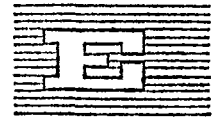


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Fortieth session

SUMMARY RECORD OF THE 9TH MEETING

Held at the Palais des Nations, Geneva,
on Monday, 13 February 1984, at 10 a.m.

Chairman: Mr. KQOIJMANS (Netherlands)

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The meeting was called to order at 10.30 a.m.

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS (agenda item 6) (continued) (E/CN.4/1984/8; E/CN.4/1984/NGO/21 and 22)

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.4/1984/11; E/CN.4/Sub.2/1983/6 and Add.1 and 2; E/CN.4/1984/NGO/13)

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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;
- (b) IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 17) (continued) (E/CN.4/1984/37 and 38; A/CONF.119/26)

1. Mr. CATO (Chairman-Rapporteur of the Ad Hoc Working Group of Experts on Southern Africa), introducing the report of the Ad Hoc Working Group (E/CN.4/1984/8), said that the human rights situation in South Africa and Namibia had deteriorated seriously since the thirty-ninth session of the Commission and that the policy of apartheid must remain a high-priority item for the Commission. The Ad Hoc Working Group was satisfied with the fruitful co-operation it enjoyed with the Assistant Secretary-General for Human Rights, Mr. Kurt Herndl, and his staff at the Centre for Human Rights. However, because of the character of apartheid and the refusal of South Africa to co-operate with the Ad Hoc Working Group, the Group had had difficulty in gathering on-the-spot information and its report was therefore based on outside materials furnished mainly by institutions, organizations and individuals familiar with the situation in South Africa and Namibia. The most informative testimony had come from former victims of oppression who had managed to escape from South Africa or Namibia. The Ad Hoc Working Group scrutinized carefully the information made available to it in order to ensure that its reports reflected the actual situation in South Africa and Namibia.

2. At its thirty-ninth session the Commission had again requested that South Africa should allow the Ad Hoc Working Group of Experts to make an on-the-spot investigation of the living conditions in prisons in South Africa and Namibia. The reply of the Government of South Africa to that request was reproduced in extenso in paragraph 7 of the report. In that reply, South Africa again accused the Ad Hoc Working Group of partiality and prejudice, which was not surprising on the part of the apartheid regime; in that connection he pointed out that members of the Ad Hoc Working Group were appointed on the basis of equitable geographical distribution and performed their functions in their personal capacity, while carefully examining the validity of the information the Group received. Particularly disturbing in the South African letter was the implied suggestion that the International Committee of the Red Cross might bear part of the responsibility

for the intolerable conditions prevailing in South African and Namibian prisons, an accusation which the Ad Hoc Working Group rejected. In connection with the letter, the Ad Hoc Working Group wished to point out that it had on several occasions expressed its great anxiety about certain judicial processes in the administration of justice in South Africa, particularly where those involved the admission of forced confessions.

3. One of the most serious effects of the apartheid system was the mass removals of Africans and other non-white population groups from their traditional homes; that policy was accompanied by the establishment of the so-called independent homelands in which Africans were forced to settle. The Ad Hoc Working Group was convinced that those so-called independent homelands had no meaning for the vast majority of the African population and that that practice constituted an inadmissible violation of the right to self-determination. Nine million Africans were deemed to have lost their South African citizenship and had become aliens in their own country. The immigration laws were now used, as the pass laws had been earlier, to remove Africans from urban areas, and deportation powers were used to circumvent court cases involving the rights of squatters. Furthermore, the inhabitants of bantustans lived in poverty. The only authority which the so-called independent homelands had inherited from the South African Government was the repressive powers formerly exercised by the South African security police. With those powers the leaders of the bantustans and the South African authorities tried to outdo each other in the enthusiasm with which they repressed those who opposed apartheid and the establishment of the bantustans.

4. In South African prisons detainees continued to be subject to the same treatment. To date 59 prisoners were known to have died in mysterious circumstances. Since 1982, 11 black prisoners were said to have been killed by prison guards. The number of deaths in prison did not include deaths that had occurred in the bantustans, since such figures were not immediately available. Technicalities were used to vindicate those responsible for the deaths.

