are, according to my country, as follows. First, South Africa must become a democratic, unified, non-racist country. Secondly, all its people must enjoy citizenship and nationality on an equal footing and without ethnic discrimination or discrimination based on colour, creed, or race. Thirdly, its people must have the right to participate in the running of the country and the right to vote, which it must exercise through a non-racial register of electors and a secret ballot. Fourthly, all citizens must enjoy the political

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and civil freedoms that are recognized internationally. Lastly, South Africa must have laws guaranteeing the equality of all citizens before the law and must have an independent, non-racist judiciary.

The shift from the abhorrent apartheid system to a stage of negotiation with a view to achieving those objectives must be carried out through a series of confidence-building measures which would create a climate that may guarantee their success. It is only fair to acknowledge that Mr. De Klerk has begun by correcting the errors of the past. He has taken heed of the determination of the international community to keep up its pressure on the Pretoria regime in order that it would renounce its racist policies and has become convinced of the impossibility of the survival of the apartheid regime as it contradicts the spirit of the age.

The repeal of a large number of laws that were the pillars of the apartheid regime in South Africa and the repeal of obstacles imposed on anti-racist political organizations and the lifting of the state of emergency in South Africa are steps in the right direction towards a period of peaceful negotiation between all the parties.

However, violence continues with destructive consequences for the social and ethnic fabric of South Africa. Notwithstanding the peace agreement signed on 14 September 1991, some acts of violence still take place. All of this prompts us to urge the South African Government again to do its duty in order that the necessary security and stability may be established in the country. We urge it to consider with all due seriousness the accusations levelled at members of the security forces. We urge it also to release political detainees and allow the return of exiles so that the road to negotiations can be cleared of any unnecessary obstacles.

(Mr. Elaraby, Egypt)

The majority of the political forces took part in the consultations of 28 and 29 November 1991 and this shows that they intend to work together to determine the future of the country, in particular the application of the constitutional principles to underline or to form the framework of the new constitution. They will also determine the transitional period involving all the parties until free elections are held. We feel that such elections should reflect the democratic values recognized by the international community and the integration of Bantustans in a unified and free South Africa. We trust that the meeting scheduled for 20 December 1991 will mark the beginning of a peaceful period of transition towards an era of respect for human rights and equality of all citizens.

In conclusion, I wish to emphasize the importance of the role that the international community can play in this crucial phase of South Africa's history. We must encourage the Government of South Africa to put an end to the apartheid regime, with its profoundly negative consequences, and to negotiate in good faith with the representatives of the black majority so that the transitional period will come to an end and a new era can start with a new constitution established. This will open up the potential for cooperation with a new South Africa which can be readmitted as a full member of the international community and particularly of the family of African nations.

Mr. SOMAVIA (Chile) (Interpretation from Spanish): I am pleased and honoured to take the floor under your Presidency, sir.

It is with renewed spirit that Chile stands before this Assembly to address the important matter of the policies of apartheid of the Government of South Africa. We do so with emotion and hope: emotion, after having heard

(Mr. Romayia, Chile)

this morning the statement of Nelson Mandela, undisputed leader of the struggle against apartheid, and hope, owing to the positive signs of political evolution that are, happily, beginning to spring up and that point the way towards a new South Africa.

(Mr. Somavia, Chile)

We wish to pay a sincere tribute to Nelson Mandela, who today and last year in this forum reaffirmed the will of the South African people to achieve democracy. Moreover, we wish to pay a tribute to all those persons, organizations, governments and nations that have tirelessly contributed for over 40 years to the South African people's valiant struggle to put an end to the apartheid regime, a political system that has marked one of the most painful pages in the history of mankind.

Regrettably, many Member States of the Organization, including Chile, have experienced totalitarianism of various sorts, but nothing comparable to the infamy of apartheid. For that reason, today, from the highest forum of the international community, we wish to recall those who have fallen, those who, inside and outside South Africa, bravely and resolutely gave their lives as evidence that human freedom and creativity are much stronger than the chains of racist oppression.

We recognize and welcome the substantial measures that the Government of South Africa has been implementing with a view to establishing a democratic, non-racial system in that country. My delegation trusts that the seriousness of the political reforms now under way will make it possible for the Government of South Africa to carry out as speedily as possible the timetable contained in the "Manifesto for the New South Africa" issued by President de Klerk earlier in the year. We sincerely hope, as Mr. de Klerk stated

"that the end of apartheid and the repeal of the last laws that still exist will bring about the end of an era, an era in which we must confront the reality of the diversity of peoples and communities within the same borders of the country, without coercion and discrimination, consonant with United Nations resolutions."

(Mr. Somavia, Chile)

None the less, we favour the maintenance of a prudent and far-sighted system of international vigilance in order to accelerate the abolition of the last vestiges of apartheid. We will support the gradual repeal of such provisions to the extent that the process of change in South Africa becomes irreversible.

The General Assembly debate is meeting in a promising atmosphere. In this context we have learned of the recent agreement reached between the principal political forces and the Government of South Africa to launch, on 20 December, a multifaceted negotiating process with a view to laying a solid democratic foundation for the future of South Africa, including the enactment of a new Constitution and the adoption of institutional confidence-building arrangements in the political transition.

To that end, we are moved by a profound spirit of solidarity vis-à-vis a people that is still suffering the consequences of a model of political coexistence that we categorically reject in the light of our own political and social experience in Chile, which is so alien to such segregationist practices. It is that experience that enables us to say proudly that Chilean nationality is a result of a harmonious blending of peoples of different origins, cultures and traditions, on which is based our historical support for fundamental principles and norms establishing equality before the law for all citizens in our Republic. Similarly, in today's Chile we are promoting the full respect for individual freedoms, in particular non-discrimination against persons regardless of age, sex, ancestry or status.

At this point, I cannot fail to refer to two distinguished Chileans, both of them former ambassadors to the United Nations, who distinguished themselves and who now, even in old age, continue to distinguish themselves by their

(Mr. Somavia, Chile)

commitment to the anti-apartheid struggle. The first of them is Mr. Hernan Santa Cruz, the first rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, who was commissioned to draft a report on South Africa and who, early in the 1950s, around 40 years ago, initiated a series of reports highlighting the crimes committed under the apartheid system. The second is Mr. Humberto Dias Casanueva who, since 1972 until last year, as a member of the Ad Hoc Working Group of Experts on the Situation of Human Rights in Southern Africa, expressed in a personal capacity the Chilean people's profound repudiation of the system of exclusion and exploitation that prevails in South Africa.

As in the past, we cannot remain indifferent to practices of racial segregation that undermine the sacred values of mankind. The exercise of democracy and respect for human rights are a part of our national heritage, which we ourselves have had to defend against those who sought to use force - fortunately without success - in order to reverse the Chilean democratic tradition. That is why these concepts constitute a precious historical heritage for the Chilean people.

At a time of crucial change in South Africa, which we hope will proceed in a peaceful and orderly manner, we wish to thank the Special Committee Against Apartheid and its Chairman, Mr. Ibrahim A. Gambari, for the report it has submitted. This document contains valuable information on the political, social and economic picture of South Africa in the context of the item now before the Assembly.

We have noted with satisfaction the repeal of the basic laws of apartheid. While this is no doubt a decisive step ahead, we must acknowledge

(Mr. Somavia, Chile)

the continued existence of segregationist practices that cancel out the favourable impact of the repeal of those laws. With a view to enhancing the process of political reform, we concur on the need to enact a new genuinely democratic Constitution in South Africa, guaranteeing the effective exercise of individual rights and the holding of free, secret elections based on the universal system of one person, one vote. Only on the basis of a new Constitution will it be possible to protect fundamental human rights and to eradicate the hateful forms of discrimination that still exist.

My delegation is concerned about the existence in South Africa of an atmosphere of violence, which is no doubt related to repeated incidents and confrontations that have resulted in vandalism and loss of life. These regrettable excesses should be attributed to the consequences of a long-standing system that has never promoted a culture of ethnic and political tolerance.



(Mr. Somavia, Chile)

This situation is all the more acute because of the colossal social and economic inequalities in the population, especially as concerns the black population, which has been particularly hard hit by basic inadequacies in education, health, employment and housing. However, the fundamental difficulty impeding harmonious coexistence in South African society is, in our opinion, the negative impact of certain racist laws that still exist. Also, and no less important, is the existence of political exiles and of prisoners of conscience who have been denied their freedom for many years.

We very much hope that this situation will be corrected as soon as possible. We believe that the conditions for building a true democracy in South Africa, whose essential component is the termination of apartheid, are more promising than ever. This is illustrated by the decisions taken by the South African Government and also by the constructive contribution of those sectors of the South African nation committed from the outset to building a new political and social order in that country, as evidenced in particular by Mr. Nelson Mandela, who addressed us today.

My country welcomes the important national peace agreement reached in Johannesburg on 14 September 1991 between members of the Government, the African National Congress, Inkatha and other South African organizations who, acting with generosity and patriotism, were ready to negotiate the bases of a democratic, multiparty and non-racist society. We commend the new steps taken by those social forces in such a worthy cause as the forging of their own destiny and the happiness of their own people.

My Government will continue to watch closely and vigilantly the developments in South Africa and will maintain its critical stance until apartheid has finally disappeared as an expression of non-democratic political

(Mr. Somavia, Chile)

domination. At the same time, we shall support those initiatives designed to bring about changes aimed at complying with United Nations resolutions.

We believe that the concerted international efforts to eradicate apartheid must be continued and that the Special Committee must continue its invaluable task of providing solidarity and support for the South African people in accordance with the mandate given it by the United Nations and ratified in numerous General Assembly resolutions.

Likewise, the various United Nations programmes aimed at strengthening the opposition to apartheid must continue firmly and steadily even in the atmosphere of change. We believe that they are more necessary than ever and are fully applicable in this terminal phase of the system.

I refer in particular to the Trust Fund for South Africa, on whose board Chile is honoured to be a member, and other similar programmes.

We also wish to emphasize, because of its importance in the matter of international security, South Africa's accession to the non-proliferation Treaty, which we hope will be full and effective and lead to a system of international inspection.

The next phases are without doubt of crucial importance for the complete attainment of these goals, which were approved by consensus by the international community in its historic Declaration on Apartheid and its Destructive Consequences in Southern Africa.

