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SPECIAL COMMITTEE ON APARTHEID

SUMMARY RECORD OF THE TWO HUNDRED AND SECOND MEETING

Held at Headquarters, New York,
on Wednesday, 22 March 1972, at 11.10 a.m.

<u>Chairman:</u>	Mr. FARAH	Somalia
later,	Mr. SICLAIT	Haiti
<u>Rapporteur:</u>	Mr. BARAKAT AHMAD	India

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POLITICAL ACTION AGAINST APARTHEID INCLUDING THE STRICT ENFORCEMENT OF THE ARMS EMBARGO

The CHAIRMAN announced that Mr. Fatty Al Fattal of the International Union of Students and Mr. C.B. Goodlet, representative of the World Peace Council would attend the special session.

Mr. MINTY (Anti-Apartheid Movement) thanked the Special Committee for allowing the Movement to participate in the special session.

All the items on the agenda related to campaigns whose purpose was political and must be seen in a general political context. Consideration should be given at the present session to the role of the United Nations in relation to the apartheid system, the major developments since the last session, whether progress was being made in the right direction and what problems might be anticipated in the next year and how they could be tackled effectively. For over 20 years the United Nations had been appealing to the South African Government in its resolutions as if there were some hope of talking the Vorster régime into mending its ways. Did the United Nations realize that no meaningful change would come from within the white community in South Africa and that what must be discussed first and foremost was the struggle for freedom of the oppressed people of southern Africa? It was a struggle for power and the United Nations must take sides; it could not remain neutral. Once it was firmly committed to supporting the struggle of the oppressed peoples, what would have to be discussed would be not so much the evils of apartheid or action against apartheid but support for the liberation struggle. It was in that context that the campaign for an arms embargo should be viewed. The Western Powers had devised sophisticated techniques to sabotage the international arms embargo and not only supplied weapons but some even bought weapons from South Africa. In addition, it was alleged that a military entente was being envisaged between NATO and South Africa in order to integrate the latter into the Western defence system. All that illustrated the tendency towards growing co-operation between the Western Powers and South Africa and that in time would lead to an open alliance with South Africa and direct confrontation with the African liberation forces.

In view of the growing trade links with South Africa, the assistance of the anti-apartheid movements and of the International Defence and Aid Fund was

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(Mr. Minty, Anti-Apartheid Movement)

essential to the liberation movements; that type of support must therefore be increased. Who were the true friends of the liberation movements? Some independent African countries were preparing to accept the principle of dialogue with South Africa which was trying to gain allies in other continents by that means. Naturally, the United Nations could not solve the problem for ultimately the people would win their own freedom, but it could support them by ensuring that the enemy was not assisted and by seeking to rally all possible support to their cause. The United Nations system had its limitations, and one must have a clear idea of the task to be accomplished before seeking to create a new role for the United Nations.

The discussion of the struggle for freedom in South Africa would only be truly meaningful if it was placed in the context of action.

Mr. HOUZER (American Committee on Africa) said that there were two conflicting theories about the situation in southern Africa. The first was that things were getting better because diplomatic relations had been established with Malawi, South Africa received African diplomats, blacks could visit South Africa, there was talk of sending a black United States ambassador and the status of African workers was improving. Partisans of that theory felt that apartheid would slowly wither away on its own.

The other theory was that, given the attitude of the white minority - as evidenced by the fact that there had been little change so far, that the main discriminatory laws subsisted and that arrests continued to be made particularly in the urban areas - change would only come through vigorous struggle. A struggle was therefore inevitable, indeed, had

The first theory had powerful supporters including the United States Government which wished to maintain its ties with South Africa and rejected the principle of resorting to violence that was all the more hypocritical since it did not hesitate to use violence in South-East Asia.

Large United States, Japanese and French firms also supported that theory. They wanted to continue making large profits while calling for certain changes. The liberation movements rejected that theory.

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(Mr. Houser, American Committee on Africa)

There had been new developments which had changed the atmosphere in southern Africa, namely, the strike in Namibia and the action undertaken by various movements in Zimbabwe against the agreement between Ian Smith and the United Kingdom. Those developments opened the way for possible new action.

An Argentine vessel with a shipment of Rhodesian chrome had recently docked in the United States. Although arrangements had been made for the ship to arrive on a Sunday during the school holidays, many students, particularly blacks, had protested and the dockers had gone on strike. Another shipment of chrome and asbestos was on the way. However, opposition was growing and blacks, churchmen and students were organizing. In 1971, the American Committee on Africa had been unable to prevent the renewal of a three-year sugar quota for South Africa. Of course, some battles were lost but the opposition movement was gradually spreading, not only in the United States but also in other countries. The action of those movements should be focused on one or several companies and the Special Committee on Apartheid could co-ordinate their efforts.