5. The Ad Hoc Working Group of Experts had continued to study the question of the treatment of prisoners and detainees in South Africa and in its report had provided an exhaustive account of the conclusions and recommendations commissioned by the Medical Association of South Africa (MASA). The Ad Hoc Working Group wished to point out to the Commission that the investigation had become possible only when the World Medical Association (WMA) had found that the Executive Board of WHO had discontinued official relations with WMA because of its readmission of Masa to membership. It appeared that MASA acted within the context of the apartheid regime and that it was mainly interested in helping WMA. The Ad Hoc Working Group felt, therefore, that MASA's conclusions and recommendations were vitiated.

6. The search for a Namibian settlement within the context of Security Council resolution 435 (1978) continued to be stalled by a combination of domestic factors and international intrigues. While that scenario was being stage-managed, South Africa had sought to strengthen its military hold on Namibian territory and to use Namibia as a launching pad for aggression against neighbouring States, in particular Angola. Mozambique, Lesotho, Zambia and Zimbabwe had also been the victims of unprovoked and unjustified aggression, which had led to the loss of many innocent lives and serious economic damage.

7. Cases of disappearances were becoming more frequent but figures were hard to come by, as the United Nations Council for Namibia had indicated; even families several of whose members had disappeared did not dare to speak out for fear of being harassed by the security police. Torture and ill-treatment of detainees was a constant feature. The Commission might wish to reiterate its demand that captured SWAPO combatants should be regarded as prisoners of war and be treated in a manner consistent with the provisions of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War and the 1977 Additional Protocols.

8. Complying with previous decisions of the Commission and on the basis of its analysis of the evidence available to it, the Ad Hoc Working Group of Experts had already drawn up five lists of persons whom the Group considered as having committed the crime of apartheid as defined under article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid. The Ad Hoc Working Group was now submitting to the Commission at its fortieth session a sixth list and wished to point out that article V of the Convention provided for the trial of such persons by a competent tribunal of any State party to the Convention which might have jurisdiction over them. It would be desirable for a greater number of States to submit their comments and views on the interim study on an international penal tribunal (E/CN.4/1426). In the meanwhile the Ad Hoc Working Group needed a little more time. Furthermore, it had decided to study the possibility that the criminal effects of apartheid amounted to a policy bordering on genocide, in accordance with the request made in paragraph 14 of Commission resolution 1983/9. There had been scant change in the human rights situation in South Africa and Namibia. A referendum organized in November 1983 was supposed to have paved the way for representation of the coloured and Indian population in Parliament, but where did that leave the black population which constituted more than 80 per cent of the population?

9. Neither the Commission nor the United Nations should lower its guard. That would amount to a betrayal of the hopes of millions of Africans who perhaps saw the United Nations as their last hope.

10. Mr. RICHTER (German Democratic Republic) said that, at its thirty-eighth session, the General Assembly had adopted many resolutions substantiating serious charges against the South African regime and testifying to the grave concern of the international community over the deteriorating situation in southern Africa. The apartheid regime was intensifying its repression against the black population. Each year 250,000 blacks were being resettled in desolate homelands where they lived in indecent conditions as aliens in their own country. Furthermore, more than 200,000 South Africans, including Nelson Mandela, the leader of the African National Congress (ANC), were languishing in South African prisons and concentration camps. His country demanded, for a start, that those prisoners should be freed.

11. The racist and fascist policy of the Botha regime, which resorted to the most brutal methods, including murder, and which the Co-ordinating Bureau of the Movement of Non-Aligned Countries had condemned in a communiqué dated 28 June 1983, presented striking analogies with the Nazi policy of Hitlerite Germany: division of the population into racial groups and the existence of overcrowded ghettos, prisons and concentration camps. It was certainly not the planned "constitutional modification" that would change the fascist character of the regime. On the contrary, that was merely an infamous attempt by Pretoria to strengthen white domination and the apartheid system. It sought to deprive 23 million black Africans

of their fundamental rights, including the right to live in their native land and to participate in public life on an equal basis with other South Africans. The crimes against humanity and mass and flagrant violations of human rights committed by the South African regime called for resolute action by the international community, as they posed a danger to peace and security, not only in the region but in the world at large.

