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COMMISSION ON HUMAN RIGHTS

Fortieth session

SUMMARY RECORD OF THE 10th MEETING

Held at the Palais des Nations, Geneva, on Monday, 13 February 1984 at 2.30 p.m.

Chairman:

Mr. KOOIJMANS

(Netherlands)

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The meeting was called to order at 3.20 p.m.

VIOLATION OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE <u>AD HOC</u> WORKING GROUP OF EXPERTS (agenda item 6) (continued) (E/CN.4/1984/8)

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)

IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF <u>APARTHEID</u> (agenda item 16) (continued) (E/CN.4/1984/36 and Add.1-8, E/CN.4/1984/48; E/CN.4/1983/24/Add.13 and 14)

- (a) STUDY IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINCRITIES OF WAYS AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS BEARING ON <u>APARTHEID</u>, RACISM AND RACIAL DISCRIMINATION (agenda item 17) (continued) (E/CN.4/1984/37 and 38)
- (b) IMPLEMENTATION OF THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 17) (continued)

1. <u>Mrs. KUROKOCHI</u> (Japan) said that the questions before the Commission all stemmed from the policy of <u>apartheid</u> pursued by the Government of South Africa. Such problems as South Africa's occupation of Namibia and parts of Angola, and its alleged acts of aggression against neighbouring independent States were the direct consequence of the South African Government's practice of <u>apartheid</u>, which was the most pernicious form of racial discrimination in the world.

2. The struggle against racism and racial discrimination, and for equality, had been a continuing theme in man's history. Although equality and freedom for all, without distinction as to race, sex, language or religion, were now enshrined in the Charter of the United Nations as one of its most fundamental principles, there were, unfortunately, places in the world where those principles were still not recognized. The Declaration and Programme of Action adopted - albeit not by consensus - at the Second World Conference to Combat Racism and Racial Discrimination had greatly helped to enhance the joint struggle for the elimination of all forms of racism and racial discrimination.

3. South <u>Africa's apartheid</u> policy, as a form of institutionalized racial discrimination, unquestionably constituted the most serious and systematic denial of freedom and equality anywhere in the contemporary world.

4. Japan's advocacy of the principle of racial equality had a long history. Japan had entered the community of modern States about a century earlier, when many peoples of Asia and Africa had been suffering under racially discriminatory policies. In 1919, when it had been virtually alone in the struggle against racial discrimination, Japan had unsuccessfully endeavoured to have a clause proclaiming racial equality included in the Covenant of the League of Nations. Its opposition to racial discrimination was not based on some abstract intellectual concept but on the bitter experiences of its own people, who had become profoundly sensitive to the problem. Her Government had made every effort to induce South Africa to respond to the calls of the international community and abandon its practice of <u>apartheid</u>.

5. There had been several developments in South Africa during the past year. Firstly, in the autumn of 1983 there had been a referendum on a proposed constitutional reform, intended to extend very limited political rights to certain non-whites: the so-called Coloured and Asian peoples. Such a limited reform could not be regarded as a faithful response to the calls from within South Africa and throughout the world community for the abolition of <u>apartheid</u>, but could in fact even be considered as a device to strengthen racial discrimination. Her country fervently hoped that subsequent reforms would apply generally so that the political rights of all people could be recognized.

Secondly, certain economic and social measures had recently been taken in 6. South Africa with a view to protecting the basic rights of all people to work. Restrictions prohibiting residence in cities by migrant workers from the so-called homelands had been relaxed. While it did not think that those measures would in themselves open the door to the complete eradication of apartheid, her delegation nevertheless considered them to be an indication that the concerted efforts within and outside the United Nations to put pressure on South Africa were having an effect. The international community should not, therefore, be discouraged but should continue with patience and determination to apply pressure so that the racial barriers in South Africa would gradually be destroyed. Her delegation was aware of the view of many members of the international community that, since the efforts made so far had failed to produce any real change in South Africa's policy, more drastic action should be taken. While sharing their sense of frustration, her delegation continued to stress that efforts to achieve the eradication of apartheid must be pursued by peaceful means. It hoped that the States Members of the United Nations would devise peaceful and realistic measures to that end in accordance with the spirit of the Charter and would demonstrate their determination to implement them effectively. The Government of South Africa should realize that its inhuman and malicious policy of apartheid could not endure, and that it should immediately respond to the calls of the international community to abandon the practice once and for all. Japan had been making every effort to convince South Africa that it must do so.