Mr. STAROUCHENKO (World Peace Council) said it was not insignificant that the appeal for a ban on nuclear weapons launched in Stockholm had been signed by 500 million people, namely, half the adult population of the world. The presence at a meeting of the Special Committee on Apartheid of representatives of a peace movement was also significant. In fact, lasting peace would not come about so long as violence, racism, colonialism and apartheid persisted. Far from sharing the view of those who had stated, even at the United Nations, that the situation in Africa was not a threat to peace, the World Peace Council agreed with the United Nations that apartheid constituted a crime against humanity.

In 1971 the WPC had drawn up a balance sheet of action to combat apartheid. It had concluded that the success of the efforts made by the United Nations and the Special Committee on Apartheid would hinge on the establishment of a massive anti-apartheid movement in the Western countries which, as the representative of the Ukraine had pointed out, were the main beneficiaries of the apartheid policy. The emergence of a coalition of opponents to apartheid in the United States, reported by Mr. Houser, was also a positive event.

(Mr. Starouchenko, World Peace Council)

As the WPC had previously suggested it would be desirable to organize during the twenty-seventh session of the General Assembly, an international conference of non-governmental organizations engaged in the fight against racism, in order to increase the pressure of world public opinion on States that did not fulfil their obligations under the United Nations Charter.

In May 1972 WPC would organize in Oslo an international conference of support for the victims of racism and colonialism, coinciding approximately with the Brussels Conference on Namibia. Through its national committees, it was waging also mass campaigns to support United Nations resolutions on apartheid and to raise funds for the victims of colonialism and racism.

As the world-wide battle against apartheid grew more intense, one should not forget that its outcome depended chiefly on the forces of national liberation and their allies in the racist States. International activities should therefore be aimed chiefly at helping the oppressed majority to take action. That was why it was so important to provide material, military and political assistance to the liberation movements which were fighting in the very strongholds of racism. That implied recognition of national liberation movements at the international level.

History showed, moreover, that the disintegration of the ruling classes was an essential prerequisite for the success of a revolution. For that reason, efforts should be made to exacerbate the crisis within the white populations of South Africa. It would also be desirable to establish the principle of individual responsibility for Government officials who applied the policy of apartheid, and to affirm the non-applicability of statutory limitations for that crime in the same fashion as for war crimes.

A Conference of scientists from socialist States and African countries had been held in Moscow and devoted to the fight against racism, apartheid and neo-colonialism. He would like to see the reports of the Conference issued as documents of the Special Committee on Apartheid.

Apartheid had first been condemned for moral reasons, then for political reasons, and had then been condemned by international law. Recent international law recognized the legitimacy of revolutionary change (the principle of

(Mr. Starouchenko, World Peace Council)

self-determination) and of the struggle against apartheid and colonialism (the principles of self-determination, non-interference, equality of rights and sovereignty of States and peoples).

Practical considerations could lead to the conclusion that there should be more emphasis on international law in the struggle against racism and apartheid. The decisive factor, to be sure, was mass action, but such action might be weakened if the legal side was neglected. For that reason, denouncing the criminal and illegal nature of apartheid and colonialism strengthened opposition to those policies and provided considerable backing to progressive forces.

Mrs. PIERSON-MATHY (Belgian Anti-Apartheid and Anti-Colonial Committee) said that even though Belgium was a small country, the Republic of South Africa attached considerable importance to developing its political, trade and cultural relations with it. Although the Belgian Government which for several years had been made up of a coalition between the Social Christian and Socialist Parties, condemned apartheid, it did not consider itself bound by General Assembly resolutions on the subject, as it did not feel that the matter fell within the Assembly's sphere of competence. It applied the measures adopted by the Security Council, but it reserved the right to decide how broadly they should be interpreted and whether they were binding. In practice, it took the position that Security Council resolutions did not have binding force, since they were not based on Chapter VII of the Charter. Economic and trade relations between the Belgium-Luxembourg Union and South Africa had thus undergone spectacular development. According to a publication of the Belgium Trade Office dated August 1971, Benelux sales had increased by 41 per cent between 1969 and 1970. The chief products involved were boilers, machines and equipment, electro-technical equipment, textiles, chemicals, metals and metal products. Sales had been encouraged by visits of economic missions between the two countries. In November 1971, a Belgian mission made up of representatives of the Antwerp Port and of fruit wholesalers had visited South Africa. The United Kingdom's entry into the common market had deprived South Africa of certain advantages in the sale of its fruits and forced it to seek new markets. A South African mission had also visited the Benelux countries in November and December 1971. In May 1971, South Africa had been represented at

