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COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

SUMMARY RECORD OF THE 13th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 9 February 1983, at 10 a.m.

<u>Chairman:</u>	Mr. OTUNNU	(Uganda)
later:	Mr. GONZALEZ DE LEON	(Mexico)

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The meeting was called to order at 10.10 a.m.

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS (agenda item 6) (continued) (E/CN.4/1983/10, 37 and 38; A/AC.115/L.571 and L.586)

THE ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO COLONIAL AND RACIST REGIMES IN SOUTHERN AFRICA (agenda item 7) (continued) E/CN.4/Sub.2/1982/10)

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(a) STUDY IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES OF WAYS AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS BEARING ON APARTHEID, RACISM AND RACIAL DISCRIMINATION (agenda item 18) (continued) (E/CN.4/1983/27 and 28)

(b) IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 18) (continued) (E/CN.4/Sub.2/1982/7)

1. Mr. MACCOTTA (Italy) said that the Italian Government and people strongly condemned all forms of discrimination and violation of human rights. Italy's Constitution and the Italian national conscience allowed no discrimination, and there were no discriminatory practices in Italy, whose official position in that regard was well known.

2. Of the many forms of discrimination which unfortunately existed in many countries, apartheid was the most odious, discriminating against millions of people in their own country simply because of their colour. Italy continued to apply the measures set forth in United Nations resolutions relating to South Africa. Bilateral contacts with South Africa were limited to the diplomatic level; there were no exchanges between cabinet ministers, secretaries of State or parliamentary delegations. Italy adhered strictly to the arms embargo called for in Security Council resolution 418 (1977); sales of military equipment had been forbidden since the adoption by the Security Council of resolution 311 (1972). No co-operation in the military or nuclear fields existed between Italy and South Africa. Economic ties between the two countries were limited to normal trade by private concerns; no economic co-operation agreement existed. Investment in South Africa was not encouraged; there was no cultural agreement between Italy and South Africa, and sporting contacts were discouraged as much as possible. Emigration to South Africa was not encouraged and had practically ceased; South African immigration offices in Italy had been closed at the latter's request. Travel between the two countries was subject to visa requirements.

3. Italy contributed regularly to various United Nations funds to assist victims of apartheid, and occasionally gave humanitarian assistance to ANC and SWAPO refugees in States bordering South Africa.

4. His delegation wished to stress the action taken by Italy because the Western nations in general were sometimes reproached for not having done enough to sever their trade links with South Africa, even though there were figures, including some quoted recently in a Geneva newspaper, to show that certain of their critics were themselves not beyond reproach. It was nevertheless disappointing that the international community had so far failed to end or curb apartheid.

5. The history of mankind showed that the struggle to secure human rights could have only one end. The system which deprived millions of their basic human rights should again be formally condemned by the Commission, whose thirty-ninth session should be another landmark on the road to the complete abolition of apartheid. General Assembly resolution 37/41, on the convening of the Second World Conference to Combat Racism and Racial Discrimination, was a welcome step which should help to force the South African Government to face its responsibilities to the international Community as a whole. Italy was ready to give the Conference its full support.

6. Mrs. KUROKOCHI (Japan) said that the South African Government's policy of apartheid had been a matter of international concern for far too long. The international community was united in opposing racial discrimination, and particularly the institution of apartheid, which, in its contempt for fellow human beings, was among the most intolerable forms of such discrimination. That policy, which violated one of the basic principles of the Charter, must be vigorously condemned and abolished immediately. Japan had consistently and uncompromisingly opposed all forms of racial discrimination. Her delegation shared the sense of frustration at the international community's failure to change South Africa's policy, but it continued to insist that, in the efforts to do so, violence should be avoided and a peaceful solution sought through talks in which members of all racial groups participated. At the same time, it was important for the international community to continue to unify its efforts and exert all possible peaceful pressure on the South African Government to abandon its policy of apartheid once and for all.

7. To that end, the Japanese Government had taken numerous measures. For example, it had no diplomatic relations or any economic co-operation with South Africa, and, despite its liberal policy of overseas investment, it prohibited direct investment in South Africa by Japanese nationals or bodies under Japanese jurisdiction. No Japanese bank or overseas branch extended loans to South Africa. Japan had imposed an arms embargo against South Africa even prior to the adoption of Security Council resolution 418 (1977), and had taken legal measures, in April 1978, to prohibit assistance relating to arms manufacture in South Africa. Japan had exported no reactors or related materials to South Africa and had given it no technical assistance relating to nuclear technology. It discouraged sporting, cultural and educational exchanges between Japan and South Africa, refusing to issue entry visas to South African nationals for such purposes.