South Africa must therefore adopt transitional agreements that will inspire general confidence in all political sectors and the administration of the country until a new constitution enters into force. This will pose a

(Mr. Somavia, Chile)

great challenge to the political creativity of all South Africans, black and white. Such a development will without any doubt have a definite impact on the restrictive measures that the international community continues to apply to South Africa and that will have to be revised to the extent justified by positive developments.

For example, there is no doubt that it would be advisable to consider the restoration of academic, scientific and cultural links with democratic forces in South Africa, as well as to permit the normal participation in international sports of South African non-racial organizations. This will facilitate the expression of new forms of solidarity with the struggle of the South African people for a united, non-racial and democratic South Africa.

In conclusion I wish to reiterate our conviction that, in a revitalized international scenario in which democracy and human rights are greatly strengthened, in which colonialist systems are practically a distant memory and in which solidarity and cooperation among nations are increasingly commonplace, there can no longer be any room for apartheid in a new and better world that we wish to build.

Fortunately, those who were upholding the system of apartheid in South Africa have themselves come to realize this, that sooner or later they will have to correct an historic error, which we hope will be fully remedied for the greater good of its people.

In these auspicious times we cannot forget the outstanding and fundamental role played for so many years by the front-line States of the southern cone of Africa. Their commitment to and support for the patriots fighting apartheid was of cardinal importance in bringing about the conditions that now enable us to be so optimistic. Similarly, we must recall the

(Mr. Somavia, Chile)

permanent political and material solidarity of so many individuals, organisations and Governments, particularly in the developed world, which never faltered in their support of the struggle against apartheid. Lastly, from the third world, Latin America and now from Chile, on whose behalf I speak, at times from afar and not always in direct contact with the freedom fighters, there was, is and always will be in the democratic sectors an ethical commitment and political will to march forward side by side, arm in arm and hand in hand until apartheid disappears from the face of the earth.

Mr. JIN Yongjian (China) (interpretation from Chinese): The issue of the apartheid policy of the Government of South Africa has been an important agenda item under consideration by the General Assembly for many years. At the present time, when the situation in South Africa continues to develop towards a political solution, it is highly necessary and timely for the General Assembly to review this item.

The General Assembly adopted by consensus the Declaration on Apartheid and its Destructive Consequences in Southern Africa at its sixteenth special session and subsequently a resolution on the implementation of the Declaration. The Secretary-General has submitted in good time two comprehensive reports on the progress made in the implementation of the Declaration. We very much appreciate the fruitful efforts made by the General Assembly and the Secretary-General for the elimination of the apartheid system in South Africa. Furthermore, we hope that at the current session, common understanding and a correct appraisal of the situation in South Africa will be reached through extensive consultations with a view to adopting further measures to promote the effective implementation of the various provisions embodied in the Declaration.

(Mr. Jin Yongjian, China)

The policies of racial discrimination and apartheid pursued by the Government of South Africa for so many years have violated and deprived the large number of black people of their basic rights and inflicted colossal calamity on them. Such policies have therefore encountered resolute opposition from the South African people and strong condemnation from the international community as a whole. In the past two years the South African authorities have adopted, under pressure from home and abroad, a number of positive domestic measures. We are glad to note that from February to June this year the South African authorities abolished several legislative pillars of apartheid - the Group Areas Act, the Land Acts and the Population Registration Act; released some political prisoners; and allowed some people in exile to come home. The abolition of these racist legislative instruments marks the general disintegration of the apartheid system and the removal of a major obstacle to the constitutional negotiations, thus facilitating the acceleration of the process aimed at a political settlement of the South African question. This, in our view, is a welcome development. At the same time, it must be pointed out that the key to the political settlement of the South African question as well as to the final goal is the complete abolition of the apartheid system in order for South Africa to become a united, non-racial and democratic State and for all its people to enjoy common and equal citizenship and nationality, regardless of race, colour or sex. To achieve this objective the South African authorities must not stop at merely abolishing some laws, but should make earnest efforts to eradicate the apartheid system.

The primary task at present is to remove all the obstacles to the constitutional negotiations and draw up, at an early date, a new constitution based on racial equality.

(Mr. Jin Yongjian, China)

The Chinese delegation strongly calls on the South African authorities to take the following actions: First, they must release, as soon as possible, the remaining several hundred political prisoners and allow all the people in exile to return to their homeland, without any restrictions. Secondly, they must create and maintain a favourable environment for negotiations and refrain from using any excuse to impose restrictions on the normal political activities carried out by the South African people and from arbitrarily arresting and interrogating the black people. Thirdly, they must adopt effective measures and overcome, at an early date, the enormous social and economic inequality affecting the black people in such fields as education, employment, housing and medical care. Fourthly, they must effectively implement the National Peace Accord, signed for the purpose of bringing violent clashes in urban areas to an end, and make earnest efforts to prevent future recurrence of any violent incidents. Fifthly, as for questions concerning the new constitution and the transitional mode towards a democratic system, they must show good faith, listen attentively to the voice of the large number of South African people and conduct negotiations on an equal footing.

Since the adoption of the Declaration, anti-apartheid organizations such as the African National Congress (ANC) and the Pan Africanist Congress of Azania (PAC) have made significant efforts to ensure a political settlement of the South African question, enhanced their cooperation and coordination, and accelerated the process towards a political settlement. For this they have been loudly acclaimed by the international community. The Chinese delegation wishes to pay a high tribute to the ANC, the PAC and other organizations.

Over the decades of struggle waged by the South African people, all the

(Mr. Jin Yongjian, China)

countries and peoples that uphold justice have stood by them and rendered various kinds of support and assistance. In this connection, the contribution of the African countries is known to all. The Special Committee against Apartheid, led by His Excellency Ambassador Gambari, has also done a great deal of useful work and played an important role in mobilizing international opinion to support the just struggle of the South African people. At present, though the process of uprooting the apartheid system in South Africa through negotiations has started, this process, as pointed out by the Secretary-General in his report, may be relatively lengthy and even vulnerable. We hold that in the present situation the international community should maintain its pressure on the South African authorities and give more powerful support to the struggle of the South African people and their reasonable proposals and demands. At the same time, we should call on the South African authorities to adapt to the trend of the times and seize the opportunity to take resolute action genuinely to solve the South African question in accordance with the provisions of the Declaration.

The Chinese Government and people have all along resolutely opposed the apartheid system in South Africa and supported the South African people, the ANC, the PAC and other organizations in their just struggle. It is also China's consistent position, both in the United Nations and in other international organizations, to uphold justice, safeguard the fundamental interests of the large number of South African people and support the African countries' correct propositions in respect of the solution to the South African question. In future, the Chinese Government and people will, as always, render firm support to the South African people's struggle to uproot the apartheid system, until their final victory.

Mr. TRINH XUAN LANG (Viet Nam): The General Assembly must once again discuss the question of apartheid, which has occupied the attention of this august Organization for the past four decades. The institutionalized racism and systematic racial discrimination embodied in the heinous policy of apartheid contravene basic and universal human values and blatantly trample upon the very spirit of the Charter of the United Nations. Many resolutions adopted by the General Assembly have explicitly affirmed that the system of apartheid imposed on the South African people constitutes a gross violation of those people's fundamental rights and is a crime against humanity.

The United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted on 14 December 1989 by consensus, became a historic landmark in the long and arduous struggle of the international community to abolish that evil. The Declaration calls upon the Pretoria regime to take measures to create a climate conducive to negotiations, provides guidelines for the negotiation process, spells out in very clear and specific terms a programme of action, and establishes a set of fundamental principles to guide the drawing up of a new constitutional order on the basis of which South Africa would take its rightful place as an equal partner in the world community of nations.

Since the adoption of that historic Declaration, the Pretoria regime has instituted a number of reforms, of which the repeal of major apartheid laws is the most notable. The ban on the activities of political parties and organizations has been lifted. With the adoption of the Groote Schuur Minute in May 1990, the Pretoria regime undertook to address the issue of the



(Mr. Trinh Xuan Lang, Viet Nam)

release of political prisoners and the granting of immunity for political offenders, and as a matter of fact a number of political prisoners have been set free.

(Mr. Trinh Xuan Lang, Viet Nam)

The signing, by the Pretoria regime and the United Nations High Commissioner for Refugees, of a Memorandum of Understanding on the Voluntary Repatriation of Refugees and Exiles and the Reintegration of South African Returnees and the signing of the National Peace Accord by the Pretoria regime, the African National Congress (ANC) and the other parties on 14 September 1991 may open up prospects for an end to political violence.

Speaking objectively, I have to say that in the past two years there has been considerable progress towards the abolition of apartheid - an improvement that has been achieved only after several decades.

Nevertheless, while there have been some positive developments, several issues remain unresolved. The Pretoria regime has not yet fulfilled all five conditions stipulated in the Declaration as necessary to the creation of a climate conducive to negotiations, nor has it complied fully with the agreement reached with the African National Congress.

The recent outbreak of violence, in which thousands of South Africans lost their lives, has added to tension and instability throughout the country. The failure of the authorities to take decisive action to stop the violence has - like the disclosure of the secret use of public funds - resulted in a widespread breakdown of trust in the Pretoria regime. It should be noted that innumerable reports point to complicity of elements of the security forces and of the extreme right in the fostering of this persistent violence, which poses a serious threat to the negotiating process and, ultimately, jeopardizes the chances of a successful political settlement.

In a recent report the Secretary-General provides a very objective assessment:

(Mr. Trinh Xuan Lang, Viet Nam)

"the wave of violence that engulfed the country during the period became a severe test of confidence and a serious obstacle to the evolving political dialogue." (A/45/1052, para. 6)

Although the Pretoria regime has repealed most of the basic apartheid laws, little has been done to give practical effect to their repeal, and, as a result, South Africans continue to suffer from the legacy of those laws. The consequence of unjust socio-economic infrastructures - infrastructures established and entrenched for a century - is that the black majority are denied their basic human rights and freedoms. They are still coping with high unemployment, a crisis in education, devastating living conditions and a substandard public-health system. If this historic injustice is to be redressed social laws will have to be repealed and policies to remove the existing economic imbalances implemented.