12. The policy of repression also manifested itself in Namibia, where the South African regime shamelessly plundered the natural resources of the country and oppressed an entire people subjected to colonialist imperialism. The policy showed itself also in the onslaughts by South African troops against Angola, Mozambique and Lesotho. It could be seen also in the activities of Pretoria-backed gangs of mercenaries and terrorists against the front-line States.

13. Despite the repression, resistance was growing inexorably, both in the region and internationally. Under the leadership of their national liberation movements, SWAPO and ANC respectively, the Namibian and South African peoples were waging a bitter struggle, whose legitimacy had been recognized by the General Assembly, to exercise their right to self-determination.

14. The explosive situation in southern Africa was quite obviously the result of a plot hatched by the main imperialist Power, other NATO countries and Israel, along with the Pretoria regime. The financial, economic and military aid, including nuclear assistance, furnished by those countries to the regime, despite the sanctions imposed by the United Nations, had only increased, as could be seen from the report of Mr. Khalifa, Special Rapporteur (E/CN.4/Sub.2/1983/6 and Add.1 and 2). The International Monetary Fund as well had made its resources available to the apartheid regime. Most importantly, however, support of the regime was gaining particularly dangerous dimensions in the military and nuclear fields, particularly as the South African Defence Minister had recently announced that operations were under way to install intermediate-range missiles in Cape Province. Such a policy of militarization was detrimental to the implementation of the Charter of the United Nations and put into question the goal of eliminating colonialism and racism. Highly sophisticated United States missiles installed in Western Europe threatened the States of Eastern Europe, North Africa, the Middle East and the Gulf region, and now those that were to be installed in South Africa were to subject the independent African States to imperialist exploitation and domination.

15. His delegation firmly condemned the apartheid regime's policy of aggression and terror and the collusion of the major Western countries and their transnational corporations with the regime. It called on the Security Council to impose effective sanctions against Pretoria. It called for the consistent implementation of the embargo on the supply of arms to South Africa and on firm action to thwart any effort at circumventing it. Full use must be made of all measures adopted by the United Nations to put an end to apartheid and to unmask its patrons. That would include, in particular, implementation of the resolutions on Namibia, especially Security Council resolution 435 (1978), and the Declaration and Programme of Action adopted by the Second World Conference to Combat Racism and Racial Discrimination.

16. For its part, the Commission should, as in the past, endeavour to promote the International Convention on the Suppression and Punishment of the Crime of Apartheid. His delegation noted, from a reading of the report of the Group of Three (E/CN.4/1984/48), that the Group had made a valuable contribution

to that end. His delegation concluded from the report that the actions of the transnational corporations operating in South Africa came under the definition of the crime of apartheid. The Commission should therefore give its support to the well-founded view of the Group of Three that article III of the Convention could apply to the actions of those corporations. Furthermore, his delegation felt that it was important to urge all States Members of the United Nations to accede to the Convention as soon as possible in order to ensure its universality. Moreover, in accordance with article II of the Convention, the competent bodies, such as the Commission and its Ad Hoc Working Group of Experts, or the Special Committee against Apartheid, could consider specific measures that should be adopted in response to the envisaged constitutional modification in South Africa, the continuing bantustanization and the persecution of ANC freedom fighters.

17. His country would do everything it could to render active solidarity to the peoples and national liberation movements in southern Africa.

18. Mrs. GU Yijie (China) said that over the past year the South African racist regime, with no concern for scruples, had announced a "new constitution" and yet had intensified its barbarous policy of racial discrimination and apartheid in the political, economic, cultural, educational and social spheres, which it imposed on the black population representing more than 70 per cent of the South African population. It had stepped up its repression and violation of fundamental freedoms and rights, including its arbitrary arrests and torture. It had intensified efforts to establish the so-called "black homelands" with a view to carrying out the plan of establishing so-called "black States". That policy had led to the exodus of millions of blacks to isolated arid areas, where they were condemned to a life of famine and epidemics. Persecution of freedom fighters and political prisoners had also increased. The progress report of the Ad Hoc Working Group of Experts on Southern Africa (E/CN.4/1984/8) provided abundant evidence of that deterioration.