8. Japan provided assistance to the victims of apartheid and contributed annually to the various United Nations funds and programmes for that purpose.
9. Her delegation reaffirmed its support of United Nations efforts to put an end to apartheid. It hoped that the South African Government would recognize the legitimacy of the international community's demands, and that one day not only apartheid in South Africa but all forms of racism and racial discrimination would be eradicated for ever.
10. Mr. KONSTANTINOV (Bulgaria) said that each year the Commission was confronted with new evidence of gross violations of human rights when it discussed the crime of apartheid in South Africa. The situation continued to deteriorate because South Africa persisted in its policy of subjecting the black population to humiliation, oppression and forced labour, denying the peoples of South Africa and Namibia the right of self-determination and institutionalizing a slavery-like system. The continuation of apartheid as the racist regime's political and legal platform was a shameful anachronism and a flagrant violation of human rights. The report of the Ad Hoc Working Group of Experts (E/CN.4/1983/10) provided further examples of the Pretoria authorities' inhuman methods and intensified repression against the non-white population.
11. South Africa was able to persist in its policies, in defiance of General Assembly resolution 1514 (XV), the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, only because of assistance from abroad, the political support of certain Western States, the failure of the United States and other Western nations to comply with relevant General Assembly and Security Council resolutions, and the unrestrained activities of multinational entities - further evidence of which was contained in the Working Group's report.
12. The system of apartheid seemed highly profitable to a number of Western States and their monopolies operating in South Africa and Namibia. The history of colonial domination had shown profit to be the chief motive of colonial oppression. It was regrettable that the countries in a position to exert decisive influence on Pretoria were the ones which opposed the imposition of sanctions as provided for under Chapter VII of the Charter; a proposal to that effect in the Security Council had been subjected to a triple veto. The same attitude was at the root of South Africa's continued militarization, including the capacity to produce conventional and nuclear weapons as a result of co-operation with certain Western States and Israel. As noted in the Working Group's report, South Africa was using its acquired military capacity against the opponents of apartheid both within and beyond its borders. During the period covered by the report, incursions into neighbouring States had intensified; South African agents were believed to have been involved in subversive acts in those territories, in assassinations of political leaders in Zimbabwe, Lesotho and Mozambique, and in the attempted coup d'état in Seychelles; they thus posed a real threat to peace and security in Africa and throughout the world.
13. The South African regime continued to occupy Namibia illegally, increasing its military presence and repression against the Namibian people, and providing a pretence of self-determination for the benefit of South African and imperialist

interests, in defiance of relevant United Nations resolutions. Security Council resolutions 385 (1976) and 435 (1978) had been distorted by the "contact group" of Western States, which preferred to interpret those resolutions outside the United Nations framework because of the billions of dollars at stake. The diplomatic efforts of that group were clearly aimed at sustaining Western interests in the region by imposing a neo-colonial settlement of the Namibian problem; and a recent attempt to link Namibian independence with preconditions tantamount to inadmissible interference in Angola's internal affairs had raised further obstacles. His delegation strongly opposed any attempt to delay the granting of independence to Namibia, in accordance with the relevant United Nations resolutions and the will of the Namibian people, as represented by its sole legitimate representative, SWAPO.

14. International public opinion must be mobilized against apartheid and racial discrimination, and focused on the worsening situation in South Africa. Solidarity with the victims of apartheid must be confirmed and measures taken to increase support for the national liberation movements in southern Africa. And it was high time to act on the call, by the overwhelming majority of the States Members of the United Nations, to isolate the Pretoria regime utterly. His delegation was convinced that such measures would serve the objectives of the Decade for Action to Combat Racism and Racial Discrimination. His delegation hoped that the Second World Conference to Combat Racism and Racial Discrimination would make a significant contribution by reviewing United Nations activities during the Decade and formulating new and specific measures to condemn apartheid, racism and racial discrimination in all forms and to bring about the independence of Namibia pursuant to Security Council resolution 435 (1978) and other measures aimed at resolving the dangerous situation in South Africa.

15. His Government's position on the question was well known. It condemned all manifestations of racism and racial discrimination, and deemed the elimination of those specific forms of imperialist and colonialist ideologies and practices to be a prerequisite for achievement of the inalienable right to self-determination and independence. It would continue to give political, moral and material assistance to the oppressed peoples of South Africa and Namibia under the leadership of their national liberation movements. It maintained no relations whatsoever with South Africa. That position conformed to the will of the international community, as expressed in numerous General Assembly resolutions calling on the Security Council to consider the imposition of full mandatory sanctions against South Africa under Chapter VII of the Charter.

16. Mr. González de León (Mexico) took the Chair.

17. Mr. SERGIWA (Libyan Arab Jamahiriya) thanked the Ad Hoc Working Group of Experts for its report (E/CN.4/1983/10). That document revealed the worsening situation in South Africa and Namibia where the human rights of the black populations continued to be violated by the Pretoria regime, in flagrant disregard of all international standards and fundamental human rights. The account of disappearances, assassinations and deplorable economic and social conditions endured by the vast majority of the population attested to the regime's daily intensification of its

racist policies, in defiance of all relevant resolutions. The international community seemed helpless in the face of that situation, which gravely threatened world peace and security. The massacres, imprisonments and other forms of persecution attested to over the years were all part of a deliberate policy to keep the vast majority of the population under the control of the white minority and to provide the latter with a source of cheap labour unrewarded by any real share in the nation's wealth. That purpose was strengthened by the policy of "bantustanization", which his country, and the international community, condemned.