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(Mrs. Pierson-Methy, Belgian Anti-Apartheid
and Anti-Colonial Committee)

the Brussels Fair for the purpose of encouraging immigration of Belgian nationals, and a representative of the immigration service of the South African Embassy in Belgium had been available to persons desiring to obtain information concerning permanent settlement in South Africa.

Furthermore, the South African Government constantly emphasized the linguistic and cultural bonds between the Flemish and Afrikaner populations, and there were cultural agreements between the two countries.

In the political arena, the Socialist Party had, in June 1971, come out in favour of government assistance to the liberated areas of the Portuguese colonies, and against Portuguese participation in NATO.

On the initiatives of her Committee, a national committee representing the main political and trade union forces and the principal trends of thought in Belgium had been set up for the international conference being organized by SWAPO on Namibia in May 1972 in Brussels. Most of the member organizations had promised to provide material support for the organization of the conference. Several Christian and other charitable organizations had declared their readiness to provide humanitarian or educational assistance to the peoples of the liberated areas, based on detailed projects to be submitted to them by the liberation movements. If the SWAPO Conference was to be successful, the Western countries, and especially the United States, would clearly have to be represented. The conference would of course be watched by the Belgian Government and the Western Press.

The CHAIRMAN said the Committee had received an invitation to attend the proceedings of the SWAPO Conference and would send a delegation there.

Mr. RICHARDS (Halt All Racist Tours) said that South Africa was waging a propaganda campaign in New Zealand, mainly in connexion with sports events and through its Consul-General in New Zealand, a very able propagandist who spoke an average of three times a week in clubs, churches, schools and even in courses for New Zealand army officers. The courses were by far the most serious because of their official nature.

The international community could help the Halt All Racist Tours (HART) movement in various ways. First, African countries could establish diplomatic representations in Wellington. One of the themes exploited by the South African

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(Mr. Richards, Halt All Racist Tours)

Consul-General was to contrast the stable and safe situation in South Africa with the insecurity and dangers of revolution north of the Zambezi. Representatives from the African States could demonstrate the absurdity of that theory. Pressure could also be exerted on New Zealand at the international level through resolutions adopted by the General Assembly and the Special Committee on Apartheid and, at the bilateral level, by Governments. Those pressures should not come only from African nations, as it might be thought that they did not view the problem with the necessary perspective. They would be more effective if they came from other countries. There was a very effective United Nations information centre in Sydney, Australia, and in the interest of the anti-apartheid movements he would like to see a similar centre established in Wellington to present the United Nations point of view, since there was no one in Wellington to counter the South African propaganda offensive.

The CHAIRMAN asked what role was played by churches, political parties and individuals in the struggle against apartheid.

Mr. RICHARDS (Halt All Racist Tours) said that a large number of individuals were involved in the struggle. Also, the National Council of Churches and Trade Unions participated actively in the struggle against apartheid.

As far as the political parties were concerned, the anti-apartheid movements were supported strongly by certain members of the Labour Party, and to a lesser extent by the Party as a whole. The party in power provided no support.

The CHAIRMAN pointed out that many of the countries represented in the Special Committee had diplomatic missions in Australia whose members might be invited to speak occasionally in New Zealand in the same way as officials of the United Nations Information Centre. He inquired whether there was a United Nations Association in New Zealand.

Mr. RICHARDS (Halt All Racist Tours) pointed out that the South African Consul-General in New Zealand delivered addresses more than occasionally; in fact, he spoke about three times a week. There was a United Nations Association of New Zealand, and the anti-apartheid movements could work more closely with it.

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Mr. RESHA (African National Congress) said the discussions held at the special session would not be constructive unless they resulted in some kind of action. The Special Committee should therefore consider what concrete measures could be taken to eradicate apartheid and what support could be given to the liberation movements. The agenda seemed to be somewhat arbitrary and the programme outlined did not give participants an opportunity to make a constructive contribution to the search for solutions.

