

UNITED NATIONS

**GENERAL
ASSEMBLY**



**SECURITY
COUNCIL**



Distr.
GENERAL

A/35/22/Add.3*

S/14156/Add.3*

3 November 1980

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-fifth session

SECURITY COUNCIL
Thirtv-fifth year

THIRD SPECIAL REPORT OF THE SPECIAL COMMITTEE AGAINST APARTHEID

International Conference on Sanctions against South Africa

* This is a mimeographed version of a special report of the Special Committee against Apartheid, which will be issued in printed form in Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 22A.

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
LETTER OF TRANSMITTAL		3
I. INTRODUCTION	1 - 4	4
II. PREPARATORY WORK FOR THE PROPOSED CONFERENCE	5 - 11	4
III. CAMPAIGN FOR SANCTIONS AGAINST SOUTH AFRICA	12 - 14	6
IV. NEED FOR AN INTERNATIONAL CONFERENCE AND ITS PURPOSE	15 - 30	6
V. ARRANGEMENTS FOR THE CONFERENCE AND PREPARATORY MEETING	31	9

ANNEXES

- I. Draft agenda of the International Conference on Sanctions against South Africa
- II. Proposed guidelines for the International Conference on Sanctions against South Africa

LETTER OF TRANSMITTAL

1 October 1980

Sir,

I have the honour to transmit herewith a special report by the Special Committee against Apartheid on the International Conference on Sanctions against South Africa.

The Special Committee requests that this report be issued as a document of the General Assembly and the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) B. Akporode CLARK
Chairman of the Special Committee
against Apartheid

His Excellency Mr. Kurt Waldheim
Secretary-General of the United Nations
New York

/...

I. INTRODUCTION

1. In its resolution 34/93 C of 12 December 1979, the General Assembly decided to organize in 1980, in co-operation with the Organization of African Unity (OAU), an International Conference on Sanctions against South Africa and authorized the Special Committee against Apartheid to take all necessary steps for the organization of the Conference and preparatory meetings.

2. In taking this decision, the General Assembly took into account that the Council of Ministers of OAU 1/ and the Sixth Conference of Heads of State or Government of Non-Aligned Countries 2/ had endorsed the proposal of the Special Committee for the organization of an international conference on sanctions against South Africa.

3. The Special Committee had recommended in its report to the General Assembly at its thirty-fourth session 3/ that:

(a) The Conference should be organized by the Committee in co-operation with the OAU and in consultation with all other appropriate bodies;

(b) The Conference should have the participation of Governments, intergovernmental organizations, anti-apartheid and solidarity movements, trade unions, churches, and other non-governmental organizations (NGOs), as well as experts;

(c) The Conference should be preceded by extensive preparatory work, including a preparatory meeting early in 1980, with the participation of representatives of intergovernmental and non-governmental organizations and southern African liberation movements, as well as experts.

4. Moreover, the Special Committee had indicated that it intended to give special attention throughout the following year to the campaign for total sanctions against South Africa, and to encourage regional, national and non-governmental conferences and seminars on the matter.

II. PREPARATORY WORK FOR THE PROPOSED CONFERENCE

5. In pursuance of General Assembly resolution 34/93 C, the Special Committee and its Chairman held a series of consultations with OAU on the organization of the international conference. The Chairman also consulted with a number of Governments and numerous non-governmental organizations, as well as individual experts, on various aspects of the arrangements for the Conference.

1/ See A/34/552, annex I, resolution CM/Res.734 (XXXIII).

2/ See A/34/542, annex, sect. I, para. 47.

3/ See Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 22 (A/34/22), sect. II D.

6. At the request of the Special Committee, the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) agreed to provide facilities at UNESCO House, Paris, for the holding of the Conference and the Government of Nigeria agreed to act as host to the preparatory meeting. The Special Committee welcomed these offers with gratitude.

7. Pursuant to resolution 34/93 C, the Secretary-General announced on 10 April 1980 that Mr. Issoufou S. Djermakoye, Under-Secretary General for Political Affairs, Trusteeship and Decolonization, had been designated as secretary-general of the Conference. At the request of the Special Committee, the Secretary-General of OAU, Mr. Edem Kodjo, designated Mr. Peter Onu, Assistant Secretary-General of OAU, as the Political Secretary of the Conference.