7. Outlining Japan's policies towards that country, she said, firstly, that Japan had no diplomatic relations with South Africa, nor did it recognize the so-called bantustan states.

8. Secondly, in the field of economic relations, Japan did not permit direct investment in South Africa by Japanese nationals or corporate bodies under its jurisdiction, a position which it maintained despite its general policy of liberalizing direct investment abroad as far as possible. Furthermore, in accordance with the relevant United Nations resolutions, her Government had called upon Japanese foreign exchange banks and their branches abroad to refrain from extending any loans to South Africa. Its economic relations with that country were strictly confined to normal trade.

9. Thirdly, there was no military co-operation or exchange of military personnel between Japan and South Africa. Japan's strict observance of the arms embargo instituted under Security Council resolution 418 (1977) was recorded in the relevant documents of the Security Council committee established by resolution 421 (1977) concerning the question of South Africa (Sanctions Committee).

10. Fourthly, in the field of nuclear development, Japan rigorously upheld its non-nuclear principles: not to possess or produce nuclear weapons and to prohibit their introduction into Japan. It had therefore not extended and would not extend any co-operation whatsoever to South Africa in the field of nuclear weapons development. With respect to the peaceful uses of nuclear energy, Japan had not exported nuclear reactors or any related materials to South Africa or given it any assistance in the development of nuclear technology.

11. Fifthly, the Government of Japan issued no visas to South Africans for cultural or educational exchanges or sporting activities.

12. Japan had further expressed its opposition to South Africa's <u>apartheid</u> policy by giving assistance to the victims of that policy. It made annual contributions to various United Nations funds and programmes, such as the United Nations Educational and Training Programme for Southern Africa, the Trust Fund for South Africa and the Trust Fund for Publicity against Apartheid.

13. Her Government earnestly desired to contribute substantially to promoting the eradication of the policy of <u>apartheid</u>, and was ready to co-operate with the Commission in all efforts to that end.

14. <u>Mr. CHARRY SAMPER</u> (Colombia) said that his election as Chairman of the World Conference to Combat Racism and Racial Discrimination had enhanced Colombia's traditional position with respect to the elimination of racism and racial discrimination and his own personal commitment to that cause. In introducing his report to the Third Committee of the General Assembly, he had noted with satisfaction the support given in that Committee to what had been agreed upon at the Conference.

15. Colombia was a multiracial society, in which there were no substantial racial problems. Its legislation conformed to the international instruments which expressed the international community's rejection of racism, <u>apartheid</u> and all other forms of discrimination, and its official policy was aimed at the total elimination of any vestiges of racism. It maintained no relations of any kind with South Africa and, in its spirit of friendship with the African people, it supported all measures aimed at establishing a regime that was in keeping with the Charter and the course of history.

16. While comprehensive in other respects, the progress report of the <u>Ad Hoc</u> Working Group of Experts (E/CN.4/1984/8) failed to give complete coverage to the World Conference to Combat Racism and Racial Discrimination.

17. There appeared to be no change for the better in the situation in southern Africa. There had been reports of a serious deterioration in South Africa and Namibia and in South Africa's policy towards the front-line States, and of an intensification of the bantustan policy.