It is true that a number of political prisoners in certain categories have been released. However, several hundred still languish in South African jails. As is pointed out in the report of the Special Committee against Apartheid, reported delays in the implementation of agreements between the Pretoria regime and the ANC led human-rights lawyers in South Africa to state that the release of political prisoners

"remains not only unresolved but highly volatile". (A/46/22, para. 22)

The Public Safety Act of 1953, which remains unaltered, provides for the declaration of states of emergency and unrest in many areas. At the end of October 1991 nine townships were still affected by these provisions and subjected to curfew. On 28 October 1991 a state of emergency was imposed in the "independent Bantustan" of Ciskei. A number of modifications were made to the Internal Security Act, but the Internal Security and Public Safety Acts

(Mr. Trinh Xuan Long, Viet Nam)

still allow the formal prohibition of gatherings. Furthermore, the Pretoria regime continues to reject the principle of universal, equal suffrage on the basis of a non-racial voters' roll.

These realities have brought about an uncertain, precarious and delicate situation in South Africa. The apartheid system has been shaken, but its foundation has not been destroyed. It is crystal-clear that the progress that has been achieved in the past two years is a result of a combination of internal mass resistance and international pressure rather than of willingness on the part of the Pretoria regime to give up its policy of colonialism.

For these reasons we call upon the South African authorities to demonstrate good faith by scrupulously complying with the Declaration on Apartheid.

We believe that the convening of an all-party forum to negotiate and agree upon transitional arrangements, as well as the mechanism for drafting a new constitution and deciding its basic principles, should be at the top of the current political agenda in South Africa. The longer the Pretoria regime delays the beginning of negotiations the greater will be the risk of hindering future national reconciliation and the creation of a united, non-racial and democratic South Africa.

We are concerned at the haste with which some countries are lifting sanctions and establishing links with the apartheid regime. As there are still many obstacles to be overcome before the South African people reach their final destination it is premature to think that pressure on the Pretoria regime should be eased. Therefore all States should adhere fully to the Programme of Action contained in the Declaration until the process of

(Mr. Tinh Xuan Lang, Viet Nam)

dismantling the system of apartheid is irreversible and the people in South Africa really have achieved their fundamental rights.

At this very important juncture in the history of South Africa, when the abolition of apartheid is closer than it has ever been, we sincerely hope that the United Nations will continue to play a very important role in the process of promoting its eradication through encouragement, pressure and assistance, as is envisaged in the Declaration.

The delegation of Viet Nam wishes to express to the Secretary-General its deep appreciation of his commendable endeavours with regard to implementation of the Declaration and of his comprehensive reports on the most recent developments in South Africa. At the same time we value highly the tireless efforts and the important contributions of the Special Committee against Apartheid and of the United Nations Centre against Apartheid to secure realization of the noble objective of having apartheid eradicated from civilization during the present decade.

Once again we express wholehearted solidarity with the heroic people of South Africa and with the African National Congress in their just struggle to rid their country of the scourge of apartheid. We are confident that, with the support of the United Nations and of all progressive peoples, the South African people will win. A just, united, non-racial and democratic society will be established in South Africa soon.

Mr. AIT CHALAL (Algeria) (interpretation from French): Once again the General Assembly is considering an item that, for more than four decades,

(Mr. Ait Chaalal, Algeria)

has been at the top of its agenda. Of the many problems facing this community of nations the system of apartheid in South Africa has been the most serious challenge to the fundamental principles of the Charter of our Organisation and to the elementary rules of universal morality and international legality.

(Mr. Ait Chaalal, Algeria)

Unanimously condemned and denounced for both its rationale and its consequences, the system of apartheid has quite rightly been described as a crime against humanity, based as it is on the myth of racial superiority and causing as it has the most horrible suffering to an entire people for decades.

The adoption by consensus on 14 December 1989 of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa reflected the resolve of the international community to end that repugnant system by unanimously agreeing on the need for comprehensive action to dismantle the system and to ensure a united and non-racial South Africa. To that end, the General Assembly carefully defined the ways and means of eliminating the system of apartheid by establishing the conditions necessary to bring about an atmosphere propitious to negotiations and laid down the basic principles that should underlie the new constitutional order in South Africa.

This session is being held two years after the adoption of that Declaration. It is therefore the right time for the Assembly to undertake a rigorous evaluation of the progress that has been made in implementing the United Nations Declaration and make a careful study of the most suitable reaction on the part of the international community.

The heroic struggle of the people of South Africa for freedom, dignity and justice, which has been supported by the active solidarity of the whole of the international community, has in the past year been marked by several outstanding events that have certainly made it possible to take a forward step, and we have been extremely pleased to welcome those events.

Indeed, the dismantling of the system of apartheid has begun with the repeal of the iniquitous laws that formed the ideological basis and legal

(Mr. Ait Chalal, Algeria)

pillars of the system. An agreement on the voluntary repatriation of South African refugees and exiles in dignity and security has also been reached between the High Commissioner for Refugees and the South African authorities.

In addition, measures have been taken to bring about the release of more than 1,000 political prisoners. Finally, a process of constitutional negotiations between the South African regime and the various political parties began on 29 November of this year with a view to entering into substantive negotiations on the country's constitutional future on 20 and 21 December.

Such developments are certainly encouraging, opening up new prospects in that part of the world, and they could hasten the advent of a united, multiracial and democratic South Africa.

While the international community has every right to be pleased at this change, it must also avoid exaggerating the importance of the developments that have occurred and eschew excessive optimism.

Indeed, however significant these developments may be, they do not in fact represent the final and irreversible changes for which the people of South Africa have fought and suffered so constantly.

True, symbols of apartheid have been abolished, and we are pleased that that is so. However, we must also recognize that many related practices and forms of behaviour are still firmly anchored in South African society and that the inequalities and injustices inherent in that system persist.

The conditions necessary for the creation of an atmosphere propitious to negotiations have not yet been fully achieved. In his second progress report



(Mr. Ait Chaalal, Algeria)

on the implementation of the Declaration, the Secretary-General clearly noted the

"Delays in the implementation of the necessary measures ... to create a climate for negotiations"

and expressed the hope that

"steps will be taken towards ... the establishment of transitional arrangements". (A/45/1052, paras. 8 and 9)

Indeed, hundreds of political prisoners are still in jail in South Africa, and political trials continue to be held under the Internal Security law.

Finally, the wave of violence in South Africa, which has already taken the lives of thousands of victims, has seriously hampered the activities of political parties. The inability of the South African authorities to take strong measures to end this violence, the partiality of the security forces and revelations about secret funding of certain organizations are all matters of serious concern.

In fact, the measures taken by the South African régime, positive as they are, cannot conceal the daily reality of life in South Africa. Such measures, although encouraging, cannot be regarded as constituting the adequate and comprehensive response to the legitimate aspirations of the South African people. They only partly fulfil the conditions set by the General Assembly in its Declaration of 14 December 1989.

It is therefore incumbent on the South African authorities to enter resolutely upon the one and unique road laid down by the international community. That means, first of all, creating a climate favourable to the normal exercise of political activities. It also means the immediate taking

(Mr. Ait Chapelal, Algeria)

of steps to end violence. It means the release of all political prisoners and a halt to political trials, as well as requiring the repeal of the repressive laws that are still in force.

It is only when those conditions have been met that all of the parties can, in an atmosphere of restored calm and refound trust, begin the process of dialogue and negotiation that will lead to the drafting of a new constitution and to the establishment of transitional arrangements towards a democratic order.

In its combat against apartheid the international community has recognized the justice and legitimacy of the struggle of the South African people and the validity of the approach taken to dismantle the system of apartheid and ensure the advent of a united, non-racial and democratic South Africa.

The changing situation in South Africa has, however, emphasized the relevancy of the conditions laid down by the General Assembly for the achievement of that goal.

In noting that the process of realizing the goals set forth in the Declaration may be relatively lengthy, and even vulnerable, the Secretary-General rightly highlighted the uncertainty and precariousness inherent in the transitional phase through which South Africa is today passing.

Indeed, it is precisely because the situation in South Africa has now reached a crucial stage that the international community must act with extreme prudence and increased vigilance.\*

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\* Mr. Bagbeni Adeito Nzengeya (Zaire), Vice-President, took the Chair.

(Mr. Ait Chaalal, Algeria)

If we are to encourage and strengthen all the positive tendencies which are emerging, we should clearly guard against any illusory optimism and maintain economic sanctions against the authorities until such time as they assume their full responsibilities in matters of security within the country and follow the new logic now claimed by them to its conclusion, namely, full exercise of all the legitimate rights of the people of South Africa.

Moreover, the historical precedents in the process of decolonization - and my people had the grim experience of this some months before independence - teach us that it is at such decisive turning-points that extremist and reactionary forces explode in blind violence, with the illusory idea that they can halt the irreversible course of history which is leading the world's peoples towards freedom, justice and progress. The international community must be aware of the terrible danger represented by these forces that long for the old days of racial superiority and domination. Brought up to believe in brute force and possessing considerable paramilitary and material resources, such extremist groups, unless they are neutralized and rendered harmless, may sow death and desolation, reawakening and exacerbating racial bitterness and hatred in order to plunge the country into a vast chaos. Accordingly, all preventive measures must be taken in order to avoid such a disaster, which could frustrate and retard the process of peaceful settlement and could hamper or even compromise future relations between the different communities.

For that reason, the unanimous will of the General Assembly, expressed in the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa, must be reaffirmed unreservedly if we are to strengthen the ongoing process of settlement and to encourage and accelerate it, so that

(Mr. Ait Chaalal, Algeria)

it achieves its objective of bringing about a modern, non-racial society founded on equality and the free exercise of universal suffrage by all South Africans in a united and democratic South Africa.

Mr. SIDOROV (Union of Soviet Socialist Republics) (interpretation from Russian): For several decades the United Nations has been making vigorous efforts aimed at the complete elimination of the inhumane system of apartheid in South Africa and the conversion of that country into a non-racial, democratic State.

The agreed position of the international community that the problem should be speedily resolved through peaceful political means was expressed in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, unanimously adopted in 1989, and also in a series of subsequent resolutions of the General Assembly.

The international consensus on the question of the elimination of apartheid, as reflected in those documents, is a substantial contribution to the formation of a new world order based on the universal recognition of the unquestioned value of the ideals of democracy and human rights and on global cooperation and interaction as the universal norm of international relations.