18. The South African regime was illegally occupying Namibia, not only persecuting the population of that country but carrying out incursions into Angolan territory. It was seeking, with the collusion of the United States, to thwart the attainment of independence by Namibia. His delegation, however, reaffirmed the need for Namibian independence and sovereignty to be attained as soon as possible, pursuant to Security Council resolution 435 (1978).

19. The Pretoria regime's aggressive acts were also aimed at destabilizing the front-line States. Under various pretexts, those States had been raided and many citizens killed and maimed; one example had been the recent attack in Lesotho. The regime had also been responsible for the attempted coup d'état by mercenaries in Seychelles.

20. Despite many United Nations and OAU resolutions calling on the international community not to collaborate with South Africa, certain countries, including the United States, continued to co-operate with and assist South Africa, and had even strengthened their trade and investment links with that country. An ILO report in 1981 had shown the growth in overseas investment in South Africa, most of the enterprises being from the States of the so-called "contact group".

21. The report of the Ad Hoc Working Group of Experts listed the names of the banks and companies which had contacts with the racist South African regime. That regime received assistance from certain Western countries in exchange for guaranteeing them access to mineral resources through their transnational corporations, which were notorious for exploiting the black population. The report indicated that in 1980 the average salary of a white worker had been 15.8 per cent higher than that of a black worker. Three Western countries had used their veto in the Security Council to prevent economic sanctions from being imposed on South Africa under the false pretext that the black population would be the first to suffer from such measures. That attitude only served to prolong the exploitation of blacks in South Africa. His delegation condemned those who used the veto for such purposes and believed that economic sanctions were the best means of preventing the enemies of Africa from pursuing their policies. Were the earnings of transnational corporations more important than the lives of blacks?

22. The South African racist regime maintained close ties with the Israeli Zionist regime. South Africa denied the black population its fundamental rights just as the Zionists denied the Palestinian people the rights to self-determination and to establish an independent State. South Africa had occupied Namibia and part of Angolan territory, just as Israel had occupied Palestine and certain Arab territories. South Africa was applying a racist policy in Namibia just as Israel was applying a

racist policy in the occupied Arab territories. Both regimes attacked neighbouring States under the pretext of pursuing "terrorist groups" across borders. Israeli exports to South Africa were increasing, and included gunboats armed with Israeli missiles. In fact, the total value of Israeli weapons exports to South Africa had grown by \$1 million between 1980 and 1982.

23. His delegation attached special importance to the Decade for Action to Combat Racism and Racial Discrimination, commended the international organizations working to end racial discrimination and favoured the convening of the Second World Conference to Combat Racism and Racial Discrimination so that all countries could join in efforts to do away with that heinous phenomenon. Rhodesia had been replaced by Zimbabwe and, similarly, other African peoples struggling against foreign domination would triumph. It was natural that his country, which followed the holy commandment enjoining tolerance, should oppose racism. It had ratified the International Convention on the Suppression and Punishment of the Crime of Apartheid and reaffirmed its unconditional support for the Namibian people, the African liberation movements recognized by OAU and the front-line States in their struggle to end racism and colonialism.

24. Mr. MADI (Jordan) said that his country had been among the first to break off all relations with South Africa because it had recognized the extreme danger of that régime's racist policy. It welcomed the report of the Ad Hoc Working Group of Experts, which stressed that the policy of racism was incompatible with the Universal Declaration of Human Rights and the Charter. Jordan with the international community, would pursue the struggle to end the domination of the South African racist regime and strongly condemned that regime's alliance with the Israeli Zionists for the purposes of arms supply and nuclear activities. As the South African racists deprived the Namibian people of their fundamental human rights, so Israel refused to recognize the rights of the Palestinian people. As South Africa practised racism and aggression against neighbouring States, so Israel attacked its neighbours and subjected its Arab population to discrimination. It was clear that those regimes could pursue their inhuman policies only because the relevant Security Council and General Assembly resolutions had not been implemented. The international community must renew its struggle against racial discrimination, and the International Convention on the Elimination of All Forms of Racial Discrimination was an important sign of its will. All co-operation with racist regimes was a crime against humanity. South Africa's racist policy, under whatever form, must be brought to an end.

25. Mr. MA Longte (China) said that the report of the Ad Hoc Working Group of Experts contained abundant evidence exposing the many crimes the South African authorities had committed in their brutal violations of human rights. It was regrettable that during the past year the human rights situation in southern Africa had not improved, but had remained as serious as ever.