19. In addition, the South African authorities were continuing their illegal occupation of Namibia and their obstruction of any solution. They were subjecting Namibians to the same policy of racial discrimination and apartheid as that imposed on South African blacks, and refused to allow them to exercise their rights to self-determination and development. The South African authorities had also launched military attacks against the front-line States, such as Mozambique, Angola and Lesotho, in order to try and cut off or reduce the assistance provided by those States to the just cause of the Namibian people.

20. It was the abetment and support of one Superpower that fortified the South African regime, as could be seen from the report of Mr. Khalifa, Special Rapporteur (E/CN.4/Sub.2/1983/6 and Add.1 and 2). The facts showed that the economic assistance and military equipment which they received from certain countries had made it possible for the South African authorities to pursue and strengthen their reactionary policy, thus exacerbating tensions in the region. The General Assembly, the Security Council and the Commission had adopted a number of resolutions on the subject, to which some countries had paid no attention but which now absolutely had to be implemented.

21. Those countries and peoples that upheld justice supported the just struggle of the peoples of southern Africa, as had been seen recently, inter alia, at the Conference of Black Unity held in South Africa in 1983, the Second World Conference to Combat Racism and Racial Discrimination and the International Conference in Support of the Struggle of the Namibian People for Independence. The Chinese

Government and people had always supported the struggle of the South African and Namibian peoples for their democratic rights and national liberation and had always condemned the South African authorities for the policy they followed. Her Government supported the declarations and programmes of action adopted by those conferences; it had always strictly observed the relevant resolutions of the United Nations and had no relations whatsoever with the racist regime of South Africa. In that connection, her delegation supported the imposition of comprehensive and mandatory sanctions against South Africa in conformity with the relevant provisions of Chapter VII of the Charter.

22. Her delegation appreciated the useful work of the Ad Hoc Working Group of Experts, which should make it possible for the Commission to advance in its consideration of human rights violations in southern Africa and to take specific measures to bring them to an end.

23. Mr. BIKOU-M'BYS (Observer for the Congo), citing article 1 of the Universal Declaration of Human Rights and article 1 of the International Covenants on Human Rights, said that the principles stated therein were being flouted by the apartheid regime of South Africa. The ideological core of apartheid consisted of its claims of the absolute superiority of the white race and the need to preserve its political and economic supremacy: as Marianne Cornevin had stated in her book Apartheid: Power and Historical Falsification, the most advanced black was by definition inferior to the lowest white man. That reactionary doctrine had been shown to be false by statements issued by many conferences, in particular that of the Committee of Experts on Race meeting in December 1949 under the aegis of UNESCO, that of the group of experts convened by UNESCO in Paris from 4 to 9 June 1951 and the meeting of experts held in Moscow in August 1964. Furthermore, the Meeting of the Committee of Experts on Race and Racial Prejudice held in Paris in 1967 had adopted a statement to the effect that all men belonged to the same species, they came from the same stock and there were no pure races among them in the sense of a genetically homogeneous population. Despite the mass of scientific proof, South Africa stubbornly continued to build its political, economic and social system on the basis of apartheid, which led to daily, serious violations of fundamental rights of the black majority of the country.

24. Through its policy of bantustanization the Pretoria Government claimed that it wished to ensure the self-determination and independence of its black population, whereas in fact it was dispossessing the blacks of their land and depriving them of South African nationality. According to a UNESCO report, 74,276 blacks had been displaced between April 1979 and March 1980. Such transfers aggravated the already disastrous situation caused by shortages in African agricultural production. Another tactic was the promulgation of a new constitution, which would grant limited parliamentary representation to Asians and Coloureds, while excluding the black majority, which represented 70 per cent of the population. At the same time, arbitrary arrests, detentions, torture and summary executions were common, and South Africa led the world in court-ordered executions. The report of the Ad Hoc Working Group of Experts on Southern Africa (E/CN.4/1984/8) revealed that a number of black detainees had died in the high-security prison of Barbeton Transvaal, following a revolt by the prisoners and that many others had died in suspicious circumstances.