A number of major constructive steps have been taken towards the elimination of apartheid in South Africa, among them the lifting of the ban on the activities of political parties and movements, the release of many political detainees, the repeal of laws underpinning apartheid and the achievement of agreement between the Government of South Africa and the Office of the United Nations High Commissioner for Refugees on the return of refugees and political exiles to the country. The changes taking place in the country have also affected the nuclear sphere. After three years of negotiations

(Mr. Gidorov, USSR)

between representatives of South Africa and the depositary countries of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), South Africa has acceded to the Treaty and has, in an unprecedentedly short time, concluded a safeguards agreement with the International Atomic Energy Agency.

We have also examined attentively the information relating to the measures taken by the Government of South Africa to guarantee fundamental changes in the country and contained in the letter dated 29 November 1991 from the Minister for Foreign Affairs of South Africa to the Secretary-General of the United Nations (A/46/711).

The positive changes in the political situation in South Africa were made possible by the mass movement undertaken over many years against the apartheid system and by the selfless struggle of the democratic forces, in which the African National Congress (ANC) played and continues to play a leading role. This is also confirmed by today's detailed statement made by Mr. Nelson Mandela, the distinguished President of the African National Congress, in which he gave the particulars of the ANC's approach to the task of speedily eliminating apartheid in South Africa and creating a non-racial, democratic State.

At the same time, there are also obvious difficulties encountered in the process of transformation under way in South Africa. As is noted by the Secretary-General in his second progress report on the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa (A/45/1052),

"While the most basic laws of apartheid, as promised, were removed by last June, many of the concomitant attitudes and practices, as indeed the consequences of those laws, do persist".

(Mr. Sidorov, USSR)

There is no solution yet to the problem of the early release of all political detainees, including those in the so-called homelands, and there are still obstacles to free political activity in the country.

A severe test of the processes currently under way in South Africa was the wave of violence which swept the country this year. For that reason, the signing on 14 September 1991 of the peace accord between leaders of the Government of South Africa, the African National Congress, the Inkatha Freedom Party and a number of other South African organizations is regarded in the Soviet Union as confirmation of the seriousness of the intention of influential political forces to move towards the establishment of a democratic, non-racial State. That peace accord must be implemented, and those political forces in South Africa which have not yet signed it should demonstrate a high sense of responsibility for the fate of their country by associating themselves with it.

An important event was the recent preparatory meeting of 20 leading South African political organizations, which reached agreement in principle on the holding on 20 and 21 December 1991 of a convention for a democratic South Africa, with the purpose of determining the basic aspects of the country's future constitutional structure. The Soviet delegation expresses the hope that that measure will become yet another substantial step towards strengthening and developing the positive processes under way in South Africa in the direction of establishing a democratic, non-racial State.

The system of apartheid which has held sway for so many years, based as it is on force and on the polarization of the country's social, economic and political life along racial lines, has engendered an atmosphere of alienation and distrust in the country. Clearly, it will take time to remove the

(Mr. Sidorov, USSR)

accumulated negative legacies of the past. We in the Soviet Union firmly believe that further overcoming mutual distrust and developing political dialogue and constructive cooperation are the key to solving the problems of South Africa.

The Soviet Union has consistently spoken out, and continues to speak out, against the policy of apartheid and in favour of speedily ridding the twentieth century of that anachronism. While welcoming the processes of eliminating apartheid in South Africa, we consider it particularly important that the international community should support those processes and make them irreversible. The Secretary-General, in his latest report on the work of the Organization, rightly observed:

"It will signify attainment of one of the Organization's major goals when the notable progress made so far is consolidated and a post-apartheid regime based on democratic principles and racial harmony is firmly put in place in that country." (A/46/1, chap. VI, third paragraph)

Mr. BAKY (Bulgaria): As we all agree, the world today is witnessing a series of profound changes based on the promotion of the universally accepted values of democracy and human dignity.

The wind of democratic change has also reached the southern part of Africa, where the existence of the system of apartheid and its deplorable consequences had for many years drawn the attention of the international community.

Events taking place in the Republic of South Africa during the past year inspire hopes that the day when a united, non-racial and democratic South Africa will be born is not far away. The surest sign that these hopes will be realized can be seen in the first session of the Preparatory Meeting of the Convention for a Democratic South Africa, which was held recently. My country wholeheartedly welcomes this process and joins in the active support expressed by the international community.

Another encouraging indicator to that effect is the statement of Mr. Nelson Mandela this morning, which my delegation followed with great attention.

Such a major step towards formal negotiations concerning the future of South Africa would not be possible without the political courage, wisdom and responsibility manifested by all parties involved, for which they merit our warmest appreciation.

At the same time, this remarkable progress has been largely due to the commendable persistence demonstrated by the Government of that country in pursuing the chosen course of dismantling the system of apartheid. These efforts have greatly contributed to creating the right atmosphere for serious negotiations. I would like to express my country's satisfaction with the



(Mr. Baev, Bulgaria)

repeal of the so-called pillars of apartheid: the two Land Acts, the Group Areas Act and the Population Registration Act. The fact that they are no longer in force paves the road towards radical democratic changes.

Of particular importance for this positive development have been the tireless efforts of the international community to ensure universal respect for the human rights and freedoms in conformity with the high standards and criteria promoted by the United Nations over the years.

We are confident that the ongoing process in South Africa is irreversible, especially since it is taking place against the favorable background of the present international situation, which in itself is the soundest guarantee for its successful completion.

Bulgaria has always condemned the system of apartheid and has insisted on the complete and final abolition of this humiliating anachronism. We remain convinced that the profound changes in the Republic of South Africa should be implemented by peaceful means and should ultimately lead to the establishment of a democratic, non-racial State providing full guarantees for the rights of all its citizens regardless of their race or colour. In the view of my delegation, certain positive steps remain to be taken towards the complete democratization of the country's political system and its harmonization with the accepted democratic norms, of which universal suffrage is an essential part.

The evolution towards a non-racial society is not an entirely smooth process. In the past year the world has seen certain negative, alarming tendencies in the country's political life. Outbursts of violence have at times dampened the optimism and confidence with regard to an early settlement of the existing disputes, highlighting once again the need for a conscious

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political will for dialogue and substantial compromise. My country welcomed the signing, on 14 September, of the National Peace Accord. We urge that the agreement thus reached be honoured by all parties involved, putting an end to the meaningless violence and bloodshed.

The formulation of constitutional provisions codifying the political and civil equality of individuals belonging to different races is just one aspect of the issue. A democratic and non-racial society in South Africa cannot be established unless the remnants of apartheid are ultimately eliminated in the economic, social and educational spheres. A lot can, and should, be done by the United Nations and its specialized agencies in this field. The experience provided in this respect by the United Nations Educational and Training Programme for South Africa, which has achieved outstanding results over the years, is indeed valuable and should be taken into account.

The prevalence on the political scene of South Africa of such a realistic and constructive approach has been determined by a number of internal and external factors, among which are the sanctions imposed at the time by the international community. Of particular importance, in responding to such extreme measures, is the correct timing and duration, to ensure that they would not, by fostering social tension, have a negative impact on an already developing process of democratic changes.

Bulgaria believes that the new situation in South Africa and the present stage of the reform also necessitate a new attitude of the international community towards the processes taking place in that country. In our view, it is now necessary to encourage the continuation of the positive changes already under way until the complete and final elimination of apartheid. In this sense, calls to keep up the economic sanctions against the Republic of South

(Mr. Bay, Bulgaria)

Africa will hardly be productive. The international community should instead concentrate on working out certain positive, constructive measures to make it easier to deal with the variety of issues facing the society of South Africa in the present complex period of transition. One such problem, for instance, is the provision of assistance for the return of refugees. An encouraging sign in this respect is the agreement between the South African authorities and the United Nations High Commissioner for Refugees on the voluntary repatriation of South African refugees and exiles. The decisions of South Africa's main trading partners to lift many of the restrictions on business with that country, as well as the Republic's increasing contacts with a number of African countries, are appropriate examples of such a constructive approach. I would like to note here that the ongoing normalization of my country's relations with the Republic of South Africa is based on the underlying principles of Bulgaria's new foreign policy in dealing with problems by way of dialogue and cooperation. At the same time, we have by no means abandoned our firm stand in categorically denouncing racism, racial discrimination and apartheid, for which, we are convinced, there is no place in the modern civilized world.

The changes in the world today are taking place at breathtaking speed, and developments in South Africa are no exception. These positive trends should in our view be promptly reflected in the respective General Assembly resolutions under the agenda item currently under discussion. The documents adopted should keep pace with events and reflect our current reality; they should therefore be free of the inertia of confrontation formulas which, we would like to hope, have been rejected by the international community and are becoming a thing of the past. My delegation is ready and willing to cooperate

(Mr. Baev, Bulgaria)

for the achievement of this goal. We believe that these new tendencies should be adequately reflected in the work of the Special Committee against Apartheid and in the action that this General Assembly is to take on this issue.

In conclusion, allow me to express the hope that at the present session of the General Assembly, the international community will show its approval of the ongoing processes in South Africa, and will encourage the understanding and dialogue between all political forces in that country so that the people of South Africa may be able, together, to share a common, democratic and non-racial future.

Mr. de VENECIA (Philippines): Mr. Nelson Mandela expressed, from this very same spot in June last year, his profound perplexity. He was bewildered as to why the crime of apartheid had ever occurred. He said:

"what error was made that this system established itself in the wake of the adoption of a Universal Declaration of Human Rights?" (A/44/960, p. 103, fourth paragraph of annex VI)

This question from the living symbol of the fight against apartheid continues to haunt us: why, indeed? After all, was not the establishment of the United Nations spurred by the determination of mankind never again to permit racial doctrine and practice to dragoon the world into the clutches of war and genocide?

Even as we welcome the positive, salutary developments in South Africa, including those initiatives by the South African Government representing tangible gains in the struggle to end apartheid, it must be said that our collective conscience continues to be concerned with this problem. Any violation of human rights in any place in the world is a matter of universal concern and a compelling and inescapable issue in the United Nations. Today Mr. Nelson Mandela stood before us again, conveying his vision and hopes for a new South Africa, a South Africa where there is no longer any distinction as to race, colour, gender and creed.