8. In April, the Special Committee set up a preparatory committee for the Conference, consisting of the officers of the Special Committee and the representatives of OAU and the national liberation movements of South Africa and Namibia - namely, the African National Congress of South Africa, the Pan Africanist Congress of Azania and the South West Africa People's Organization - with representatives of the secretariats of the United Nations and UNESCO as observers.

9. The extensive consultations of the Special Committee, and the developments during the year, convinced the preparatory committee and the Special Committee of the desirability of postponing the Conference and the preparatory meeting. They took into account not only certain practical difficulties regarding the dates of the Conference, but also the need to ensure adequate preparations so that the Conference would make a significant contribution to the purposes indicated by the General Assembly, in the context of important new developments in southern Africa, particularly the independence of Zimbabwe and the great advance of the struggle of the peoples of South Africa and Namibia for liberation.

10. They viewed the Conference as a major event in the context of the campaign for sanctions against South Africa and the firm commitment of the international community to secure the elimination of apartheid. They agreed that that Conference should be preceded by the preparation of authoritative documentation on all aspects of the question; by extensive consultations among Governments, and intergovernmental and non-governmental organizations; and by greater public awareness of the issues involved. They also agreed on the need to ensure the participation in the Conference, at a high level, of all Governments, as well as organizations and experts, so that it would result in decisions and recommendations leading to a new stage in the international campaign against apartheid in the light of the current situation in southern Africa.

11. While recognizing the need for urgency of action and the imperative need for other initiatives on sanctions, they considered that the Conference itself would be more effective if it were held after more extensive preparatory work.

III. CAMPAIGN FOR SANCTIONS AGAINST SOUTH AFRICA

12. In order to promote the campaign for sanctions against South Africa, the Special Committee co-sponsored three seminars and conferences during the past year:

(a) International Seminar on the Role of Transnational Corporations in South Africa, organized by the British Anti-Apartheid Movement, held in London from 2 to 4 November 1979;

(b) International Seminar on an Oil Embargo against South Africa, organized by the Holland Committee on Southern Africa and Working Group Kairos, held at Amsterdam from 14 to 16 March 1980;

(c) International NGO Action Conference for Sanctions against South Africa, organized by the NGO Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization, held at Geneva from 30 June to 3 July 1980.

It also co-sponsored a meeting of organizations engaged in campaigns against bank loans to South Africa, organized by the World Council of Churches Programme to Combat Racism and End Loans to South Africa, held at Geneva on 4 July 1980.

13. It held several hearings on matters related to sanctions and other measures against South Africa and promoted the observance of an International Day for an Oil Embargo against South Africa (20 May 1980). It encouraged and participated in other events organized by non-governmental organizations, and took a series of initiatives to promote multilateral and unilateral sanctions against South Africa.

14. Through these activities, the Special Committee was able to ensure the preparation and publication of a number of papers concerning sanctions against South Africa, to consult with many Governments and organizations on aspects of sanctions and to develop greater public support for sanctions.

IV. NEED FOR AN INTERNATIONAL CONFERENCE AND ITS PURPOSE

15. The Special Committee recalls that the national liberation movement of South Africa and the independent African States had pressed for sanctions against South Africa for two decades as the most appropriate and effective action by the international community to promote the elimination of apartheid and the liberation of South Africa.

16. In its resolution 1761 (XVII) of 6 November 1962, the General Assembly requested Member States to take several specific measures, separately or collectively, to bring about the abandonment of the racial policies of South Africa. These measures, if universally implemented, could have constituted effective sanctions against the racist régime of South Africa. The Special Committee, which was established in pursuance of that resolution, has espoused the campaign for sanctions since its inception in 1963, and made its contribution to the implementation of the decisions adopted by the Assembly and the Security Council since that time.

17. In resolution 2054 A (XX) of 15 December 1965, the General Assembly drew the attention of the Security Council to the fact that the situation in South Africa constituted a threat to international peace and security, that action under Chapter VII of the Charter was essential in order to solve the problem of apartheid and that universally applied economic sanctions were the only means of achieving a peaceful solution. This conclusion of the General Assembly received ever-increasing support from Member States of the United Nations in subsequent sessions.

18. On 7 August 1963, the Security Council, in its resolution 181 (1963), solemnly called upon all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa. This arms embargo, regarded by certain Powers as a recommendation, was strengthened in subsequent resolutions in 1963, 1964, 1970 and 1972.

19. In its resolution 191 (1964), of 18 June 1964, the Security Council established an expert committee to undertake a technical and practical study and to report to the Council as to the feasibility, effectiveness and implications of measures which could, as appropriate, be taken by the Council under the Charter of the United Nations.