25. ILO figures showed that real salaries and working conditions in agriculture had deteriorated during the past 20 years. Agricultural workers were often not paid in cash or received only 2 to 6 rand per month. Despite the Black Labour Act of 1968, which prohibited the employment of children under 18 years of age, child labour had become a generalized practice in rural areas, where working children had been subjected to cruel abuses.

26. Despite all the resolutions and recommendations of the United Nations and the specialized agencies on Namibia, in particular Security Council resolution 435 (1978), South Africa continued its illegal occupation of the country, denying the Namibian people led by SWAPO, its legitimate representative, its right to self-determination. The work of the Western Contact Group was in an impasse because the Government of the United States sought to establish an unacceptable link between Namibian independence and the claimed presence of Cuban troops in Angola. France had withdrawn from the Group because of such delaying manoeuvres. The Angolan Government had said that the United States position represented interference in its internal affairs. The General Assembly had, in its resolution 37/233 B, rejected such a linkage between Namibian independence and the withdrawal of Cuban troops, which the United States and South Africa wished to impose. The same position had been adopted at the seventh Conference of Heads of State or Government of Non-Aligned Countries held in New Delhi from 7 to 11 March 1983 and at the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983.

27. The Pretoria racists were also attacking neighbouring independent States. South African forces were illegally occupying a portion of Angolan territory. In an official statement reported in the weekly Jeune Afrique (No. 1151 of 26 January 1983), the South African Minister for Foreign Affairs had stated that South Africa was ready to intervene wherever terrorists found refuge, meaning by "terrorists" freedom fighters.

28. The United States and the countries of Western Europe violated the embargo imposed under United Nations resolutions, in particular Security Council resolution 418 (1977) and General Assembly resolutions ES-8/2 and 37/233 A. Mr. Khalifa's report was very telling on the subject. The idea put forward by some countries that relations with Pretoria encouraged South Africa to be more flexible in its apartheid policy was both absurd and contrary to United Nations resolutions. His delegation felt, on the contrary, that diplomatic, economic and military collaboration with the racist regime only worsened human rights violations in southern Africa and aggression against neighbouring States. His delegation expressed its support of the struggle waged by the oppressed peoples of Namibia and South Africa under the leadership of SWAPO and ANC respectively.

29. Ms. PARADA (Women's International Democratic Federation) expressed the profound concern of her organization at the violation of nearly all the provisions of the Universal Declaration of Human Rights and the relevant resolutions of the General Assembly and the Security Council committed by the South African racist regime in order to perpetuate its policy of apartheid, its occupation of Namibia and southern Angola, and its aggression against the front-line States. Despite the condemnation of the international community, the Western Powers, under pressure from transnational corporations, had prevented implementation of effective measures to eliminate apartheid. Without the support of those countries, and in particular that of the United States, the Pretoria regime would no longer exist. Those countries were benefitting from the exploitation of black labour and bore a heavy responsibility for the oppression of the black majority in South Africa.

30. The poverty in which the black population was maintained led in particular to epidemics of cholera, typhoid, poliomyelitis, and so forth. Malnutrition led to a high rate of infant mortality; medical studies showed that it caused the deaths of 96 children in the country each day. Her organization had already protested frequently against the inadequacy of basic care given to South African women, who already had difficulties in maintaining a normal family life, in particular because of the migrant labour problem. Furthermore, the violence of the system had produced many widows and orphans.