The Philippines salutes the people of South Africa, who, on an arduous and perilous road, have heroically waged a historic struggle for freedom from bondage and have given the world a soul-stirring example of unremitting devotion to human dignity and liberty. They have shown the world, in sharp relief, the invincible spirit of men who would be free at any cost. The freedom fighters in South Africa are of the mettle of the intrepid soldiers

(Mr. de Venecia, Philippines)

from whose heroism and sacrifice in the Second World War emerged the United Nations.

We cheered when the various political parties and organisations - the African National Congress (ANC), the Pan Africanist Congress (PAC) and the Inkatha Freedom Party (IFP) - all came together in unity in September this year and adopted, with the authorities in Pretoria, the National Peace Accord. That Accord, which sets out codes of conduct both for the South African security forces and for political parties and organisations, brought forth hopes of peace and reconciliation.

We were encouraged by the convening last October of the Patriotic/United Front Conference, attended by anti-apartheid forces including the ANC, the PAC, political parties, trade unions and other organisations. That they were able to forge a joint approach to the constitutional process is a truly significant achievement. We commend the participants in the Patriotic/United Front Conference for successfully hammering out a common position on the modalities and objectives of the Conference and thereby establishing a clearer framework for the negotiating process.

These modalities and objectives include the need to agree on the fundamental principles of a new constitution based on those envisaged in the 1989 United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa; on the establishment of an interim government/transitional authority; and on the formulation of a new constitution by a constituent assembly, leading to free and fair elections and to a representative government.

We in the Philippines, and I personally as Acting Chairman of the Foreign Relations Committee of the House of Representatives in the Philippine

(Mr. de Venecia, Philippines)

Congress, are elated by the convening last Friday, 29 November, of the preparatory meeting for the Convention for a Democratic South Africa. The Philippines looks forward to the opening of the Convention on 20 December this year, when all parties concerned will start negotiations on constitutional issues and on transitional arrangements.

We recognize that serious disagreement exists on the transitional arrangements and on the appropriate mechanism for the formulation of the new constitution, but we cannot miss this opportunity to congratulate all the parties involved on the statesmanship, foresight and courage they have displayed in moving the current process towards substantive talks on South Africa's future. We pledge the unqualified support of the Philippines in this process, and wish them success during this noble and momentous undertaking.

In this context, the Philippines, as a member of the United Nations Special Committee against Apartheid, concurs wholeheartedly in the Special Committee's view that the National Peace Accord, the joint approach to the constitutional process, and the various preliminary agreements between the authorities, businesses and trade unions on crucial labor issues are initiatives which could evolve into the confidence-building measures needed to promote the climate of peace and reconciliation within which substantive negotiations on the future of democratic South Africa can be pursued.

While we laud these welcome developments, we do not overlook the obstacles that stand in the way of this delicate and difficult process. The Philippines is deeply concerned over the wave of violence engulfing the country, which cannot but destabilize democratic forces in South Africa. It is alarming to note that at least 5,000 people, nearly all of them black, have been killed since February 1990, 3,000 of them between July 1990 and June 1991.

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The impartiality of the South African authorities with regard to the question of violence is in serious doubt as disclosures have been made of the secret use of public funds to support the activities of Inkatha and of the complicity of some elements in the security forces and the extreme right in fostering violence. The importance, therefore, of the effective implementation of the National Peace Accord in helping to put an end to the violence cannot be overemphasized. This issue vividly highlights the need to establish an interim government that would oversee the transition to a new constitutional order in South Africa.

The international community, we believe, must come to grips with how to ensure full compliance by the South African authorities with the provisions of the United Nations Declaration on Apartheid and its Destructive Consequences and with the agreements reached with the ANC in the Groote Schuur and Pretoria Minutes.

To this day, many political prisoners await release, and the Secretary-General, in his second progress report on the implementation of the Declaration (A/45/1052), faulted the lack of communication and transparency with regard to individual cases. On this, we support the suggested scrutiny of a verified list of alleged political prisoners whereby disputed cases could be referred to a panel of independent experts or an independent jurist for fact-finding and recommendations.

The Philippines also foresees that the profound socio-economic inequalities, unless urgently addressed, could undermine the stability required for the process towards broad-based negotiations. The situation, according to certain sources, is particularly disturbing in the Bantustans,



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where 85 per cent of black households have an income below the minimum subsistence level. The Philippines therefore joins the call of the Secretary-General for a comprehensive national programme of redress.

While it is true that the most basic laws of apartheid were stricken from the statute books in June this year, many of the concomitant attitudes and practices, as indeed the consequences of these laws, persist. As the report of the Special Committee (A/46/22) states, the socio-economic disparities created by the apartheid system will last beyond the repeal of such apartheid laws in the absence of specific additional legislation or other measures which would induce individuals and communities to shed such attitudes and practices. We therefore urge the South African authorities to take the necessary steps in this direction as a matter of urgency.

At this critical point in the struggle to free South Africa from the scourge of apartheid, we have to intensify the monitoring of developments in that country. In a real and profound sense, the process of liberation has reached a singularly delicate and vulnerable stage. In this regard, the Philippines continues to adhere to the two-pronged approach recommended by the Special Committee, which is to maintain pressure on the South African authorities to eradicate apartheid and to engage in negotiations on a new constitution, and to assist the democratic forces and the victims of apartheid in South Africa.

As stated by the Association of South-East Asian Nations (ASEAN) Foreign Ministers in a *communiqué* last July, the phased lifting of sanctions should be commensurate with progress towards the achievement of irreversible change and towards the attainment of an apartheid-free South Africa. The Philippines,

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for its part, will continue to maintain sanctions, as appropriate, to help ensure sustained pressure on South Africa throughout the negotiating process until a non-racial, democratic society has become a fact.

(Mr. de Venecia, Philippines)

As the world moves towards the twenty-first century, it is experiencing a unique age of liberation of captive peoples in various continents, chiefly in Europe. The march towards a new order in justice and freedom in South Africa is in keeping with the current tempo of history. It behoves the United Nations to do its utmost to speed the advent of this new order.

The crumbling structure of apartheid, once a stronghold of injustice, terror and oppression, still poses dangers to the unwary and the uninitiated. In his statement this morning, Mr. Mandela cautioned us that South Africa is still ruled by a white minority regime under an apartheid constitution. It must, therefore, be razed to the ground so that the people of South Africa, who have been denied existence in dignity and freedom, can build anew and compose their lives, hopes and aspirations.

The edifice that must rise from apartheid's ruins should be a fitting and enduring monument to human dignity and freedom. For this to be so it must be laid on the solid foundations of peace, justice and abiding respect for human rights.

To exude beauty and grandeur, its architecture must not be marred by a single stray or lingering vestige of racism.

When this new glistening structure is finally built on the plains of South Africa, the people of the world can then truly say: "This indeed is one of the United Nations greatest achievements".

Mr. HOHENFELLNER (Austria): The award of the 1991 Nobel Prize for Literature to Nadine Gordimer ce ainly consecrates her exceptional literary merit. Moreover, it pays tribute, through this outstanding author, to all those who have consistently opposed apartheid. And while this award for the

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just cause of fighting the institutionalised form of racial discrimination is an esteemed prize, there is in sight today, finally, the ultimate, the real prize and goal of all opponents of apartheid - the total eradication of apartheid.

In the course of the last 12 months, we have witnessed decisive developments towards the final eradication of the system of apartheid and the establishment of a new democratic, non-racial and united South Africa. Important progress towards creating a climate of negotiations has indeed been achieved.

Austria welcomes the abolition of the so-called pillars of apartheid like the Land Acts, the Group Areas Act and the Population Registration Act. The last cornerstone of the old order, the 1983 constitution, which excludes the majority of the population from the political process, is the subject of negotiations on a new constitution scheduled to begin on 20 December. It is clear, however, that the mere scrapping of these laws does not redress the negative consequences for black South Africans. These laws led, inter alia, to massive forced removals, seizure of lands and discrimination in all aspects of daily life. Positive measures by the South African authorities - a policy of affirmative action - will therefore be needed.

We note with satisfaction that other elements contained in the United Nations Declaration on the Destructive Consequences of Apartheid in Southern Africa have been implemented. Among these positive measures we have seen the release of most political prisoners and a marked decrease in the number of detainees. It is to be regretted that not all political prisoners have yet

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secured their freedom, as can be seen from the continued detention of political prisoners in the so-called independent homelands. Hence, Austria calls again today for the release of all political prisoners without delay.

A most dangerous challenge to the process towards ending apartheid has been the wave of violence during recent months.

Austria is deeply concerned about the almost daily reports of incidents of violence leading to the highest death toll in South African history. The violence in the black townships has to be seen to a large extent as a heritage of the past. Policies of racial domination and segregation have led to a highly fragmented social system where the lack of communication systematically prevents conciliation of conflicts and renders the emergence of a political culture of tolerance and mutual understanding more difficult. In addition, the system of apartheid, with its unjust laws and recurrent police brutality, has resulted in the loss of credibility of the administrative and judicial powers in the eyes of the majority of the population. Austria welcomes the initiatives against violence, such as the peace talks sponsored by church and business leaders, and private initiatives, such as Peace Action, in which individuals created an early warning system for preventing outbreaks of violence.

Many hopes have been placed in the National Peace Accord, signed on 14 September 1991 by the South African Government, the ANC, the Inkatha Freedom Party and 21 other organizations, introducing a code of conduct for both the political parties and the security forces and mechanisms of surveillance. So far, however, the National Peace Accord has not fulfilled

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the expectations of bringing an end to the senseless killing of innocent people. Austria calls upon all parties to the National Peace Accord to implement its obligations fully and to cooperate in good faith to bring the current wave of violence to a speedy end. There can be no doubt, however, that the South African Government bears the primary responsibility to protect the life and property of every South African without regard to race, colour or political opinion. It is therefore incumbent on the Government to act impartially to restore and maintain order and security for all citizens.

After a long process of talks, the first round of negotiations on a new constitution is now due to be held on 20 and 21 December, after the preparatory meeting at the end of last week. This event marks the beginning of a new era for South Africa, inviting all relevant political factors of South Africa on an equal footing to seek agreement on mechanisms for the drawing up of a new constitution, its broad-based principles and transitional arrangements, as well as on the role to be played by the international community in the transition process.