The CHAIRMAN pointed out that the participants in the discussions were under no obligation to adhere strictly to the items on the agenda. The purpose of the special session was to facilitate the formulation of concrete proposals to guide the Committee in drawing up a programme of action for the continuation and intensification of the struggle against apartheid. The Committee would welcome any proposals the participants wished to make on the basis of their own personal experience, and the agenda could be amended if necessary.

Mr. GERVASI said he shared the views expressed by Mr. Minty concerning the agenda. He would like to propose that an urgent and comprehensive study should be made of the presuppositions, strategic analysis and research upon which policy planning towards South Africa by the Governments of the United Kingdom, the United States and France was based.

Mr. SIBEKO (Pan-Africanist Congress) said that economic factors lay at the root of all forms of oppression and that it was obvious that certain Western Powers were collaborating with South Africa because that country offered a highly stable and lucrative market and had a supply of cheap labour, particularly for the exploitation of its mineral resources. The measures which had so far been suggested for ending collaboration with South Africa were totally ineffective. It went without saying that if results were to be achieved, a great deal of pressure would have to be exerted. By way of example, he mentioned the partial success of the peace movement in the United States which had to some extent managed to force the Government to agree to a disengagement in Viet-Nam.

(Mr. Sibeko, Pan-Africanist Congress)

He drew attention to an article in the New York Post dealing with attempts by the ITT in Chile to block President Allende's election in an obvious effort to safeguard the interests of the ITT and other American companies in Chile. It was therefore clear that only concerted action by a coalition of States would make it possible to combat South Africa effectively. His organization appealed to Member States, the great majority of which supported the struggle against apartheid, to join forces and organize a genuine programme of action against South Africa.

Mr. LA (Sudan) said he endorsed the suggestions that had been made. The only hope of solving the problem was to attack it at the roots. A study of the kind suggested by Mr. Gervasi would also be useful.

Mr. CUCIF (Algeria) recalled that at the previous meeting one of the participants had said that since South Africa was a colony dominated by the capitalist system, the problem should be approached from the political angle. He felt that the Committee should formulate a strategy and consider practical ways of assisting the liberation movements in southern Africa.

The CHAIRMAN said that the manifestations of apartheid had, in fact, already been carefully studied but that the organizations and movements represented at the special session were combatting apartheid on several fronts and it was therefore only natural that the agenda should deal with various aspects of the question. The purpose of the session was, of course, to further the struggle against apartheid in every possible way, and the Committee would therefore give careful consideration to all proposals made.

Mr. HONONO (Unity Movement of South Africa) reminded the Committee of the monstrous trial that was being conducted against 14 members of the Unity Movement at Pietermaritzburg, in South Africa. The cost of the trial, which had begun on 2 August 1971 and was still continuing, was estimated at 200,000 rand.

The persons standing trial were accused of endangering the maintenance of law and order in South Africa and seeking to overthrow the Government by force of arms with foreign assistance; conspiring with the leadership of the Unity Movement in Zambia to collect funds to finance a campaign to recruit people in South Africa for political and military training abroad and to persuade and assist

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(Mr. Honono, Unity Movement
of South Africa)

people to leave the country secretly and help people to evade the police. Some of the accused were also alleged to have incited at least 32 people to undergo military training, with the assistance of "Zambian agents". In order to be acquitted, the accused must prove beyond reasonable doubt that they had not committed any of the acts imputed to them. The minimum sentence on conviction was five years of imprisonment and the maximum sentence was death.

The accused all belonged to oppressed groups. There were nine Africans, two Coloureds and two Indians. They came from all walks of life and included intellectuals, workers and peasants and came from all parts of South Africa, which was clear proof that the Unity Movement of South Africa was not a small group of intellectuals without a mass following, as had been claimed. It was also clear that political contact existed between the Unity Movement's leaders in exile and those in South Africa and between the leadership as a whole and the masses, and that, despite the dangers, the Movement's leadership in South Africa was making a financial contribution to the struggle and that four organizers from abroad had been well received by the South African population, who had hidden them and helped them to elude one of the most efficient and ruthless police forces in the world.

It was impossible for the accused to prove their innocence since there was overwhelming evidence that they had been in contact with the four organizers from Zambia, and that the latter had told them and others that they had come to recruit men for political and military training. However, their defence should not be abandoned since it might be impossible to obtain lighter sentences for some of them and since the trial provided an opportunity of exposing the bestiality of the South African police and the subservience of the judiciary and its role as a bastion of apartheid.