31. Her organization supported the initiative taken by ANC in declaring 1984 the Year of the South African Woman in order to strengthen the unity of women in the country. That initiative had already been supported by the Special Committee against Apartheid, which had requested Governments, organizations and the media to adopt specific programmes to support the women of South Africa and Namibia and the liberation movements in those countries.
32. The support of the Western countries had enabled South Africa to acquire an enormous military capability, in particular a nuclear capability, which created the conditions for a nuclear war and threatened world peace. Those Western countries also supplied mercenaries, who were participating in the destabilization of neighbouring countries. South African troops had launched incursions into Angola, Mozambique and Lesotho, which had led to many deaths among the leaders of the liberation movements, refugees and nationals of those countries. In Namibia martial law had been imposed on 80 per cent of the population. The Pretoria regime sought to impose a colonialist solution in the country, against the wishes of the people and in defiance of United Nations resolutions, in particular Security Council resolution 435 (1978). Recently South Africa had again invaded Angola with tragic consequences for the population, especially for the women and children who were the victims of the bombardments of towns, schools and hospitals. Her Federation appealed on behalf of the millions of women in the world for effective sanctions to be imposed against the Pretoria regime.
33. Mr. TJIRIANGE (Observer, South West Africa People's Organization) said that southern Africa had for years been a theatre of bloody confrontation between the forces of liberation, represented by SWAPO, ANC and the front-line States, and the forces of colonial occupation and social injustice represented by South Africa. All of Namibia had been turned into a huge military fortress from which South Africa attacked independent African countries. At that very moment South African tanks were being deployed on Angolan territory and South African air and ground forces were carrying out raids in all of the front-line States to destroy their infrastructure. With money from the imperialists South Africa recruited bandits in the region for training in techniques of subversion and terrorism to commit attacks and murders and undermine the economies of the countries attacked.
34. It was surprising that the Western world seemed not to react to that serious situation. If that conflict of unrivalled dimension in the history of southern Africa continued it would spark off a dangerous regional conflagration that would affect the entire African continent and threaten world peace and security. The wall of silence surrounding the problem must be breached at the current session.
35. The criminal aggression in southern Africa was the responsibility not only of P.W. Botha, Pik Botha and Malan but also of their puppets and, above all, certain capitalist circles. Politicians, diplomats and intellectuals tended to reduce the problems of southern Africa to a mere racial conflict and to see apartheid only as a human rights and moral issue. They therefore wrongfully concluded that reforms in the fascist apartheid system should be encouraged, along with a return to democracy through the existing undemocratic institutions. In their view the situation in South Africa in no way threatened peace and security and did not therefore justify the imposition of sanctions under the provisions of the Charter. Finally, in their view, military conflict in the region would cease once the apartheid system was reformed.
36. But that reasoning ignored the economic and especially the colonial aspects of apartheid. In the name of that system exploitation of black men was being justified and they were refused the right of citizenship in their own country. In the name of apartheid fascist troops were deployed in Namibia to repress the legitimate

aspirations of the Namibian people to self-determination and independence, the territorial integrity of the front-line States was violated, their economic infrastructure was destroyed and their population terrorized. In short, apartheid was the extreme form of South African colonialism and imperialism. The fascist colonial regime of South Africa had made racism into an official policy and philosophy in order to justify its colonial domination and terrorist acts and aggression against the black population. Only when it was fully understood that the struggle in southern Africa was an anti-colonial and anti-imperialist struggle could a victorious strategy be adopted. The Commission must take all those factors into consideration if it wished to mobilize world opinion against South Africa effectively.

37. The situation in southern Africa in general and in Namibia in particular was deteriorating at a frightening rate. The racist South African regime was not only stubborn and callous but also very belligerent and provocative. Caught up in a political dilemma and an economic and moral crisis, the regime had stepped up its policy of institutionalized terrorism and its military attacks and attempts at destabilization in neighbouring States, in particular Angola and Mozambique. The victory of the Patriotic Front in Zimbabwe had thrown the white fascist minority in Namibia and South Africa into panic as it sensed the doom of its reactionary policies. The regime had therefore equipped itself with sophisticated weapons and technology with the aid of its NATO allies and other countries, especially the United States, the United Kingdom, the Federal Republic of Germany, Canada, Belgium, France, Israel, Italy, and even Switzerland. It was reported that there were over 100,000 South African soldiers in Namibia, not counting the different types of auxiliary forces working under code names. In most cases the existence of those units, some of which were standing units and others part-time, was denied.