For a sustainable solution to the problems of South Africa, it is imperative that the new truly democratic constitution be drafted and accepted by the entire South African population. Though many differences remain on details, a growing consensus among different political groupings in South Africa is emerging regarding the principles of a new constitution and a bill of rights in line with the principles elaborated in the United Nations Declaration on Apartheid. Austria hopes that the participants will achieve a speedy and truly democratic outcome in a spirit of cooperation.

(Mr. Hohenfellner, Austria)

While it is certainly for the South Africans themselves to shape the form of the new democratic, non-racial and united South Africa, the international community has to play an important role in encouraging and supporting the process of change in South Africa. We are all therefore called upon to render assistance to the victims of apartheid and to help reduce the existing socio-economic inequalities. To that end, Austria will increase its contributions to several funds and activities within the United Nations framework concerning South and southern Africa as well as supporting a number of individual projects in this regard. The peaceful transition of South Africa is of vital importance not to South Africans alone but to the entire subregion and beyond. As in other cases of transition, the international community should therefore be prepared, upon request by South Africans, to render its good offices and assistance to ensure the successful transition to a democratic society. Strengthening the South African economy is of particular importance to provide the basis for much-needed job opportunities for many sectors of South African society. Therefore, the international community has drawn the conclusion that economic sanctions should be phased out in step with the changes taking place in South Africa.

Austria for its part took a decision on 24 September 1991 to suspend, in a gradual approach, a number of economic sanctions for 12 months in view of the progress achieved so far, but also to give a signal that these sanctions would automatically be reintroduced if there were no further progress in the process towards the ending of apartheid.

We are convinced that the United Nations offers a vast potential for assistance to South Africa in its efforts to address the manifold problems

(Mr. Hohenfellner, Austria)

resulting from decades of apartheid policies. In the course of the past months, we have noted with satisfaction that the South African Government has taken a more positive attitude towards the United Nations, as exemplified by its signing of the Nuclear Non-Proliferation Treaty and the signing of, in particular, the Memorandum of Understanding with the Office of the United Nations High Commissioner for Refugees (UNHCR), establishing a UNHCR presence in South Africa to assist in the repatriation process. Austria supports the repatriation of South African exiles by contributing to the National Coordinating Committee for the Repatriation of South African Exiles.

As the political refugees have begun to return to South Africa and the process towards ending apartheid progresses, South Africa has embarked on its journey back into the family of nations that espouses the values enshrined in the United Nations Charter. We have seen during recent months that the international community is responsive to the positive developments in South Africa. Concrete measures tangible to the individual, like the facilitating of people-to-people contacts and the readmission of South Africa to the Olympic Games, have sent out a signal of welcome acceptance by the community of nations. And indeed we are all looking forward to the day when the new democratic, non-racial and united South Africa takes its rightful place here in the General Assembly hall.

Mr. O'BRIEN (New Zealand): Over the past 12 months dramatic political change has continued in South Africa. The momentum has carried South Africa some way down the path towards democratization. This has occurred through sustained international pressure and through the efforts of democratic forces in South Africa.



(Mr. O'Brien, New Zealand)

In the past year President De Klerk has implemented the measures he promised earlier. The so-called legislative pillars of apartheid have been repealed, and the Internal Security Act has been amended. Most political prisoners have been released and an agreement has been reached with the Office of the United Nations High Commissioner for Refugees to oversee the return of thousands of exiles who must be reintegrated. And preparatory talks on the format for discussions on constitutional and transitional arrangements have taken place. New Zealand welcomes these developments. Without a doubt they represent a significant and profound change in the political landscape of South Africa, "the race to normality" as Mr. Mandela called it this morning.

However, notwithstanding these positive developments, there is clearly some way still to go before apartheid is completely eradicated and a democratic State established. While many of the major racial laws have been repealed, apartheid still exists. Blacks still do not have equal access to education and health. No significant steps have been taken to redress the forced removal of blacks from their land. Blacks are not adequately represented in administrative bodies and, most importantly, the majority of South Africans still do not have the right to participate in the election of a government of their choice. When these issues have been addressed, and in particular when a non-racial, democratically elected government is in place, then we shall be able to say that apartheid is dead. But that time has still to arrive.

Of deep concern is the damaging effect that the continuing violence has had on the political process and repeated reports of involvement by the security forces. We are all aware that there are some in South Africa who

(Mr. O'Brien, New Zealand)

would like nothing better than to see the process of change derailed. It is important that the parties to the process are not made hostage to these senseless and tragic acts of violence and that the Government demonstrates its impartiality by providing adequate policing and responds to the concerns expressed by representatives of the black people. It is, moreover, contingent on all parties to exercise restraint and to abide by the Peace Accord signed in September.

One of the key objectives of the international community has been to apply pressure in order to bring the South African Government to the negotiating table and keep it there until fundamental and irreversible change is secured. In this respect New Zealand agrees with the view of the Organization of African Unity (OAU) that the negotiation of a non-racial, democratic constitution is now the most pressing and urgent question. We are therefore pleased that the parties recently agreed on the arrangements for the first meeting of the Convention for a Democratic South Africa, to be held in several weeks' time, and we look forward to these talks making speedy progress in completing the transformation of South Africa into a non-racial and democratic State.

The challenge that we, individually and collectively, have had to confront in the past 12 months is how to respond to positive developments and how best to sustain them. It seems to us that it is a matter of striking the right balance between acknowledging concrete changes by responding constructively and maintaining sufficient pressure to encourage and support the democratization process until the objectives set out in the Declaration on Apartheid have been achieved.

(Mr. O'Brien, New Zealand)

New Zealand's responses have been formulated in the context of the policy developed by the Commonwealth over the past 12 months and as agreed by the Commonwealth Heads of Government Meeting at Harare in October. At Harare, the Commonwealth leaders agreed to a programmed management approach on sanctions that links any change in the application of sanctions to real and practical steps taken to end apartheid. This approach recognizes the vital role that sanctions have played and will continue to play in bringing about change in South Africa. Through this process, pressure will be maintained throughout all stages of the negotiations until a new non-racial, democratic government has effective control. New Zealand fully supports this approach.

The Commonwealth also decided that in the light of the substantial progress that has been made towards overcoming obstacles to negotiations, and in order to facilitate interaction with democratic anti-apartheid forces in South Africa, a range of measures which restricted people-to-people contacts with South Africa should be lifted immediately. New Zealand has taken steps to implement this decision.

(Mr. O'Brien, New Zealand)

An area in which there have been some very positive developments in South Africa is the non-racial integration of sport. In order to encourage and recognise the achievement of non-racial unity, the Commonwealth has agreed to lift restrictions on a sport-by-sport basis for those sports that are meeting certain conditions. The Commonwealth agreed that it would continue to be guided in these matters by the National Olympic Committee of South Africa and other appropriate non-racial sporting organisations. We are pleased that some sports have put their houses in order and have been cleared for international competition. We hope that others will learn from and follow these examples.

Since 1986, New Zealand has been an active member of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa. The Committee has worked strenuously to see that this important sanction has been adhered to and, now that fundamental change is under way in South Africa, we look forward to the time when this sanction and other measures can be lifted.

While we applaud the measures taken so far to eliminate apartheid and create a climate for constitutional talks, the legacy of apartheid remains deeply entrenched. Many speakers before me have touched upon this. Economic and social inequalities are all too evident. There is, therefore, a need to focus more clearly on the requirements of the victims of apartheid. This morning Nelson Mandela eloquently outlined the need to provide training for blacks so that they may be equipped to take on key senior positions in South Africa's administration during the critical transition period and beyond.

New Zealand is pleased to support such efforts through bilateral and multilateral programmes, including the United Nations Educational and Training Programme for Southern Africa. We have also been pleased to respond to the

(Mr. O'Brien, New Zealand)

appeal by the United Nations High Commissioner for Refugees to assist in the repatriation of exiles to South Africa. In our view, it will become increasingly important that the focus of the efforts of our Organisation be placed on assisting the process of transition and helping meet the needs of post-apartheid South Africa.

For many years, the United Nations has played a prominent and distinguished role in the campaign to eliminate apartheid. It is clear that that role is not yet over. In 1989, in the Declaration on Apartheid (resolution 5-16/1), we spoke with one voice and were able to send a powerful message to the authorities in South Africa. Now that our efforts, together with those of the Commonwealth and of the liberation organisations within South Africa, are beginning to bear fruit, it is vitally important that we continue to send a clear and united message to the South African authorities.

This message should give credit where credit is due, and credit must be given to the combined efforts and talents of Mr. De Klerk and Mr. Mandela for getting this far. But it should also note that it is our firm intention to maintain our support for the process until a non-racial, democratic government is installed. In this regard, it is New Zealand's hope that the draft resolutions under this item of the agenda, rather than simply repeating the language of the past, will properly reflect the changing political situation in South Africa, and as with the Declaration on Apartheid itself, the draft resolution before us must be the beacon to encourage all participants to move ahead and to secure the outcome we all want to see.

Mr. PHOQOLO (Lesotho): We are all witnesses to the momentous events unfolding in South Africa. The legal bedrock on which South Africa's ideology of apartheid has long rested has been smashed. The repeal of the

(Mr. Phoofole, Lesotho)

Land Acts of 1930 and 1936, the Group Areas Act of 1966, the Population Registration Act of 1950 and the Black Communities Act of 1984, along with the substantial amendment of the Internal Security Act, is a victory for the aspirations of the people of South Africa, for justice and for democracy, and it is a welcome development towards the final demise of apartheid. We rejoice in the ascendancy in South Africa of the values for which the South African people and the international community have long struggled.

While we welcome the removal of statutory apartheid, let us not delude ourselves that apartheid is now dead and buried. The socio-economic structures and imbalances left behind by over 300 years of colonialism and apartheid remain firmly in place. Legislative measures still have to be put in place to redress effectively the unfortunate legacy of apartheid. This is a process whose irreversibility can be guaranteed through the institutionalization of a new constitution based on the values of justice, freedom and democracy.

As we address ourselves to our brothers and sisters, our neighbours, we humbly make the observation that South Africans of all races are locked into a partnership with each other. They should live up to their historic responsibility of handling the delicate negotiation process with the great care that it deserves. They are destined or condemned to work with the new democratic constitution together, be it through an interim government, an interim constituent assembly or transitional arrangements. It is for them only to decide.

It remains our steadfast conviction that the international community must continue to rely heavily on the people of South Africa themselves for guidance on how they can best be assisted at this crucial stage of their struggle.