20. Again, in resolution 311 (1972) of 4 February 1972, the Security Council decided as a matter of urgency, to examine methods of resolving the current situation arising out of the policies of apartheid of the Government of South Africa.

21. However, while the situation in South Africa continued to deteriorate constantly and led to ever-increasing disturbance of international peace, and despite growing support among Member States for effective action against the racist régime of South Africa, the United Nations was unable to take mandatory action under Chapter VII of the Charter until 1977. This was mainly due to the opposition by certain Powers - the main trading partners of South Africa, and particularly three permanent members of the Security Council (France, the United Kingdom of Great Britain and Northern Ireland and the United States of America) - to any sanctions against South Africa.

22. Thus, the report of the Expert Committee established by the Security Council in 1964 was never considered by the Security Council and the decision in resolution 311 (1972) was not implemented.

23. On 4 November 1977, after grave developments in South Africa and in the light of the Declaration 4/ adopted by the World Conference for Action against Apartheid, held at Lagos in August 1977, the Security Council, acting under Chapter VII of the Charter of the United Nations, adopted resolution 418 (1977) on a mandatory arms embargo against South Africa.

4/ See Report of the World Conference for Action against Apartheid (United Nations publication, Sales No. E.77.XIV.2), sect. X.

24. The Special Committee and most Member States hoped that this significant decision would be followed by progressive expansion of sanctions, especially since the racist régime of South Africa, instead of heeding international opinion, continued with its policies of apartheid and repression and resorted to increasing acts of aggression against neighbouring countries.

25. This situation has made it imperative to organize a second World Conference to consider the developments since the Lagos Conference of August 1977, with particular reference to concrete action under the Charter of the United Nations.

26. It recalls that the Lagos Conference, while calling for an arms embargo against South Africa, under Chapter VII of the Charter, had added:

"The Conference recognizes the urgent need for economic and other measures, universally applied, to secure the elimination of apartheid. It commends all Governments which have taken such measures in accordance with United Nations resolutions. It calls upon the United Nations and all Governments, as well as economic interests, including transnational corporations, urgently to consider such measures, including the cessation of loans to, and investments in, South Africa. It requests the Special Committee against Apartheid, in co-operation with the Organization of African Unity and all other appropriate organizations, to promote the implementation of the above recommendations."

27. The Special Committee is convinced that the International Conference on Sanctions against South Africa, if well prepared, can be a forum for a full exchange of views on all forms of international action, including further sanctions, and for consideration of means toward intensification and greater co-ordination of international action.

28. The Conference should review the measures taken by the international community, particularly since the Lagos Conference, toward the elimination of apartheid; study the desirability, feasibility and effectiveness of further measures for that purpose, including sanctions; and exchange views on a programme of action in the current period.

29. While the Special Committee does not envisage full agreement on all measures, it hopes that significant steps can be taken towards more effective action through consultation and consensus. It also considers that the possibilities for separate action by States, in advance of decisions by the Security Council, as well as action by non-governmental organizations and by men and women of conscience, should be explored. It feels that such action could be a stepping-stone to universally applied measures under the auspices of the Security Council.

30. The Special Committee wishes to reiterate its own conviction that total sanctions against South Africa are not only appropriate and feasible but also imperative. It recognizes, however, that three permanent members of the Security Council and several other major trading partners of South Africa continue to be opposed to sanctions. It views the Conference as a major effort toward overcoming the deadlock and facilitating meaningful progress.

V. ARRANGEMENTS FOR THE CONFERENCE AND PREPARATORY MEETING

31. In the light of the above considerations, the Special Committee makes the following recommendations concerning the organization of the Conference and the Preparatory Meeting.

1. The International Conference on Sanctions against South Africa shall be organized by the United Nations, in co-operation with OAU, at a date to be decided by the Preparatory Committee in consultation with the Secretary-General of the United Nations. The duration of the Conference shall be six working days.

2. Invitations to the Conference shall be sent to all Member States of the United Nations and specialized agencies, to United Nations organs concerned, to organizations and institutions within the United Nations system, to the current Chairman of the Conference of Non-Aligned Countries, to intergovernmental organizations accorded observer status in the General Assembly, and to the national liberation movements recognized by the United Nations and OAU. The Preparatory Committee shall decide on invitations to non-governmental organizations and individual experts.