18. His country strongly supported the principle of non-interference in the internal affairs of States. South Africa's Constitution failed to uphold that principle, and conflicted with international instruments that reflected a consensus in favour of the unity of mankind and against racial discrimination. In those circumstances, the Commission might wish to take a stand against the constitutional domestic law of that State, in conformity with the Charter. The international community had noted with alarm that certain plans had been made to perpetuate apartheid. Those plans concerned the world at large and were not restricted to

South Africa's internal affairs. The international community rejected the bantustan policy as contrary to the principle of self-determination, which was one of the golden rules of the United Nations and part of the over-all effort to achieve decolonization.

19. Colombia, which was a member of the United Nations Council for Namibia, could not accept the argument that certain statistics concerning territories under illegal foreign occupation or deprived of their right to self-determination depicted a situation beneficial to their peoples. No economic statistics could justify rejection of the right to self-determination. In considering the violations of human rights in southern Africa, the Commission should realize that the only law applied by the occupying Power in those territories was the rule of force against the occupied peoples, who were being denied their right to selfdetermination. The creation of Zimbabwe strengthened Colombia's faith in the value of a negotiated solution, and he hoped that a spirit of optimism and patience could bring about a similar solution for Namibia.

20. His delegation was concerned about South Africa's confrontation with neighbouring States, which had the right to live in peace and devote their efforts to development. It supported the measures adopted under the Charter to avoid conflict and maintain peace in southern Africa. The Commission should consider appropriate steps to implement the objectives of the Second Decade for Action to Combat Racism and Racial Discrimination. The United Nations was not a mere academic institution; it must co-ordinate the efforts of the international community to eradicate all activities that were contrary to the unity and dignity of mankind, regardless of the ethnic origin, belief, sex, religion, colour or situation of the people concerned.

21. Racism unfortunately continued to be a universal phenomenon, but what set South Africa apart was the fact that racism was institutionalized as a basic policy of the State. The situation was so serious that the international community must not only condemn, but also do everything possible to change, that situation, which was contrary to the tenets of the Charter and human rights instruments. Of the many forms of racial discrimination practised in the contemporary world, the most serious and unacceptable form was that of <u>apartheid</u>, which had repeatedly been condemned by the international community.

22. The territorial struggles in southern Africa were, at the same time, struggles for a more equitable division of labour. From the beginning of the last quarter of the nineteenth century, racial discrimination had been a tool of the South African economy, which had been based, ever since, on a division of labour that was a model of exploitation according to colour. That policy had continued despite the appeals of the United Nations, and even of certain analysts within South Africa, who, for economic reasons, were convinced that the model was no longer profitable and that the country was faced with internal strangulation.

23. In solidarity with the just cause of the peoples of southern Africa, Colombia supported the steps taken to promote the human rights of those peoples and to implement, as a matter of priority, the objectives of the Second Decade for Action to Combat Racism and Racial Discrimination.

24. The participants in the Second World Conference to Combat Racism and Racial Discrimination had been in agreement on all matters of principle, and there had been only a few reservations with respect to approach and methods. There was an ethical consensus within the United Nations against <u>apartheid</u>, racism and discrimination, and that consensus should be used as the foundation for a major campaign against all forms of racism, priority being given to efforts to combat apartheid. His country offered its fullest co-operation to that end.

25. Mr. KIRICHENKO (Ukrainian Soviet Socialist Republic) said that the system of apartheid, which had been institutionalized in South Africa, had come to be recognized by the whole world as a crime against humanity. That had been acknowledged, during the current debate, even by those States to which the apartheid regime owed its survival. The documents before the Commission, including the report of the Ad Hoc Working Group of Experts on violations of human rights in southern Africa (E/CN.4/1984/8), provided ample evidence of the cruelty, inhumanity and illegality of that regime, and not a single delegation had challenged any of the details given.

26. Opinions differed solely on the question of how to eradicate the regime. The answer surely lay in the provisions of international instruments such as 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 <u>Apartheid</u>. To resolve that question had been the primary aim of the Programme of Action for the First Decade to Combat Racism and Racial Discrimination, and similar action had been embodied in the Programme for the Second Decade. The specific forms of action, and the need for them, had been spelt out time and again in United Nations resolutions and decisions; it remained only to give effect to them. Unfortunately, the necessary political will was lacking on the part of those States which had imperialist interests closely linked to the <u>apartheid</u> system and resorted to endless manoeuvres in order to preserve it.