26. The South African racist regime was the most stubborn stronghold of the forces of colonialism. It was practising the most barbarous system of apartheid and subjecting the broad masses of black residents to cruel oppression, persecution, enslavement, discrimination and deprivation of fundamental human rights. It had implemented the policy of bantustanization, thereby forcing nearly 20 million blacks - more than 70 per cent of the population - to live like slaves within remote and

barren areas which comprised only 14 per cent of the country's territory. In an effort to deceive the black population and world public opinion, the South African authorities continued to stage farcical "independence" ceremonies which were nothing more than attempts to legalize and perpetuate racism and apartheid. They had arbitrarily arrested, detained, persecuted and killed leaders of the national liberation movement and trade unions as well as progressive students and many Coloured persons. At present, there were reportedly several hundred thousand black detainees in South African prisons, the majority having been arrested illegally because of their participation in the just struggle against racist rule. Many of them had been subjected to torture and other inhuman treatment.

27. The persecution of black women and children was particularly abominable. In the cities, many black women were considered illegal immigrants and lived under the constant threat of having their identity papers checked and being detained, imprisoned or fined. Child labour was widespread throughout South Africa; many black children suffered from malnutrition and one black child died every 20 minutes.

28. South Africa was ignoring the relevant General Assembly resolutions by continuing its illegal occupation of Namibia. It had transplanted to Namibia its laws governing education, housing, employment and all aspects of daily life. Thanks to those laws, the South African authorities could arrest Namibians at will. Many SWAPO members and their supporters had been detained without trial and even tortured for their opposition to South Africa's illegal occupation, which had deprived the Namibian people of even their most fundamental right - the right to life. Many of them had had no recourse but to flee to neighbouring countries. UNHCR statistics indicated that Namibian refugees in foreign countries now totalled 75,000. Furthermore, the racist South African regime had adopted Namibia as a base for its incessant armed aggression against Angola, Zambia, Botswana and other neighbouring States. Following its large-scale incursion into Angola and the bombing of Namibian refugee camps in August 1982, South Africa had invaded Lesotho and raided its capital, killing more than 30 people and wounding many more. By such activities, it directly threatened the security and stability of the region.

29. Those flagrant violations of human rights had been strongly condemned by the international community, but one Superpower and some other Western countries had been abetting South Africa in many ways in order to preserve their own vested interests. So far some countries, and particularly one Superpower, had failed to implement the relevant Security Council resolutions on comprehensive sanctions against South Africa and continued to provide it with political, military, economic and other support, thus making its attitude even more truculent.

30. Consequently, the struggle against racism and racial discrimination was still very arduous, and the international community should continue its efforts and expand the struggle further. His delegation welcomed the fact that the United Nations had been combating racism unremittingly, as demonstrated by its activities during the Decade for Action to Combat Racism and Racial Discrimination, and its decisions to hold the International Conference in Support of the Struggle of the Namibian People for Independence in Paris in April 1983 and the Second World Conference to Combat Racism and Racial Discrimination in Geneva in August 1983. His Government and people fully supported the convening of those Conferences and would take an active part in them.

31. In order completely to eradicate racism and the system of racial segregation at an early date and to support more effectively the just struggle of the peoples of southern Africa, the international community must act in unison to enforce comprehensive and compulsory sanctions against South Africa. The States which still extended direct or indirect support to the South African regime should terminate such action forthwith. China had and would have no relations whatsoever with the South African regime, and its Government and people would firmly stand by the peoples of southern and south-west Africa in their struggle for national independence and liberation and against racial discrimination and segregation.

32. The people of Namibia had already seen the dawn of national independence. His delegation was convinced that, with international support, the peoples of Namibia and South Africa would triumph in their just cause and that the day would come when colonialism and racist rule in southern Africa would be abolished.

33. Mr. SAYADI (Observer for the Syrian Arab Republic) said that his country had been one of the first to take a stand against the racist regime in South Africa by ending all relations with it. His country continued to combat that regime in both words and deeds, and supported the struggle of the Namibian and Azanian people for independence. It was only natural that the international community should have denounced South Africa's inhuman acts, its repression of the blacks - who constitute over 70 per cent of the country's population, and its occupation of Namibia. For 25 years, the international community had been calling on the South African racist regime to end its discriminatory policies, but none of the many resolutions adopted on the subject had induced the regime to change its ways. South Africa's intransigence was encouraged by its co-operation with the United States in the nuclear, military, political and economic fields. After the accession to independence of some neighbouring States and the events in Soweto in 1976, the racists had become even more obstinate and had received increased support from some Western countries, led by the United States and Israel, and from transnational corporations.

34. Foreign investment in South Africa had doubled between 1973 and 1980. In 1981, 2,500 transnational corporations had been operating in South Africa; their profits were among the highest in the world. Loans to South Africa from

Western banks and the International Monetary Fund (IMF) had totalled \$853.6 million in 1980. Imports from South Africa by the members of the European Community amounted to 34 per cent of their total imports, and those countries accounted for 39 per cent of exports to South Africa. That country was dependent on foreign imports for 90 per cent of its oil needs, which were met through international oil companies, including Mobil, Exxon and Shell. The role played by oil exports to South Africa in allowing the racist regime to pursue its inhuman policy had been recognized by the United Nations and the Organization of Petroleum-Exporting Companies (OPEC), but all attempts to end those exports had been futile, and the number of tankers reaching South Africa with oil had actually increased in recent years.