That trial and a similar trial involving the Dean of Johannesburg had focused world attention on the evils of apartheid in general and of the Terrorism Act in particular. On the initiative of the Special Committee on Apartheid, the United Nations and various news media inside and outside South Africa had given extensive publicity to the case immediately before the opening of the trial. Public opinion had been alerted, and efforts had been made by some lawyers' associations as well as by the United Nations, to assist the accused. Furthermore, the fact

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(Mr. Honono, Unity Movement
of South Africa)

that the South African police had gone so far as to cross the borders of South Africa and kidnap citizens of Botswana and Lesotho, so that they could give evidence for the prosecution, had been publicized all over the world. The fascist régime in South Africa was determined to trample underfoot the elementary rights of not only its own nationals but those of other countries as well, and to violate the sovereignty of independent States in order to bolster up its racist policies.

However, the most encouraging results had occurred in South Africa itself. Revelations regarding the torture of detainees had shocked public opinion. The public outcry had been reflected in the English language press and demands had been made for an enquiry into the methods of the Special Branch of the police. Protest meetings had been held in the main centres and the Government, its oppressive legislation and its judicial system had been roundly condemned.

At one of the protest meetings, Mr. van Niekerk, a professor of the Natal University Law Faculty, had declared in an impassioned speech that the prosecutions under the Terrorism Act constituted a negation of justice. He had condemned the South African lawyers for their passiveness and had drawn attention to the unreliable nature of evidence procured by means of intimidation and solitary confinement which the judiciary need only disparage in order to weaken considerably the usefulness of the Terrorism Act. As a result of those statements, Mr. van Niekerk had been charged with contempt of court and accused of attempting to defeat or obstruct the course of justice. The case against Mr. van Niekerk had not yet been concluded.

Apart from the protest meetings, there had been strikes and disturbances in non-white schools. The National Union of South Africa Students, an association of white students, had decided to launch its biggest ever fund-raising campaign and to collect 50,000 rand for the defence of the accused militant members of the Unity Movement. The defendants themselves had filed affidavits alleging that they had been tortured by the Special Branch while under detention.

The arrest, detention and trial of members of the Unity Movement had produced such political ferment that the South African fascists were now seeking to justify the actions of the police and were clamouring for even more stringent laws against the "terrorism". According to certain high-ranking police officials, present legislation was inadequate and the Terrorism Act, which gave the police

(Mr. Honono, Unity Movement
of South Africa)

power to detain a suspect indefinitely without trial, should be retained. Recently, Mr. Muller, the Minister of Police, had expressed concern at the way in which "communist" influence had already succeeded in conditioning some people in South Africa. He had said that the criticism of the police was easily misinterpreted by the general public, which eventually sided with the law-breakers. In an obvious allusion to the Pietermaritzburg case, the Minister had complained that accusations against the police distracted attention from the gravity of the charges against the accused. The political ferment was so great that, two months earlier, the Minister of the Interior, Mr. Gardener, had warned white South Africans that the vast differences between their living standard and that of non-whites could lead to hatred and even to murder and violence. He had said that whites must try to alter the climate between whites and non-whites, because the latter would not endure indefinitely the apparent prosperity of the privileged classes.

It was therefore evident that civil war had already begun in South Africa. It was true that the war was still only a cold war, but all that remained to escalate it into open warfare was the training of revolutionary cadres in the tactics of guerrilla warfare. That could not be done at present in South Africa; for the time being, such training had to be provided abroad.

The Unity Movement requested the United Nations to increase its contributions in order to help meet the cost of defending the accused in the Pietermaritzburg case and to aid their families and those of many other detainees. It appealed to the countries of the third world and the progressive countries in general to make it possible for members of the movement to visit their countries for secret discussions. It wished to be invited to participate in the conferences which dealt with the struggle against, and the liquidation of, oppression and exploitation.

Mr. Siclait (Haiti), Vice-Chairman, took the Chair.

Mr. BARAKAT AHMAD (India) said he reserved the right to speak at the next meeting, since he was unable at such short notice to comment adequately on the statements by Mr. Minty, Mr. Gervasi and Mr. Resha, who had raised some fundamental issues.

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Mr. RESHA (African National Congress) thanked the countries that had contributed to the United Nations Trust Fund for South Africa and the United Nations Educational and Training Programme for southern Africa. With regard to the agenda, he hoped that the Committee would consider the following questions: What measures had the United Nations taken to implement the provisions of its resolutions on apartheid? What measures were planned for the future? What were the needs of the liberation movements and how could the international community support the revolution in southern Africa?

The meeting rose at 1.25 p.m.