38. South Africa also employed a large number of mercenaries, mostly from the United Kingdom, the Federal Republic of Germany, Italy and Israel, some members of the former Rhodesian forces, some Portuguese from Angola and Mozambique, as well as some nationals of Latin American countries. South Africa also used UNITA bandits and mercenaries to attack Angola and SWAPO. In addition, white farmers had formed armed units. He cited two specific examples of such units: the "32nd Battalion" and the "Koevoet". The "32nd Battalion" consisted of African mercenaries (former UNITA and FNLA soldiers) and foreigners; it had been established in 1976 and was based officially in Rundu. It operated mainly in Angola, destroying bridges, roads, villages and crops, poisoning water supplies and wiping out entire families. Its base also served as an important supply centre for UNITA bandits. The "Koevoet" group consisted of local reactionaries, former Rhodesian scouts and South African whites. It committed monstrous crimes against the civilian population, especially in the north of Namibia, and specialized in the murder of SWAPO sympathizers and other prominent Namibians. It was responsible, inter alia, for the killing of innocent people in the village of Oshikuku and the destruction of the printing press of the Evangelical Ovambo-Kavango Church at Oniipa.

39. Namibia had also been put under martial law, which allowed the army and police to detain, search and interrogate Namibians for 30 days without trial. Under the emergency laws people could be detained even longer without recourse to the courts. The militarization of the country had reached such an extent that towns and settlements were surrounded by barbed wire in the north and other areas. There were hundreds of huge military bases in the country. Soldiers had taken over teaching in the schools and the hospitals were now run by armed military doctors. Soldiers had also taken over the administration and played the leading role in the political, social and economic life of the country. In many areas the population was totally

dependent on the army. Namibia had thus become the most militarized country south of the Equator, with one racist soldier for every six adults. It was against that strong military machine that the People's Liberation Army of Namibia, the military wing of SWAPO, was fighting.

40. Although South Africa now accepted Security Council resolution 435 (1978) as the basis for further discussions, the racist regime and the Reagan Administration linked the implementation of that resolution to the withdrawal of Cuban troops from the independent and sovereign State of Angola. Their position was supported by the other members of the gang of five, except for France, which on two recent occasions had dissociated itself from it. After his recent visit to South Africa and Namibia, the Secretary-General had stressed that the only outstanding issues to discuss with the racist leaders were the choice of the electoral system and the problems relating to the United Nations Transitional Assistance Group (UNTAG) and its composition. The Secretary-General had reported that the racist regime had indicated that the choice of electoral system would be made by the South African Administrator-General in Namibia and that the choice would be communicated to the Special Representative of the United Nations as soon as a date for implementation had been set. The racist regime was also reported to have expressed agreement on the proposed composition of UNTAG. However, the Secretary-General had added that it would be impossible to launch the United Nations plan as long as South Africa demanded the withdrawal of Cuban troops from Angola as a precondition for the implementation of resolution 435 (1978). It could be seen that the Reagan Administration, its surrogates in Pretoria and other Western allies of South Africa were seeking to prevent the implementation of the resolution by all possible means. The question was what should be done in those conditions.

41. The national liberation movements of southern Africa demanded the total isolation of the South African racist colonial regime and SWAPO demanded an economic embargo and total political, economic and cultural boycott of the regime. Although that SWAPO demand had been reiterated in many international forums, the Western countries, including the five members of the Contact Group, maintained their ties with South Africa. It was clear that, despite recent diplomatic efforts relating to Namibia, a negotiated solution was no closer. The Namibian people had long understood that they must be their own liberators. For that reason SWAPO would intensify its armed struggle and political fight within Namibia.

42. In conclusion, he expressed the hope that the Commission would continue its solidarity with the struggle and that he would be able to attend the next session of the Commission, no longer as a freedom fighter but as a representative of free Namibia.

43. Mr. LAURIJSEN (International Confederation of Free Trade Unions) said that the excellent progress report submitted by the Ad Hoc Working Group of Experts (E/CN.4/1984/8) showed clearly the destructive impact of South Africa's apartheid policy on the economic and social conditions of the overwhelming majority of the population of the country. It also showed that in the area of particular concern to ICFTU, namely the trade union field, the South African authorities were stepping up their oppressive campaign in order to continue to deprive the black workers of the means of joining forces freely in order to protect their rights and interests. In the light of that situation and in view of the vital impact of the trade union movement on over-all developments in South Africa it would seem opportune to give the Commission some additional detailed information in that regard.