(Mr. Phoofofo, Lesotho)

They are the ones to decide how present gains can be used to achieve further progress. The international community can then continue helping to accelerate the pace of change.

The political affairs of South Africa are at a very volatile stage. Taking into account the fact that we are addressing a situation which has for decades been characterized by fear, distrust, suspicion, hatred and oppression, we register our humble appeal for accommodation, flexibility, vision, courage, tolerance, and absolute resistance to detractors as the only path towards attaining genuine and meaningful negotiations in shaping a new South Africa. At no stage should one lose sight of the ultimate objective of attaining success in the form of a popularly negotiated democratic constitution.

It is common knowledge that the polarisation of black South Africans along tribal lines has always been pivotal in the grand designs of apartheid. The empirical political evidence within South Africa has shattered the myth of tribal enmity. Tribalism per se has never been an issue in the struggle of the oppressed majority.

As the international community was swept up in the revolution of rising expectations in political developments within South Africa, the darkest hour before dawn set in. Violence has emerged as a very serious obstacle to negotiations. Right wing terrorism perpetrated by the likes of van der Merwe and Terreblanches has increased in intensity and scope. It must be remembered that, according to the December 1989 consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa (resolution S-16/1), it is the very prospect of negotiations on a new constitution that is to usher in political equality for the majority of South African citizens.

(Mr. Phisofole, Lesotho)

In rejecting the concept of black-on-black violence, particularly as it involved hostels, the distinguished sons of the soil have observed that "these hostel inmates are incapable of distinguishing between the policy, if they know what policy means, e.g., that of the ANC or even that of the Inkatha. To them, these organizations are just names."

Tribalism is not current. They - the South Africans - continued to say:

"The beginning of the end of this blood-letting is to expose it for what it is, its causes, its aims and objects, not only to the black people of South Africa, but to the whole world, whose increasingly bewildered sympathy with our cause is, as intended, beginning to waiver."

Admittedly, there is relative calm these days, and it can only be hoped that the apparent peace and mutual understanding will continue to prevail beyond this history-making period.

It is a well-known policy of the Kingdom of Lesotho to reject political violence and terrorism and any efforts deliberately designed to obstruct the path towards democracy. This is a principle cherished by the international community and enshrined in the Charter of the United Nations to be observed and respected by all self-respecting peoples.

While recognizing that complete transformation in South Africa is not going to take place overnight, the Kingdom of Lesotho cannot be indifferent to, nor can it condone, the use of violence as a means to achieve political gains. We also recognize that the transformation or reformation process is a long and arduous one.

The Inkatha scandal shocked the world, and allegations of the South African Government's involvement in violence stunned all civilized societies. The exposure of Inkatha had to come, as it has always been the only



(Mr. Phoofole, Lesotho)

organisation inclined towards a tribal posture as a direct product of the apartheid homelands policy.

The world has always rejected the concept that, under any charged atmosphere, weapons of any kind, including spears and pangas, can be cultural necessities. No other "tribal" group was permitted to carry such weapons in public. Only merchants of death posing as migrant workers in hostels were seen to be permitted to disguise their murderous designs in the Natal and Reef areas which, regrettably, became the killing-fields in recent months.

It has indeed come as no surprise to hear of reports indicating a hidden hand fanning violence in an effort to manipulate the future of South Africa towards the entrenchment of the policies of tribalism. The complicity of some elements of the State security forces in the brutal murders has been exposed.

The black people of South Africa are not only peace-loving but also very friendly. It was President De Klerk who gave this testimony in September 1990 when he first came to Soweto. After visiting the black hospital in Soweto - Baragwanath - a primary school, a workers' hostel at Nancefield and a new business district, he was reported or quoted as having said he had been "overwhelmed" by the friendliness of the Sowetans he had met. He went further to say:

"Everywhere I felt a tremendous reservoir of goodwill, a reservoir of goodwill which promises only good for the future."

The reservoir of goodwill is what sustains the cause of all the peace-loving South Africans, whose only objective is the eradication of apartheid and the establishment of a non-racial democratic South Africa.

The United Nations consensus Declaration called for the creation of the necessary atmosphere for negotiation and urged that the process be undertaken

(Mr. Phosfelo, Lesotho)

in good faith in an atmosphere free of violence. It is for the international community to address the new problems that seem to endanger the negotiation process in a candid and forthright manner that will lead to practical results and uphold the credibility of all players in that process.

It remains our well-considered conviction that the greater responsibility for the protection of innocent lives and property rests squarely with the authorities of South Africa. As it is always said that there is no easy way to freedom, it is for all South Africans to accept that, as they approach the final stages to victory, they must stand in solidarity as a united front against apartheid to ensure its demise.

As we continue to welcome such positive steps as the recently concluded national peace accords and the formation of the patriotic front by the two main liberation movements - the African National Congress (ANC) and the Pan Africanist Congress (PAC) - and other democratic formations, it remains at least a moral, if not a political, responsibility for this Assembly to continue to sustain and encourage the process of change under way in South Africa. It remains our joint responsibility to work towards bringing a democratic, non-racial South Africa into the community of nations, having satisfied ourselves that apartheid has been definitively relegated to history books. We should always bear in mind that the legitimate struggle against apartheid has essentially and basically been a struggle for a birthright, nothing more, nothing less.

The all-party conference points to the only path to a new democratic South Africa. This call for a party meeting is not new. It was Mr. Nelson Mandela himself, as long ago as 1961, who, in an appeal to the leaders of the ruling, as well as the opposition, parties in South Africa said:

(Mr. Phoofole, Lesotho)

"None of us can draw any satisfaction from this developing crisis. We, on our part, ... have put forward serious proposals for a way out of the crisis. We have called on the Government to convene an elected national convention of representatives of all races without delay, and charge that convention with the task of drawing up a new constitution for this country which will be acceptable to all racial groups."

As we recall this 30-year-old appeal, it is very gratifying to welcome and to encourage the latest Jan Smuts talks launched on 30 November 1991. They have been a very constructive start towards moving South Africa into a new era. As stated by one of the South African leaders, it can only be hoped that the Convention to be held on 20 and 21 December will indeed set in motion genuine negotiations for a democratic South Africa. We look forward to all political actors on the South African stage rising to the occasion by attending the Convention for a democratic South Africa.

It behoves this Assembly to give all South Africans of ever-good intentions a supportive hand so as to enable them to realize their legitimate aspirations and goals, to which the Assembly committed itself through the consensus Declaration of December 1989.

Mr. MILNER (Australia): In our statement under this item last year at the forty-fifth session of our General Assembly, my delegation welcomed the possibility which had opened up for real change in South Africa and the dismantling of the unacceptable system of apartheid. It was a cautious welcome, however, since what we were seeing was only the beginning of a process that still seemed terribly vulnerable to the anti-democratic forces in South African society which had for so long been able to deny freedom and justice to the majority of South Africans while wreaking destruction and instability throughout southern Africa.

I feel more confident this year that, by the time we consider the question of apartheid at the forty-seventh session of the General Assembly, the democratization of South Africa will have passed the point of no return and the prospect of a post-apartheid South Africa will have come clearly into focus.

When the Australian Prime Minister spoke recently at the Commonwealth Heads of Government Meeting of developments in South Africa, he praised the the courage and tenacity displayed by Nelson Mandela and other African leaders in charting a new course for South Africa. He also acknowledged that President De Klerk deserved credit for the substantial changes made despite understandable concern about some slowing down in the process.

Other speakers have enumerated the milestones along the path to the eradication of apartheid which we have witnessed this year and the quickening pace of political evolution promised for 1992. This represents a considerable achievement and one in which sanctions applied by the international community have played a crucial role. It has become a cliché that sanctions were not intended to bring South Africa to its knees but to its senses - and now they

(Mr. Hillenki, Australia)

have brought the South African Government to the negotiating table. The challenge for us now is to strike a balance between maintaining effective pressure for the complete dismantling of apartheid, and at the same time rewarding and encouraging positive moves in the direction of that dismantling.

In this regard, I should like to highlight the four-phased managed approach to the lifting of sanctions, which was agreed by Commonwealth Heads of Government at their recent summit in Harare, reflecting the views expressed by the democratic anti-apartheid forces. It is a package that links changes in the application of sanctions to the taking of real and practical steps to end apartheid, culminating in the enactment of a non-racial democratic constitution and the installation of a new, post-apartheid South African Government. Through its participation in the work of the Commonwealth Committee of Foreign Ministers on Southern Africa, Australia was active in the elaboration of this package and is fully committed to its implementation.

Australia warmly welcomes the outcome of the recent preparatory talks for the proposed All-Party Conference, now to be known as the Convention for a Democratic South Africa, or CODESA, which is to take place on 20 and 21 December. Although the preparatory talks dealt only with the administrative arrangements for CODESA, they nevertheless represent a turning-point as over 20 organizations agreed to participate to negotiate a settlement for a new, reunited South Africa. Australia urges all parties to remain committed to the discussions leading to a democratic constitution, non-racial elections and a post-apartheid South Africa.

The international community also needs to plan now for the positive role it must play in the political, social and economic reconstruction of South Africa in the post-apartheid era, including the eradication of the social and

(Mr. Milenski, Australia)

economic legacies of apartheid. As the Australian Minister for Foreign Affairs, Senator Gareth Evans, remarked in a recent address to the Mandela Foundation in Sydney:

"The task ahead of South Africa is awesome. The legacy of apartheid, in social and economic as well as political terms, is appalling." Australia therefore continues to support the work of the United Nations Trust Fund for South Africa and the United Nations Educational and Training Programme for Southern Africa, and welcomes the new elements in the draft resolutions before us on these funds, which are designed to ensure that the programmes keep pace with, and are adapted to, the changed political environment in South Africa.

A particular focus for Australia's national efforts in this area has been initiatives designed to strengthen the economic policy planning capacity of the democratic anti-apartheid movement. Related to this, the mandate for the Centre for the Study of the South African Economy and International Finance, established at Australia's instigation, covers not only the application of financial sanctions now but also the quick and effective integration of the post-apartheid South African economy into the international financial system.

Australia believes that, without economic justice and prosperity to accompany their political freedom, the true liberation of the South African people will not have been achieved.