35. In the military and nuclear spheres, the racist regime, true to its expansionist and imperialist character, was seeking to build up its military capability through co-operation with Western countries, especially the United States and Israel. Such co-operation had been intensified in recent years, especially after the start of the national liberation struggle. South Africa's military build-up posed a threat to international peace and security, analogous to the threat posed by Israel in the Middle East. The international community had forcefully condemned such dangerous developments in South Africa and the growing co-operation between South Africa and Israel in a variety of fields. Nevertheless, South Africa had not been swayed from its dangerous course. Emboldened by the assistance it received from certain quarters, South Africa had launched attacks against neighbouring African countries and stationed 80,000 troops in Namibia at a daily cost of some \$3 million. Israel and other countries were assisting in the training of South African commandos for raids against Mozambique and Angola. The front-line States in Africa were being subjected to terrorism similar to that faced by Lebanon, Syria and Iraq in the Middle East. There had been press reports that the NATO alliance intended to expand its military ties with South Africa. Such facts demonstrated the international community's failure to secure the right of the peoples of southern Africa and Palestine of self-determination. The response of the international community must not be to adopt additional resolutions but rather to take practical steps to enlighten public opinion, especially in countries which supported South Africa and Israel, about the violation of human rights by those two countries. The Commission should give consideration to the dissemination of relative United Nations documents on a wider basis, since at present many reached only a limited audience and the mass media in Western countries generally ignored United Nations activities.

36. Mr. MASUKU (Observer, Pan Africanist Congress of Azania) said that the reports before the Commission under items 6, 7, 16 and 18 once again revealed that the human rights situation in southern Africa was deteriorating. South Africa had thwarted the efforts of the United Nations and other international organizations to bring about peace and security in southern Africa, and should therefore be condemned by all members of the Commission as a source of racial tension, instability and insecurity in the region.

37. Within South Africa, the racist regime had continued to harass and enslave the African people through the application of its policies of apartheid and racial disharmony. The main objectives of the bantustan policy, which was the corner-stone of the apartheid system, were: to remove the African people from the land of their birth and deny them their permanent sovereignty over it; to disrupt national unity and destroy the national identity, personality and hence resistance of the black people; and to plunder the country's natural and human resources.

38. A bill had been introduced into the South African Parliament which would deny black children citizenship in the so-called white areas, **even** when they were born there, by requiring them to be registered in the bantustans. The bill would also help to clear "undesirable elements" from the "white areas" by imposing substantial fines on people who were found in such areas without proper authorization or anyone who harboured such people.

39. The desperate conditions in the bantustans forced black South Africans to enter the labour market as migrant labourers. The racists continued to suppress the organized labour movement, and the promised reforms of the labour laws were nothing but cosmetic changes intended to deceive public opinion. Black trade unions were, nevertheless, burgeoning throughout the country, and even the most disadvantaged groups - farm labourers and domestic workers - were mobilizing to form their own trade unions. The regime, however, had vowed to wipe out unregistered black trade unions and had introduced a bill in Parliament to deal with people who induced others to strike. Conditions in work places, which were a consequence of the colour bar in labour relations, continued to be abominable, while the average wages of white mine workers were approximately five times higher than those of black Africans. As a result of those appalling conditions, strikes were frequent among black workers, and, in July 1982, a major strike of African gold miners who were protesting against starvation wages had been brutally suppressed, with eight miners killed and many dismissed and banished to the bantustans.

40. Since the 1976 Soweto uprising, the student movement had been under constant surveillance and subjected to harassment by the racist authorities. Despite the banning of student organizations and mass movements in October 1977, new ones had sprung up, including Azania Youth Unity (AZANYU), which had been established in 1981 to co-ordinate the activities of various student and youth groups within the country. Several members of AZANYU had recently been arrested and others were already serving prison sentences for their part in organizing rallies commemorating martyrs of the Soweto uprising and the Sharpeville massacre.

41. Various reports before the Commission referred to the plight of black women and children in apartheid South Africa, and violations of the rights of those groups occurred mostly in the rural areas, especially on white farms, to which the press had no access.

42. No amount of rationalization would absolve the transnational banks and corporations which were assisting the racist State from the fact that their profits represented the blood and sweat of the African people. The Pan Africanist Congress of Azania (PAC) was not convinced by the assurances given by the representative of the United Kingdom that investments by EEC countries were intended to influence the situation in South Africa and break the colour bar. The call for the withdrawal of foreign investment had come not only from exiled liberation movements but also from political organizations and Church representatives inside the country. Only the representatives of the bantustans spoke in favour of foreign investment. In 1982 IMF had granted South Africa a loan of \$1.07 billion in the face of overwhelming opposition in both the United States Congress and the United Nations General Assembly. The list of foreign corporations and banks operating in Azania only served to indicate to the **exploited** Azanian masses who their real enemies were. The presence of those corporations and banks and the assistance they

provided to the regime was the main obstacle to the implementation of United Nations resolutions calling for the end of apartheid and the enjoyment of human rights by the majority of the population in South Africa.