27. The supporters of the <u>apartheid</u> regime claimed to discern some improvement in the situation in South Africa, pretending, for example, that the so-called referendum held there the previous autumn would lead to genuine constitional progress. Likewise, a number of Western spokesmen had praised South Africa's courts and juridical system. Such behaviour was designed to encourage a dialogue with Pretoria which, it was claimed, would lead to a peaceful evolution in southern Africa as if the non-white peoples of South Africa and Namibia could be expected to go on patiently enduring their sufferings in conditions that were an affront to humanity and international law.

28. The true concern of those States which called for "peaceful and gradual" change in South Africa was to be found in the investment profits at stake. Such States made much of their so-called "codes of conduct", but the effect of such arrangements could be seen in the example of the 1977 "Sullivan experiment" in United States companies operating in South Africa. The marvellous outcome had been that in a few "more enlightened" United States-owned companies the toilets and refectories had been desegregated. The fact remained that, in all such companies, only 0.007 per cent of black employees had achieved a status beyond that of labourer. The result of such schemes and codes of conduct was the creation of a further class system, within the black working population. Their purpose

was not to improve the lot of the African peoples of South Africa and Namibia but to promote the imperialist goals of monopolistic Western capitalism, whose close ties with the <u>aparthied</u> regime through transnational corporations were the regime's corner-stone, as United Nations documentation had clearly shown.

29. The international community could not fail to be alarmed at the current United States Administration's undisguised partnership with South Africa. As the Special Committee against Apartheid had noted in its report (A/38/22), the so-called "constructive engagement" meant that the United States was no longer making the slightest effort to dissociate itself from apartheid and was continuing to obstruct implementation of Security Council resolution 435 (1978). Moreover, the so-called "Western Contact Group" was providing the South African racists with further pretexts for delay. Washington's attempt to "link" the question of Namibian independence to the withdrawal of Cuban forces from Angola had been denounced in a number of United Nations resolutions and in other international forums. And it had encouraged South Africa in pursuing its aims by military means, including large-scale aggression against neighbouring independent States such as Angola. His delegation strongly condemned South Africa's aggression against Angola, and firmly believed that "constructive engagement", including collaboration with NATO countries and Israel in the military, nuclear and other fields, made the United States an accomplice in the apartheid regime's crimes, which threatened not only neighbouring States but international peace and security.

30. Despite disclaimers by South Africa's partners, ample evidence was given in documents E/CN.4/Sub.2/1983/6/Add.1 and 2, including details of military and nuclear equipment provided to the <u>apartheid</u> regime by 55 United States companies, 20 United Kingdom companies and 8 Israeli companies, as well as much equipment from other sources. Collaboration between South Africa and Israel, encouraged by the United States, had led to huge supplies of military equipment being sent to South Africa from Israel, as well as from Pretoria's other partners, in defiance of the arms embargo. Collaboration was not limited to conventional weaponry; Western nations and Israel were fostering Pretoria's nuclear ambitions. His delegation fully endorsed the conclusion, in the Declaration on Namibia adopted at the 1983 International Conference in Support of the Struggle of the Namibian People for Independence, that the acquisition of nuclear weapons capability by South Africa, with its record of violence and aggression, constituted a further effort on its part to terrorize and intimidate neighbouring independent African States, whilst also posing a danger to all mankind.

31. His delegation fully supported the appeal for an immediate end to all collaboration with the South African racists, especially in the nuclear field, and called for the implementation by all States of the sanctions imposed by the Security Council against the Pretoria regime, especially the arms embargo. It supported the African States' call for the Security Council to impose comprehensive and mandatory sanctions against South Africa pursuant to Chapter VII of the Charter. Only South Africa's complete isolation could ensure that it complied with United Nations resolutions and ended its criminal policies. The obnoxious system of <u>apartheid</u> could not be modified or improved; it must be utterly destroyed.

