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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 1601st MEETING

Held at the Palais des Nations, Geneva,  
on Monday, 16 February 1981, at 10 a.m.



Chairman: Mr. CALERO RODRIGUES (Brazil)

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The meeting was called to order at 10.25 a.m.

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS (agenda item 6) (continued) (E/CN.4/1410; E/CN.4/1411; E/CN.4/1429; E/CN.4/1430; E/CN.4/NGO/290)

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) (A/RES/35/32; E/CN.4/Sub.2/425 and Add.1-7)

IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID (agenda item 17) (continued) (E/CN.4/1415 and Add.1-9; E/CN.4/1416; E/CN.4/1417; E/CN.4/1426; E/CN.4/NGO/290; A/RES/35/39)

(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 21) (continued) (E/CN.4/1431; E/CN.4/1447; E/CN.4/1448 and Add.1; A/RES/34/24; A/RES/35/33; A/RES/35/34; ST/HR/SER.A/3; ST/HR/SER.A/5)

1. Mr. KALINOWSKI (Poland) said that the policy of apartheid pursued by the racist South African authorities constituted an affront to the dignity of all mankind and a challenge to the international community. Racism and fascism sought the same goals, namely the degradation of groups and peoples through attacks on their physical and moral integrity and their consequent destruction. That was shown clearly by the information contained in the comprehensive report of the Ad Hoc Working Group of Experts (E/CN.4/1429), which confirmed that the South African racists were persisting in a policy of apartheid and oppression against the local population in order to perpetuate the rule of the white minority, using such methods as torture of political prisoners and detainees, mass removals of populations and harassment of trade union leaders and of students. In addition, the South African authorities were pursuing a policy of discrimination in the educational field in South Africa and in Namibia, a Territory which they continued to occupy in defiance of the United Nations. Moreover, South African forces were carrying out attacks against neighbouring countries, killing hundreds of people.

2. His delegation fully agreed with the conclusions and recommendations of the Ad Hoc Working Group. In particular, it drew attention to the statement by the Group that since South Africa was suspected of having acquired the capability of manufacturing nuclear weapons, the situation in that country posed a real threat to international peace and security. In his delegation's opinion, the Commission should, in accordance with the recommendations of the Group, make an urgent appeal to the international community, particularly countries which maintained relations with South Africa, to join the United Nations in its efforts to bring an early end to the inhuman system of apartheid.

3. It was clear from the Group's report that South Africa had taken no notice of the various United Nations resolutions on the question of apartheid, including the 18 resolutions on that subject adopted by the General Assembly at its thirty-fifth session. The South African régime would be unable to defy the United Nations in that manner if it did not enjoy the support of certain countries and transnational corporations, and consequently his delegation fully supported the Group's recommendation that the Commission should urge those countries which maintained political, economic, cultural and other forms of collaboration with South Africa to terminate such relations in view of that country's policy of apartheid, which the international community recognized as a crime against humanity.

4. His delegation believed that the Commission should disseminate widely the report by Mr. Khalifa, Special Rapporteur, on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the colonial and racist régimes in southern Africa (E/CN.4/Sub.2/425), which listed the transnational corporations, banks and other organizations that provided such assistance. Such a measure would help to put an end to the activities which undermined the decisions taken by the United Nations. Furthermore, Mr. Khalifa's report should be updated annually.

5. His delegation attached great importance to the implementation of international instruments such as the International Convention on the Suppression and Punishment of the Crime of Apartheid, to which all Member States should be called on to accede. It was regrettable that, as at 30 January 1981, only 58 States had acceded to that Convention, a number too small to ensure an effective struggle against apartheid. His Government had acceded to the Convention in 1976 and had already submitted two periodic reports. Polish legislation strictly prohibited any distinction based on racial, national or ethnic origin. In his delegation's opinion, the study on ways and means of ensuring the implementation of international instruments such as the convention concerned deserved careful consideration.

6. It was necessary for all States to desist from any political, military or economic co-operation with the Pretoria régime with a view to eliminating apartheid, the suppression of which would mean the end of that régime. His delegation was convinced that the time would come when apartheid and discrimination would disappear in South Africa and Namibia. Although the recent conference on Namibia had not produced concrete results, the growing national liberation movement in South Africa and Namibia created genuine prospects for the overthrow of the last bastions of colonialism and racism in Africa. The irreversible course of history had been demonstrated by the recent creation of the State of Zimbabwe. In conclusion, he expressed his delegation's support for the just struggle being waged by the peoples of southern Africa.

7. Mr. AL-BAROUDI (Syrian Arab Republic) noted that in its report (E/CN.4/1429) the Ad Hoc Working Group of Experts stated that the inhuman policies of the racist régime of Pretoria were continuing and confirmed in its conclusions that political repression, detention without trial, mass removals of populations, torture of political prisoners and detainees and exploitation of the black labour force were systematic practices of the white minority Government of South Africa.