43. In the field of sports, many cricket and soccer teams had gone to South Africa to boost the image of apartheid. He was gratified that some of the countries concerned had imposed penalties on the players in question.

44. In its statement in the Commission the preceding year, PAC had described the legislation used by the racist regime to muzzle the press and black journalists, particularly the members of the Media Workers Association of South Africa (MWASA). PAC demanded the immediate and unconditional release of Shami Mazwai and others who were still detained under that legislation and the lifting of the banning orders on all those affected.

45. The Botha regime was trying to hoodwink public opinion by enlisting the support of the so-called Coloureds and Indians for its constitutional schemes, which were designed to isolate the Africans and deny them any hope of constitutional rights. It was regrettable that some countries which were members of the Commission, including the United States, supported the Botha regime's efforts to achieve that end. Such schemes should be recognized for what they were and condemned by the international community.

46. PAC reiterated its demand for the release of all detained, banished and banned persons, and all other political prisoners. Another major political trial would be taking place in South Africa in 1983; Joe Tlholoe, banned former member of MWASA, and eight others, would be tried in March on charges of involvement in and revival of the Pan Africanist Congress. PAC condemned the trial in advance and demanded the immediate release of all the accused.

47. Externally, the racist regime had continued to commit wanton acts of aggression against neighbouring States. Not content with its illegal occupation of Namibia and parts of Angola, the racists had on various occasions sent forces into Mozambique, Zimbabwe and Seychelles, killing and maiming refugees and others, including women and children, and generally engaging in spying, sabotage and incitement. Seeing that the international community's condemnation of Israel's actions in Lebanon had been ineffective, South Africa had emulated that country by attacking Lesotho, where South African commandos had raided the houses of refugees, leaving 42 dead. That outrageous and unprovoked act had shaken the conscience of mankind and had been unanimously condemned by the Security Council.

48. South Africa was impeding a peaceful settlement in Namibia, and the implementation of Security Council resolution 435 (1978), with the aid of the United States, a member of the so-called "contact group", which was supposed to be an impartial mediator between SWAPO and South Africa. The United States had, however, shamelessly concocted a formula which linked the granting of independence in Namibia with the withdrawal of Cuban troops from Angola, an issue which was outside the framework of resolution 435 (1978). South Africa had taken up that weapon and was still brandishing it against SWAPO. The United States scheme had been rejected and condemned by Africa and the whole of progressive mankind. The Chairman of the sub-committee of the

United States House of Representatives concerned with African affairs had recently expressed concern about the way South Africa was interpreting United States diplomatic initiatives in Africa, and about the fact that exchanges of delegations between the United States and South Africa had encouraged apartheid hard-liners and led the regime to step up its military activities aimed at destabilizing the region.

49. The racists had recently suffered a severe blow in Namibia, with the collapse of the Democratic Turnhalle Alliance, which had led Pretoria to resume direct rule in Namibia. The reasons of those who wished to stall Namibian independence were far from obscure: the imperialist Powers had a great stake in the exploitation of the Territory's mineral and other resources.

50. The numerous resolutions of OAU, General Assembly, the Security Council and the Commission had been rendered ineffective because of the collaboration between South Africa and certain members of the Commission and the Security Council which used the powers conferred on them by the international community to advance their own national or sectarian interests. PAC urged all States which had not yet done so to ratify the International Convention on the Suppression and Punishment of the Crime of Apartheid and welcomed the decision to hold a Second World Conference to Combat Racism and Racial Discrimination.

51. Mr. MATTERN (Observer for the German Democratic Republic) said that the apartheid regime of South Africa had again been severely castigated by the General Assembly at its thirty-seventh session. Resolutions adopted by an overwhelming majority had denounced Pretoria's policy of apartheid as a crime against humanity and a threat to international peace and security. The racist regime had also been strongly condemned for its acts of aggression against Angola and other sovereign neighbouring countries and for its repeated breaches of the peace of the region.

52. No sooner had the resolutions been adopted than the South African racists had affronted the world through another act of aggression against a neighbouring State, Lesotho, and reports had circulated that an attack against the People's Republic of Mozambique was imminent. The illegal occupation of Namibia by South Africa, the brazen plundering of Namibia's natural resources and the brutal oppression of its people had accompanied the repeated acts of aggression against the People's Republic of Angola and other neighbouring sovereign States, and the social and racial oppression of 25 million Africans and Coloured people continued unabated.

53. Pretoria's ruling circles were unwilling to comply with the demands of the international community to end the apartheid system; that fact could not be obscured by pseudo-reforms designed to make the regime more presentable. The so-called constitutional reform had long been recognized as an attempt by the white minority to separate the approximately 3.5 million Coloured people and Asians from the great anti-apartheid resistance front by making minor concessions. However, the General Assembly had clearly stated that apartheid could not be reformed but must be eliminated.