My delegation has been optimistic about the prospects for the rapid emergence of a free South Africa because we believe there are solid grounds for this optimism. But we are not blind to the pitfalls and obstacles which remain to be overcome. The South African Government bears a heavy responsibility for the state of South African society today and must fulfil

(Mr. Milenski, Australia)

its obligations, notably with respect to the continuing violence and the remaining political prisoners, including those in the bantustans. All parties in South Africa must abide by the national peace accord agreed in September. The South African Government should act in good faith to accelerate the process of political change and all parties in South Africa should commit themselves to that process.

The Australian Government welcomes the fact that the General Assembly will again speak with a single voice in its condemnation of the apartheid system, its recognition of the significant progress that has been achieved and its adumbration of the concerted international response that is called for. The draft resolution before us on this subject represents a useful and constructive advance on last year's texts. After the arduous years of the anti-apartheid struggle, during which the solidarity of this Assembly was an important source of support and encouragement for the democratic forces within South Africa, let us stand solidly behind them when, as the representative of the African National Congress put it at last weekend's talks, they are walking the last mile towards freedom.

As we meet at this session to consider the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, South Africans stand ready to enter into formal negotiations for the first time. The Australian Government calls on all parties to do so with one overriding aim in mind, namely, to bring closer the goal of a free South Africa.

Mr. KHOUINI (Tunisia) (interpretation from Arabic): Allow me first of all to renew my delegation's congratulations to the representative of Saudi Arabia on his election to the Presidency of the General Assembly at its forty-sixth session. His well-known experience in the field of diplomacy and his outstanding personal qualities are indeed guarantees of success in our consideration of questions before this session.



(Mr. Khouini, Tunisia)

I also wish to extend our thanks and appreciation to the Secretary-General of the United Nations, to the Special Committee against Apartheid and to the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa for the very valuable reports that the General Assembly has received under agenda item 37 which concerns the Government of South Africa's policy of apartheid.

It is also a pleasure for me to congratulate on behalf of my delegation the leader Nelson Mandela on his outstanding statement this morning before the General Assembly and the unshakeable determination he evinced to establish a just peace in his country on a basis of freedom and dignity for all social classes within the framework of a democratic system where rights are protected as are freedoms and equality.

The name of Nelson Mandela will always resound through the generations as a symbol of a genuine will and an unremitting struggle for the liberation of peoples because that name will be associated with the new African society which will move towards the adoption of dialogue as the best means of intercourse between the various parties in South Africa.

We meet today two years after the adoption by the General Assembly of the declaration which determined the ways and means of creating a favourable climate which would promote movement towards the achievement of the goal for which the people of South Africa have struggled. The purpose is to establish a democratic society where races are equal and where justice will be realized in South Africa. This Declaration, which was unanimously adopted by the General Assembly in 1989 during its sixteenth special session devoted to

(Mr. Khouini, Tunisia)

apartheid paved the way towards the creation of a climate of responsibility that would view dialogue as the best means of settling the worsening situation in South Africa. That situation, because of its chronic nature, gave rise to grave concern and made the region a serious hotbed of tension.

The international community welcomed that peaceful tendency as the only guarantee for the complete elimination of the abhorrent apartheid regime. However, we have noted with regret, that a great many obstacles have continued to hinder the adoption of that particular approach in addressing the chronic situation in South Africa. The obstruction has been caused by the consecutive waves of violence which have aborted the possibility of initiating a constructive dialogue between the parties. The escalating violence has aggravated the situation through the excesses of the security forces. This, in turn, has created a volatile atmosphere which gave rise to excessive reactions on the part of the apartheid regime.

The Secretary-General's report (A/45/1052), deals with a number of steps that have been taken towards the elimination of the apartheid system. At the same time, the report makes it clear that a great many steps have yet to be taken before we can achieve the desired progress, in particular the releasing of all political prisoners. Moreover, the freedom of political action is still restricted and discrimination is still rampant in the social and economic fields.

The South African regime has adopted a number of constitutional measures to repeal laws which formed the cornerstone of apartheid such as the Group Areas Act, the discriminatory laws against various categories of society, the

(Mr. Khouini, Tunisia)

Population Registration Act, thus marking the end of race classification in South Africa, as well as the repeal of other unjust laws which ran counter to the principles of equality and justice between the races.

Although the international community welcomes these constitutional measures, it is our view that we cannot be content with repealing laws in theory without eliminating discrimination in actual fact and taking the necessary steps towards the laying down of the real foundations which would make it possible to achieve progress towards social justice and equality between the races.

In addition to this inescapable necessity, it is clear that the South African regime must work for the integration of all races into the economic cycle by guaranteeing the basic rights of the majority of the population, in particular the rights to work, to education, to housing and to health. It is also a foregone conclusion in political terms that in order to have a solid basis for dialogue between the different parties, all political forces in South Africa should participate in the dialogue without any discrimination so that they may voice their aspirations through constitutional channels that would guarantee freedom of expression and opinion in a climate of equality and within a democratic framework that would be based on majority decisions.

Proceeding from this, we must emphasize once again that one cannot build an egalitarian society in South Africa without these principles which the entire world recognizes as the only means of eliminating apartheid once and for all. Any partial solution to this question would only hinder genuine serious action towards the elimination of the foundations of that hateful regime.

(Mr. Khouini, Tunisia)

Tunisia, which has always supported the struggle of the people of South Africa for a democratic society where equal rights and opportunities would be guaranteed for all races and all social categories, once again calls upon the Pretoria regime from this rostrum to renounce once and for all its apartheid policy in all its inhuman forms and practices.

(Mr. Khouini, Tunisia)

Tunisia also calls upon the international community to continue to exert economic and political pressure on the minority regime in South Africa, as there is no place today in the emerging world order for a political system that marginalises the majority of the populace and thwarts its aspirations after emancipation, freedom and justice.

The General Assembly is also called upon to adopt all measures necessary to prompt the Pretoria regime to implement all United Nations resolutions relating to the struggle against apartheid and to continue to monitor closely events in South Africa as any relapse that may hinder the restoration of the rights of the black majority and prevents that majority from participating in the building of an egalitarian society would have a negative impact on peace and security in that region. Southern Africa has witnessed atrocities that are no longer acceptable in today's world, which is moving towards the establishment of democratic societies based on justice and equality.

The African continent aspires today to effective participation in the creation of the new world order for which we all hope and which, thanks to recent developments in international relations, has become a common goal for which we are working with all other international parties. In order for the African continent's march towards progress to be consolidated, we must work tirelessly in cooperation with all the international parties here represented to eliminate the causes of tension that continue to obstruct that march.

The many crises of our continent have gradually moved towards peaceful solutions with the exception of the situation in South Africa, because of the policy of apartheid and its repercussions not only on the domestic situation but also on the front-line States and the regional and international situations. Thus, if it wishes to devote its efforts to joining the peaceful

(Mr. Khouini, Tunisia)

international system which now prevails. Pretoria will have to comply with the resolutions of the international community and human norms and begin immediately to work towards laying the democratic foundations upon which the political, economic and social life of South Africa may be built. The regime should also desist from acting on the basis of the logic of force, because current international relations have shown that it is necessary to renounce such methods, which do not serve international peace and security.

Mr. MOORE (United States of America): This year's debate on South Africa comes at a time when there is more reason than ever before for hope that a system of non-racial, multiparty democracy will soon be in place. Last weekend's preparatory conference was the last step in the pre-negotiations phase. The convening of this month's Convention for a Democratic South Africa will mark the beginning of full-scale constitutional talks. Credit for these positive developments lies primarily with the parties in South Africa that have shown a tremendously impressive ability to put the past behind them in order to work for non-racial democracy in South Africa.

The role of the international community has also been important. The cooperative spirit demonstrated in the consultations on this year's General Assembly draft resolutions on South Africa - particularly the omnibus draft resolution on international efforts towards the establishment of a non-racial democratic South Africa - illustrates an increasingly constructive international climate which will continue to press the process of change under way in South Africa. I should like to call particular attention to the key role Ambassador Ibrahim Gambari, Chairman of the Special Committee against Apartheid, has played in these efforts. With his good-humoured, no-nonsense approach, he has been instrumental in encouraging all of us in a constructive and unified approach to this issue.

(Mr. Moore, United States)

Since last year's debate, the process of change in South Africa has accelerated, reaffirming my Government's belief that it is irreversible. The release of political prisoners, the repeal of pillars of apartheid, including the Group Areas Act and the Population Registration Act, and the beginning of the return of exiles are all momentous developments.

The increasing convergence within South Africa regarding constitutional principles is a further reason for confidence. All of the parties to negotiations have agreed on certain fundamental elements of a new constitution, including an entrenched bill of rights and a bicameral legislature elected by proportional representation. All parties have accepted the concept, which was projected in the 1989 United Nations Declaration on Apartheid, that

"all men and women have the right and duty to participate in their own government, as equal members of society, and that no individual or group of individuals has any right to govern others without their democratic consent". (resolution S/S-16/1, eighth preambular paragraph)

The value of the role of international organizations in South Africa has been demonstrated during the past year. I would particularly note the assistance of the Office of the United Nations High Commissioner for Refugees (UNHCR) in the return of exiles. The United States has strongly supported such a role for UNHCR, and we are pleased to see that the repatriation process is now on track.

Of course, not all developments in South Africa over the past year have been positive. Violence continues to take a tragic human toll, though the signing of the National Peace Accord lends hope that the cycle of violence may be brought to an end.

(Mr. Moore, United States)

In addition, there are huge challenges ahead to redress the socio-economic legacy of apartheid, particularly in housing, education and health. We continue to urge the South African Government, in coordination with other parties and the business community, to take further action in these areas. In the long term, an economic policy which inspires confidence among international investors will create the growth necessary for the broad economic uplifting of the victims of apartheid.

When the United Nations Declaration on Apartheid was adopted in 1989, it would have seemed wildly optimistic to predict that within only two years full-scale negotiations would be imminent, the pillars of apartheid would be repealed, and Nelson Mandela would be present to address the United Nations General Assembly this morning and say that "we can see rising on the horizon" a South Africa of "emancipation, prosperity, happiness and peace" (A/46/PV.59, pp. 52-55). Now it seems likely that soon the majority of South Africans, so long deprived of a voice, will be represented by a government they have freely chosen. My Government joins the international community in joy at that prospect and in commitment to that goal.

The meeting rose at 6.40 p.m.



01-01-2002