32. <u>Mr. BARAKAT</u> (Jordan) said that his delegation supported the many previous speakers who had condemned the deterioration in the human rights situation in South Africa. South African forces were occupying neighbouring countries and attacking peoples who sought to secure their national rights. Such events were taking place despite all the resolutions adopted by the United Nations and other international organizations.

33. There were similarities between the situation in South Africa and that in the Middle East. The aid received by the racist Government of South Africa bolstered it in its refusal to grant the peoples of Azania and Namibia their legitimate rights. There was no doubt that economic and military co-operation flourished between South Africa and Israel, and that it had expanded to include collaboration on nuclear weapons. His delegation had supported the Geneva Declaration on Palestine, as it had the resolutions adopted by the General Assembly at its thirty-eighth session relating to the situation in South Africa and <u>apartheid</u>. Jordan had already fully implemented all United Nations resolutions and decisions relating to South Africa, and had severed all relations with the Government of that country. His delegation trusted that the Commission on Human Rights, at its current session, would support the proposals and resolutions submitted to it by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

34. <u>Mr. MURARGY</u> (Mozambique) said that the report submitted by the <u>Ad Hoc</u> Working Group of Experts had made an enormous contribution to the Commission's work. The report contained a considerable number of facts which illustrated the crimes perpetrated by the racist Pretoria regime.

35. South Africa was the main obstacle to the enjoyment of self-determination, independence and development by the peoples of southern Africa. In the eyes of the creators of <u>apartheid</u>, independence for the countries of the region threatened the policy of hegemony which would give Pretoria economic and political dominance over southern Africa. During the struggle to end the colonial system, Pretoria had been conceiving ways of taking over the countries of the region, which represented an important source of cheap labour and raw materials for imperialism. South Africa had strengthened its army and pursued nuclear research. It had also undertaken ideological preparations by elaborating concepts that purported to legitimize its ambitions, **namely**, the doctrine of <u>apartheid</u> and the projected constellation of States.

36. Those concepts lay behind the oppressive climate suffered by the majority of South Africa's population and the aggressive policy that made South Africa a dangerous neighbour. In the view of Pretoria, the peoples of the area had a right only to puppet bantustan states.

37. The enjoyment of sovereignty and equal relations, and the effort to correct the economic dependence in which colonialism had left the countries of the region were intolerable to the racist regime. Pretoria was waging an undeclared war against Mozambique through the use of mercenaries and armed gangs, because of his country's victory over colonial domination, its decision to build a society based on justice and equality, its love of freedom and anti-racism, and its determination to struggle for genuine and independent development.

38. Armed gangs were at present the main operational instrument for hostile action against Mozambique. Pretoria's aims in using them were to foment instability and terror, to destroy agricultural production and the system of trade in order to spread hunger, to attack communal villages in order to undermine the policy of socialization of rural areas, to cut communications and power lines in order to paralyse the economic life of the country, and to abduct those who were helping in the development of the country. South Africa sought to foster the belief that there was opposition in Mozambique, as a pretext for further action against the people of his country.

39. Pretoria's acts of war constituted aggression as defined by the General Assembly in resolution 3314 (XXIX). Pretoria's activities also contravened the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and the Charter itself.

40. The situation in South Africa itself was worsening. The regime continued to deny black South Africans their most fundamental rights, considering them to be foreign workers. Yet the people continued to resist the abhorrent policy of apartheid and the "bantustanization" of their country. The creation of such enclaves deprived millions of their homes and violated the principles of the Charter.

41. The struggle against the minority regime under the leadership of the African National Congress was intensifying, while divisions were multiplying within the regime. It was becoming clear that it doubted its capacity to resolve the problems it faced. South Africa was trying to gain credibility by posing as the champion of capitalism in Africa, and to transform its defence of racist privileges into a campaign against what it termed communist penetration.