54. The aggressive domestic and foreign policy of the South African racist clique was possible only because of the increasing support given Pretoria by a number of imperialist countries, especially the United States, and major imperialist corporations. The Special Committee against Apartheid had noted with deep concern that the United States had become the main protector of the apartheid regime, and the voting record of the United States at the most recent session of the General Assembly confirmed that view. It was also interesting that the countries identified in the report of the Special Committee as the main trading partners of South Africa were the very countries which had voted in IMF in favour of a major loan to Pretoria. They must therefore share responsibility for South Africa's policies of continued aggression and terrorism. Wherever the profit interests of imperialist corporations were at stake and a global strategy against social progress was being pursued, the basic standards of humanity were trampled underfoot and there was room only for hypocrisy and intrigue.

55. The resistance front against the apartheid regime was becoming broader both in the region and on an international scale. Under the leadership of their national liberation organizations, SWAPO and ANC, the peoples of Namibia and South Africa were fighting for their right of self-determination, and were receiving increasing, world-wide support. With a few exceptions, Member States were calling for the application of comprehensive and mandatory sanctions against Pretoria in accordance with Chapter VII of the Charter. There had been an outcry of protest all over the world when death sentences had recently been announced against South African patriots. More than 2,000 mayors in 56 countries, including the German Democratic Republic, had signed a petition demanding the release of Nelson Mandela and all other political prisoners in South Africa. The Warsaw Treaty States had emphasized in the Political Declaration of Prague that in order to eliminate the causes of many conflicts all vestiges of colonialism and racism must be eradicated.

56. As a member of the Special Committee against Apartheid, whose twentieth anniversary would be celebrated in 1983, his country would continue to do everything in its power to extend active solidarity to the peoples of southern Africa. His delegation attached special importance to the forthcoming Second World Conference to Combat Racism and Racial Discrimination and urged all members of the Commission to support that important event.

57. Mr. ALVAREZ VITA (Observer for Peru) said that the problem of racial discrimination did not exist in Peru. His country had always been one of mixed races and no Government had ever pursued a racially discriminatory policy. Under the Constitution, the State rejected all forms of imperialism, colonialism, neo-colonialism and racial discrimination and pledged solidarity with oppressed peoples of the world. It was regrettable that there were still peoples struggling against colonialism and that Namibia remained under illegal occupation. Peru had always supported the struggle against apartheid and all forms of discrimination and, as a party to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, it had incorporated the provisions of those Conventions into its Constitution.

58. His delegation supported the Commission's work on the question of apartheid, in particular the work of the Group of Three established under article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid. Peru would participate actively in the Second World Conference to Combat Racism and Racial Discrimination.

59. Mr. OBOL-OCHOLA (Uganda) observed that the various international instruments on human rights recognized two basic facts: firstly, the belief that one category of human beings was superior to another was wholly fallacious; and secondly, belief in the superiority of one race over another created a dangerous sense of self-importance that led those who believed in their superiority to perpetrate gross violations of human rights and fundamental freedoms, thereby posing a serious threat to international security.

60. At the inter-personal level, racism bred inexplicable and intense hatred. At the community level, it was a major source of social injustice. When racism and racial discrimination were elevated to the level of State policy, however, as in the case of apartheid, they assumed monstrous dimensions, entailing, inter alia, the brutal subjugation of those races who were declared inferior, to the point of reducing them to a subhuman existence.

61. The latest reports of the Ad Hoc Working Group of Experts on southern Africa provided further testimony of the grave consequences for human rights of institutionalized racism and racial discrimination. Those reports indicated that, during the period under review, racist oppression had intensified in both South Africa and Namibia. They contained detailed accounts of horrendous acts perpetrated by the racist minority regime. Thus, the Working Group had found that the Pretoria regime was resorting increasingly to assassination as a means of eliminating the opponents of apartheid not only within but also outside South Africa, the murders of Ruth First in Mozambique and Petrus and Jabu Nzima in Swaziland being cases in point. The Group had also found evidence of an increase in 'suspicious deaths of anti-apartheid activists in detention, the latest victims being Tshifilwa Mucfhe, Ernest Dipale and Manana Myqweto, and an increase in the number of death sentences and life sentences meted out to political prisoners, arbitrary arrests and prolonged detentions, and cases of torture and inhuman and degrading treatment.

62. The escalation in South Africa's repression of opposition mostly involved active opponents of apartheid. The apartheid regime did not stop there, however. In seeking to maintain a status quo in which the minority in power enjoyed all political, economic, social and cultural rights while the majority enjoyed none, that regime thrived on the ruthless repression and exploitation of all those whom it had condemned to inferior status and tolerated from them no claim to any human rights. Thus, the increased racial oppression had extended to the non-white population in general. Trade unionists, students, journalists, women and children were all victims of the regime's brutality. At the same time, economic exploitation unparalleled in modern times continued uncurtailed. The practice of forced labour, including prison labour, continued to flourish and the employment of child labour under the most appalling conditions remained a widespread phenomenon. The expropriation of land and water, including the less barren portions of designated homelands, also continued unabated.