8. His delegation, which fully supported all the recommendations in the Ad Hoc Working Group's report, drew particular attention to paragraph 19 concerning the countries which still maintained political, economic, cultural and other forms of collaboration with South Africa. It was clear that the Pretoria régime would not be able to pursue its apartheid policy without the support of some Western countries, particularly members of NATO.

9. South Africa was seeking to extend its apartheid policy to neighbouring countries. In that connection, he referred to a recent article in the International Herald Tribune which quoted a high-ranking army spokesman in Pretoria as saying that South Africa intended to carry out attacks against black nationalist guerrillas in neighbouring countries. The article went on to say that those comments had followed a raid by South African commandos into Mozambique and that although the raid had given rise to appeals by the black States for sanctions and punitive measures against South Africa, according to local political commentators South Africa had made the move because the new administration in the United States was likely to block any decision to impose sanctions on South Africa. The same newspaper had later reported on the work of the Conference organized by the United Nations Special Committee against Apartheid at Brussels at which 44 members of national legislatures and the European Parliament had called for an oil embargo against South Africa to supplement the arms embargo approved by the Security Council in 1977. The participants had regretted that some Western shipping companies were helping South Africa to circumvent the oil embargo decided upon by Arab oil producers. Those statements proved beyond any doubt that the West was responsible for the continuation of the policy of apartheid in South Africa and Namibia.

10. The peoples of southern Africa were aware that multinational corporations were plundering their natural resources. However, the exploiters were also aware that their interests were endangered as a result of the awakening of the exploited peoples, and in February 1981 the President of an Anglo-American corporation had appealed to the Government of Pretoria to modify its racist policy towards the African people because otherwise a revolution could be expected within five years.

11. In referring to racism in South Africa, it was essential to note that the Zionists intended to pursue similar policies in order to control the wealth of the Arab nation. It was clear that zionism and apartheid shared the same ideology and were based on the false assumption of the superiority of the colonialist settlers over the indigenous populations. It was therefore no wonder that the General Assembly had in 1975 declared zionism to be a form of racism and racial discrimination and had equated it with apartheid. With regard to the increasing co-operation between Pretoria and Tel Aviv, he referred to an article published in a South African monthly magazine which drew attention to the substantial growth in trade between the two countries.

12. Note should also be taken of the fact that the surrender of Egypt and its alliance with the United States and Israel had increased the tempo of South Africa's aggression against Angola and Mozambique. With the consent of Egypt, the United States had established military bases in Egyptian territory in order to interfere in any

African country which rejected its hegemony. As a result of the Camp David accords, Egypt had become an interventionist Power which seriously threatened the struggle of the African people. The objectives of South Africa, Israel and Egypt therefore converged against the interests of both the African and Arab peoples. It was significant that the recent conference on Namibia, held at Geneva, had failed because SWAPO had rightly felt that it was being deprived of its rights and that there was a conspiracy to undermine the future of Namibia as an independent State with full sovereignty over its territory and national resources.

13. Together with the overwhelming majority of nations, his country had persistently called upon the Security Council to impose comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations. However, the major trading partners of South Africa had constantly evaded the issue, thus showing their preference for a continuation of a situation that threatened peace and security in southern Africa.

14. His Government had regularly submitted its reports on the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid to the Group of Three. It had stated on several occasions that the Convention would remain a dead letter unless article V, providing for the establishment of an international penal tribunal, was implemented. It had also suggested the formulation of a set of standard articles on the suppression and punishment of the crime of apartheid, in order to provide States with guidance in drawing up penal provisions. The interim report (E/CN.4/1426) would be carefully studied by his Government, which would submit its comments on the draft Convention on the Establishment of an International Penal Tribunal and on the draft Additional Protocol for the Penal Enforcement of the International Convention.

15. His delegation regretted that the information contained in the revised report by Mr. Khalifa (E/CN.4/Sub.2/425) was not sufficiently comprehensive to give a clear idea of the extent and nature of co-operation between States, multinational corporations or individuals and the racist régime of Pretoria. It also expressed disappointment at some omissions relating to co-operation between South Africa and Israel.

16. He reaffirmed his Government's determination to pursue its struggle against apartheid by all the means at its disposal and reiterated its support for SWAPO and the African National Congress. The Government and people of Syria regarded the struggle of those two liberation movements against imperialism, colonialism, foreign occupation and racism as part of its own fight.