44. Some of the most blatant cases of anti-trade union repression had recently occurred in Ciskei, where the South African Allied Workers Union was now totally banned. Tension was mounting in Ciskei, a bantustan given so-called independence by the South African authorities. Unrest had begun late in July 1983, when bus fares had been raised by 11 per cent. The subsequent bus boycott had led to disturbances and the imposition of a state of emergency in the black township of Mdantsane. The Ciskei authorities had then set about trying to crush the union, which in their view had organized the boycott. All of the union's leaders, except for one, had been arrested and the president of the union had reportedly gone into hiding to escape detention. At the beginning of October the authorities had banned the union altogether in Ciskei under the Ciskei National Security Act, as a result of which union activists faced prison terms of up to 10 years. The Centre for Applied Legal Studies at the University of Witwatersrand had produced a report listing cases of assault, torture and detention resulting from the boycott action.

45. The repression by the Ciskei authorities was not, however, confined to that one union and many other trade union officials of the General Workers Union, the African Food and Canning Workers and the Transport and Allied Workers Union were also in detention.

46. As South Africa had created Ciskei it could not evade responsibility for the actions of an entity used by South Africa as a dumping ground for workers engaged in the South African economy who tried to assert trade union rights. The same situation applied to the other bantustans: in Transkei and Venda trade union organizations were not recognized and in Bophuthatswana a new law was to be adopted outlawing all South Africa-based trade unions from that territory.

47. Black trade unionists were still being persecuted by proxy in the bantustans to which they had been assigned, while the policy of excluding black workers from residence in urban residential areas continued. At its current session the South African Parliament, consisting for the last time exclusively of white representatives, was to examine a draft bill entitled the Orderly Movement and Settlement of Black Persons Bill, which sought to restrict even further the access of blacks to white areas. Parliament had also received a draft bill entitled the Labour Relations Amendment Bill, which would further tighten control over the trade union movement.

48. Those were only a few examples of the endeavours of the South African Government to strengthen and institutionalize by all possible means its oppression and persecution of black workers and their trade unions.

49. The Ad Hoc Working Group of Experts had also indicated in its report (E/CN.4/1984/8) that the living standards and working conditions of the South African black majority were deteriorating. As unemployment grew each wage earner had to support a growing number of dependents on a salary with shrinking purchasing power. The South African Government had just adopted some new tax measures that would further aggravate the situation of black families. In the mining industry wages and working conditions were among the worst in the world. According to the Ad Hoc Working Group of Experts, more than 8,000 miners had been killed and more than 230,000 seriously injured over the past 10 years. Workers who protested or went on strike were dismissed or imprisoned. The working conditions of black labour and the repression of black trade unions were equally harsh in Namibia.

50. In the face of their misery and despite the oppression directed against them, black workers were becoming more and more militant and the independent black trade union movement continued to gain strength from day to day. Less than three years previously not a single independent black trade union had been granted registration and the regime had hoped to destroy the emerging trade union movement. Despite the persecution trade union membership had been estimated at 70,000 workers. Today the black trade union movement represented over 400,000 workers and major federations had been established. Faced with the determination of the workers and their representatives, employers had been forced to enter into collective bargaining, which had led to approximately 400 agreements.

51. The international trade union movement was making every effort to contribute to the development of black trade unionism by providing material and legal support as well as support in organization and training. ICFTU and its affiliates around the world continued their campaigns against white emigration to South Africa and against foreign investment in the bantustans. The affiliates lobbied their Governments with a view to increasing economic pressure on the apartheid regime, improving support for the front-line States and ensuring the more effective application of the mandatory economic sanctions imposed by the United Nations against South Africa as well as the arms embargo.

52. In view of the scope of the international trade union assistance to the democratic forces in South Africa and Namibia, ICFTU had recently organized an international conference to revise its programme of action in support of the independent black trade union movement. ICFTU was more than ever convinced that the independent black trade union movement was the single most effective means available to the repressed majority in South Africa for abolishing apartheid.

The meeting rose at 12.15 p.m.