63. The Working Group's reports also drew attention to new and inhuman methods of oppression. There was an increasing use of poisoning, electric shock treatment and psychiatric torture against detainees. His delegation was especially appalled that induced mental impairment was being used even against the aged and the infirm.

64. The situation in the so-called independent homelands was an agonizing one. The level of repression, police brutality and labour exploitation in those areas was such that the urban black populations banished to them suffered the double blow of losing their true citizenship and being subjected to further humiliation. The situation in the homelands showed quite clearly that the granting of independence to them had been no more than an exercise in deceit, since South Africa's apartheid laws continued to reign supreme in those areas.

65. The situation in Namibia remained equally grave and the Working Group had detailed the horrors of life under occupation and apartheid in the Territory, as well as the continuing failure of negotiations aimed at Namibian independence. It described the numerous atrocities committed by the South African occupation troops against innocent civilians and refugees in Namibia, showing that the South African regime was guilty of precisely the same offences against the people of Namibia as against the people of South Africa. In its quest to make southern Africa safe for apartheid, the racist regime was also continuing its acts of aggression and destabilization against independent African States. Such aggression had serious implications for international peace and security.

66. In the light of the above facts, his delegation was forced to ask how long such a state of affairs could be allowed to continue. The illegal occupation of Namibia and indeed the practice of apartheid in South Africa and Namibia would have ceased long since were it not for the massive assistance and active collaboration afforded to the racist regime by certain Western countries, their allies, and their banks and transnational corporations. Such assistance continued to grow and now encompassed the political, economic, military and nuclear spheres. Economic assistance to, and investment in, South Africa had increased tremendously in recent years. Such assistance and collaboration only served to strengthen apartheid for a strong apartheid economy enabled the racist regime further to develop its military capabilities and hence its capacity for oppression and aggression. His delegation therefore supported the call for comprehensive and mandatory sanctions that would deny South Africa the benefit of any such assistance and collaboration. It could not accept the arguments advanced against such sanctions, namely, the imperatives of free trade and the suggestion that the benefits of outside economic assistance might trickle down to South Africa's oppressed majority. If free trade contributed in any way to the violation of human rights and fundamental freedoms, then it must be limited. As for the trickle-down argument, the Working Group's findings in chapter I, section H, of document E/CN.4/1983/10 amply refuted it.

67. With regard to agenda item 18, Uganda rejected any form of racism and racial discrimination and therefore warmly welcomed the convening of the Second World Conference to Combat Racism and Racial Discrimination. His delegation noted with satisfaction that an amicable solution had been found with regard to the agenda for the Conference, leading to the consensus adoption of General Assembly resolution 37/42. It hoped that the Conference would attract universal participation and find solutions to all the problems that had impeded the full implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination. It was already much encouraged by the tireless efforts that had been made to prepare for the Conference.

68. He wished to conclude by reminding the Commission of its responsibility towards all those peoples who remained victims of racism and racial discrimination.

69. Ms. ORTIZ (Afro-Asian Peoples' Solidarity Organization) said that the human rights situation in South Africa was arousing mounting international concern as the repressive character of the Pretoria regime's internal policy became increasingly obvious. No attempts by that regime or its Western patrons to create a semblance of liberalization and reform could conceal the fact that the changes introduced led only to the further deprivation of the black population of South Africa and created conditions for virtually unrestricted police persecution of all non-whites.

70. The latest restrictions on the rights and freedoms of South Africa's population included the adoption of a law abolishing the already limited right of black South Africans to live in cities and so-called white areas. The law also broadened the authorities' powers to resettle in "homelands" entire communities of black Africans, Indians and Coloured people. The introduction of the law on the press seriously restricted the free flow of information. The number of subjects about which journalists were forbidden to write without the authorities' consent had been expanded and the penalties envisaged amounted to complete government control of the mass media. The new provisions of the law on defence authorized broader application of the term "operational zone", enabling the Government to decree a state of emergency in certain areas in peace-time, with all the attendant restrictions on civil rights and freedoms. The revised law on education deprived African schoolchildren who had had to stay out of school for some time of the right to continue their education if their age did not fit the gradation set by the racist authorities. The racist regime was thus able to prevent teenagers who had taken part in anti-Government demonstrations from returning to school.

71. South Africa's legal system was so arranged that it was much wiser and easier for an African facing trial on charges of petty offences to plead guilty than to try to prove his innocence. If he pleaded guilty he faced little more than a fine. If he attempted to prove his innocence, he was subjected to protracted court examination, during which time he remained in custody, thereby losing his job and his right to housing and to stay in the city. That meant that eventually he was forcibly resettled in a bantustan.

72. The above developments showed that the racist regime's escalating violations of human rights made it more vital than ever that the international community should take strong and effective action to put an end to apartheid. At the very least, the names of corporations that were assisting the South African regime should be publicized. Governments and non-governmental organizations should be given lists of such corporations and disseminate them to a wide audience.

The meeting rose at 12.40 p.m.