42. In Namibia the Pretoria regime continued to deny the people of the Territory their right to self-determination, in contravention of various United Nations resolutions, particularly Security Council resolution 435 (1978). The Namibian people under the leadership of SWAPO, their legitimate representative, continued to face South African aggression, which was strengthened by support from some Western countries. It was due to such support that South Africa was becoming increasingly bellicose.

43. His delegation condemned <u>apartheid</u> and zionism. Racism was a violation of human rights, as set forth in the Charter and the Universal Declaration of Human Rights. The struggle against racism was a struggle for man's dignity. Racial and other forms of discrimination were crimes under the Constitution of Mozambique, which was building a society in which people of different races could live in harmony.

44. It was regrettable that many States had still not ratified 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.

45. It was important to complete work on the study of ways and means of ensuring the implementation of United Nations resolutions on racial discrimination, in accordance with General Assembly resolution 34/24. His delegation endorsed the Declaration adopted at the Second World Conference to Combat Racism and Racial Discrimination, and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

46. Peace was essential to development. Mozambique was determined to struggle for peace by all the means at its disposal, both in southern Africa and in other regions of the world, and was determined to fight against colonialism, racism, apartheid, neo-colonialism and zionism, which were the main obstacles to peace and the full enjoyment of human rights. 47. <u>Mr. BLAIN</u> (Gambia) said that, in the 35 years since the adoption and proclamation of the International Bill of Human Rights, important progress had been made towards the universal realization of fundamental freedoms. However, for millions of men and women throughout the world, those ideals remained unattainable.

48. Nowhere was that sad truth more evident than in South Africa. Since the adoption - also in 1948 - of the doctrine of <u>apartheid</u> as the official ideology of South Africa, that system of racial discrimination had become progressively institutionalized, despite being universally condemned as a crime against humanity. The racist regime had cynically trampled underfoot the most basic provisions of the Charter, the International Bill of Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Under the <u>apartheid</u> system, the rights to freedom of movement and residence, to equal access to public services, and to equal pay for equal work no longer existed for the overwhelming majority of the population. At the same time, arbitrary arrest and detention, intimidation and torture were the rule rather than the exception. His delegation unreservedly condemned the inhuman conditions under which the black population was compelled to exist.

49. The status of racism in South Africa had been further enhanced in November 1983, with the adoption by the country's all-white electorate of a new Constitution which extended a limited franchise to the Asian and Coloured communities. <u>Apartheid</u>, which was already institutionalized, was now being constitutionalized. First of all, the country's 20 million black inhabitants, who represented 75 per cent of the population, were effectively being consigned to political oblivion. Even the so-called franchise extended to the Asian and Coloured communities was so limited as to leave the balance of political power completely unchanged. Consequently, his delegation has been surprised by the enthusiastic response of a number of Governments which had welcomed the constitutional dispensations as ushering in a period of gradual reform. Appropriately, however, the General Assembly, in resolution 38/11, had categorically rejected the new Constitution as designed solely to perpetuate white minority rule.

50. The new constitutional dispensations obviously formed a logical counterpart to the universally denounced policy of bantustanization, since the black population was to be stripped of its citizenship and dispatched to the so-called homelands. It was within the framework of those puppet entities, rather than in South Africa itself, that the black population was intended to exercise its civil, political and other rights. Thus far, almost a million black South Africans had been declared technical aliens in their own country.

51. His Government was gravely disturbed by the situation in the purportedly independent homelands, which represented little more than reservoirs of cheap migrant labour for South Africa's industries. The climate of brutal repression prevailing within the homelands corroborated the view that a primary function of those entities was to police black labour for South Africa. The systematic harassment and repression to which trade unionists in Ciskei were subjected was clear evidence of that role.