3. The Conference shall conduct its work in:

(a) Plenary meetings, which will be devoted to statements by representatives of Governments, intergovernmental organizations and national liberation movements, as well as others designated by the Preparatory Committee, and for the adoption of the final documents;

(b) A Political Commission, which will review action taken by Governments and intergovernmental and non-governmental organizations, and make proposals for further action;

(c) A Technical Commission, which will consider the technical aspects of sanctions and other measures.

4. One or more preparatory meetings will be held for an exchange of views on all matters on the agenda of the Conference and for the preparation of basic documents for discussion at the Conference.

Arrangements for the preparatory meetings shall be decided by the Preparatory Committee.

Tentative proposals for the agenda of the Conference and guidelines for the Conference are included in annexes to the present report. They shall be finalized by the Preparatory Committee in the light of the discussion in the General Assembly.

ANNEX I

Draft agenda of the International Conference on Sanctions
against South Africa

1. Review of the present situation in South Africa and in southern Africa as a whole.
2. International action against apartheid and in support of the struggle for liberation in South Africa: review of action taken by Governments and organizations and consideration of further action.
3. Consideration of all aspects of sanctions against South Africa.
4. Declaration of the Conference.

ANNEX II

Proposed guidelines for the International Conference on
Sanctions against South Africa

A. Organization of the Conference

1. The work of the International Conference on Sanctions against South Africa shall be conducted in plenary meetings and in two commissions, the Political Commission and the Technical Commission. All Governments, organizations and individuals invited to the Conference shall be entitled to participate in the plenary meetings and in the Commissions. All meetings shall be open to the press and the public unless otherwise decided.
2. There will be two plenary meetings on the opening day of the Conference. The meetings will be devoted to:
 - (a) Opening of the Conference by the Secretary-General of the United Nations;
 - (b) Election of the President and other officers of the Conference;
 - (c) Addresses by heads of State or Government;
 - (d) Statements by the Secretary-General of OAU, the Director-General of UNESCO, the chairmen of United Nations bodies concerned with southern Africa, leaders of liberation movements of South Africa and Namibia, and specially invited guests.
3. Thereafter, plenary meetings and meetings of the Commissions shall be held simultaneously.
4. The plenary meetings shall be devoted to statements by representatives of Governments and intergovernmental organizations, and a limited number of special guests, representatives of non-governmental organizations and experts designated by the Preparatory Committee, and for the consideration of the reports of the Commissions and the Declaration of the Conference.
5. The draft of the Declaration shall be prepared by the Steering Committee of the Conference.
6. The Political Commission shall consider items 2 and 3 of the agenda and submit a report to the Conference.
7. The Technical Commission shall consider item 3 of the agenda, with particular reference to:
 - (a) Means for full and effective implementation of the arms embargo against South Africa;

(b) Means to prevent the acquisition of nuclear-weapon capability by South Africa;

(c) Feasibility, effectiveness and implications of other sanctions against South Africa:

(i) Diplomatic measures;

(ii) Oil embargo;

(iii) Prohibition of loans and investments;

(iv) Cessation of airline and shipping connexions;

(v) Selective or comprehensive embargo on trade.

8. The reports of the Commissions shall be presented to the plenary.

B. Officers of the Conference

9. The Conference shall elect a President, Vice-Presidents and a Rapporteur of the Conference. The President of the Conference shall designate the chairmen of the Commissions from among the Vice-Presidents.

10. The Commissions shall elect their vice-chairmen and rapporteurs. They may appoint drafting committees.

11. The officers of the Conference shall form a Steering Committee which will be responsible for all matters relating to the Conference and for the preparation of the draft of the Declaration. It shall meet as required and may invite OAU, the liberation movements and other participants to attend its meetings.

C. Statements

12. Statements in the plenary meetings, except by special guests, shall be limited to ten minutes each.

13. Statements in the Commissions shall be limited to five minutes each, except in cases where the Commissions may decide otherwise.

D. Messages

14. Messages to the Conference by heads of State and Government and chairmen or chief executive officers of intergovernmental organizations shall be reproduced as documents of the Conference and included in the records of the Conference.

E. Voting

15. It is hoped that all decisions at the Conference will be reached unanimously or by consensus. In case voting is required, only representatives of States Members of the United Nations shall be entitled to vote.

F. Other

16. The official languages of the Conference shall be English and French. Interpretation shall be provided from and into Chinese, English, French, Russian and Spanish.

17. All questions of procedure not governed by the present guidelines shall be decided in accordance with the rules of procedure of the General Assembly of the United Nations.