52. South Africa's wanton disregard for human rights and other norms of international conduct was not confined to its own territory. In addition to maintaining its illegal occupation of Namibia, Pretoria had declared total war on the enemies of <u>apartheid</u> and had embarked on a systematic campaign of destabilization against independent States in the subregion. As part of that

criminal policy, it had occupied for over two years a significant proportion of the sovereign territory of the People's Republic of Angola. His Government, which had repeatedly condemned those criminal acts as posing a grave danger to international peace and security, demanded the prompt implementation of the United Nations plan for Namibia, as set out in Security Council resolution 435 (1978).

53. The repeated calls of the international community for the elimination of the crime of <u>apartheid</u> had gone unheeded by Pretoria. However, that was not entirely incomprehensible, given the close economic, military and strategic co-operation which a number of the more influential members of the international community continued to extend to the racist regime. If the international community was serious about ensuring South Africa's compliance with its obligations under the Charter and international law, appropriate measures must be taken under Chapter VII of the Charter. Only then would the oppressed black population be assured of its fundamental and inalienable human freedoms.

54. <u>Mr. VARKONYI</u> (Observer for Hungary) said that the policy of <u>apartheid</u> pursued by the Government of South Africa was one of the most vital issues on the Commission's agenda. The majority of States held the view that concerted action must be taken against the racist regime, which had been ignoring the will of the international community for many years.

55. The progress report of the <u>Ad Hoc</u> Working Group of Experts on violations of human rights in southern Africa (E/CN.4/1984/8) confirmed that the Commission had every reason to be alarmed. The racist regime in South Africa continued to practise <u>apartheid</u>, which was a crime against humanity and a brutal form of racial discrimination in which the humiliation of millions of people was inseparable from their economic exploitation. Bantustanization, so-called separate development and the pass-law system were designed to provide a cheap labour-force for the benefit of the white minority and of foreign economic interests.

56. In addition, South Africa had committed acts of aggression against neighbouring States and continued its illegal occupation of Namibia, in flagrant violation of international law and United Nations resolutions. It had started a massive arms build-up in Namibia, while intensifying military operations against SWAPO - the sole legitimate representative of the Namibian people - and making armed incursions into Angola. His delegation resolutely condemned the continuing illegal occupation of Namibia by the Pretoria regime and its attempts to impose a neo-colonialist solution on the people of Namibia. There could be no lasting solution without strict compliance with the relevant resolutions of the United Nations.

57. A necessary step towards the punishment of those who persisted in the crime of <u>apartheid</u> was to break off all relations with the racist regime. The intransigence of the current leaders of South Africa derived in large measure from the support received from certain Governments and transnational corporations. That support must be terminated, as had been repeatedly emphasized in various United Nations forums. It was essential to put an end to diplomatic co-operation and to the vast supply of arms. Existing co-operation in the fields of trade, investment, credit and loans must also be discontinued. Without the help of its imperialist allies, the Pretoria regime would be unable to defy the will of the international community or even to survive. However, despite international

efforts, collaboration with South Africa not only continued, but was growing in all fields. The steps taken by some States towards active nuclear collaboration with Pretoria not only constituted a clear violation of United Nations resolutions, but, by helping the Pretoria regime to acquire a nuclear capability, would contribute to the further deterioration of the situation in southern Africa.

58. The Hungarian people condemned the shameful policy of <u>apartheid</u> and supported every effort to counter it. Hungary was a party to all United Nations instruments which formed an indispensable part of the world-wide struggle against racism, racial discrimination and <u>apartheid</u>. As one of the founding members of the Special Committee against <u>Apartheid</u>, Hungary had always emphasized the importance of joint efforts to eliminate <u>apartheid</u>. Hungary had supported, and consistently complied with, General Assembly and Security Council resolutions aimed at the prevention, suppression and punishment of the crime of <u>apartheid</u>.

59. From time to time, his Government reported on the implementation of the International Convention on the Suppression and Punishment of the Crime of <u>Apartheid</u>, and greatly appreciated the thorough and devoted work done by the Group of Three in examining those and other reports. His delegation hoped that the number of States parties to the International Convention would increase in the future.

The meeting rose at 4.40 p.m.