17. Mrs. NAVCHAA (Mongolia) said that the documents on the items before the Commission provided further evidence of an intensification of the policy of apartheid and racial discrimination in South Africa. The world continued to deplore the daily sufferings endured by the South African people and the increasing oppression of South Africa's black majority through terror, arbitrary arrests, sham trials and concentration camps. The people of Namibia, which was still under the illegal occupation of South Africa, were also subjected to the criminal practices of the apartheid régime, and the peoples of the neighbouring States, particularly Angola and Zambia, were the targets of repeated aggression.

18. It was quite clear that the continuing collaboration of certain Western countries, primarily NATO members, and Israel with the racist South African régime, especially in the military and economic fields, was encouraging that régime to persist in its inhuman policy of apartheid, which constituted a crime against humanity. According to the reports of the Ad Hoc Working Group of Experts (E/CN.4/1426 and E/CN.4/1429) and the report of Mr. Khalifa (E/CN.4/Sub.2/425), the Western countries were continuing to strengthen relations with the apartheid régime in various fields. Moreover, the transnational corporations were expanding their activities in southern Africa.

19. It was clear that South Africa had acquired the ability to manufacture nuclear weapons as a result of its close collaboration with NATO members in the nuclear technology field, a situation which posed a grave threat to international peace and security. It had therefore become necessary to adopt appropriate and effective measures, including the application to South Africa of the sanctions provided for in Chapter VII of the Charter of the United Nations. To that end, the international conference on sanctions against South Africa to be held in May 1981 was of the utmost importance.

20. Her delegation was concerned at the fact that only 58 States had thus far acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid and found it surprising that not a single Western country had yet done so. To be effective, the Convention must be ratified and implemented on a universal basis.

21. It was also alarming to note the proliferation of ideas and doctrines based on racial superiority and hatred and the resurgence in a number of Western countries of Fascist and neo-Nazi organizations. Paragraph 15 of the Programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination rightly called upon all States to prohibit such racist organizations (General Assembly resolution 34/24, annex).

22. Her Government attached great importance to the measures taken by the United Nations to combat all forms of racial discrimination and supported, in particular, the Decade for Action to Combat Racism and Racial Discrimination. Furthermore, Mongolia was assisting the liberation movements of South Africa and Namibia in their just struggle against colonialism, racism and apartheid.

23. Mr. MUBANGA-CHIPCYA (Zambia) expressed his appreciation of all those institutions and individuals whose efforts had focused world attention on the plight of the non-white population in South Africa and would eventually put an end to the senseless practice of apartheid and other Fascist systems of mass slavery.

24. He commended the Ad Hoc Working Group of Experts on its report (E/CN.4/1429). The grim facts outlined in that document, including attacks on refugee camps in Angola and in Namibia, in which many old and infirm persons, women and children had been killed and injured, confirmed his own country's experience of the Pretoria régime's brutality. He and his family had been present during an attack on a refugee settlement outside Lusaka, in which helicopters and bazookas had been used. They had been in grave danger, and their neighbour, a prominent member of the Zambian Government, had been fired on by the attackers. The front-line African States were constantly suffering such assaults, of which the outrageous attack on

Maputo in January 1981 had been the latest example. At times South African troops occupied districts in those States for months on end, killing or maiming those who failed to collaborate with them or who were suspected of supporting liberation movements.

25. The events outlined in the report involved not only violations of the Charter and the Universal Declaration of Human Rights, but also breaches of international law and of all that modern civilization stood for. In paragraph 112 of the report some examples were given of the harsh punishment meted out to prisoners on trial who had been courageous enough to express their opposition to apartheid and their beliefs in the inalienable right to self-determination. The report also described how the so-called "homelands" policy was designed to provide cheap black labour, and how victims of apartheid had been tortured and mutilated.

26. Although the attitude to racial differences had undergone profound changes in most parts of the world in recent years, the Afrikaner still regarded non-whites as inferior and sought to justify apartheid on the grounds that it preserved civilization - a claim which ignored the advanced non-European civilizations of which Western civilization was the descendant. Apartheid, which was contrary to the spirit of the Charter and the international community's views, stemmed not from greed alone but from an apparent quasi-religious conviction; and the policies arising from it, such as the "Bantu homelands" policy, further frustrated contact and understanding between peoples. Southern Africa posed a problem so fundamental that, as the representative of Cyprus had noted, only the most drastic measures could produce any progress.

27. For centuries, philosophers and scholars of jurisprudence had been evaluating man's inherent value and stressing the relationship between respect for human rights and the maintenance of peace, and between a country's ill-treatment of its own citizens and aggression against other nations. Perhaps the first assertion of such notions had appeared in the objectives of the Congress of Vienna; they had later been reflected in the League of Nations, the International Labour Organisation, the Charter of the United Nations and the Universal Declaration of Human Rights. The Universal Declaration and the Charter were international instruments whose validity no court could dispute simply on the grounds that the State concerned had never consented to all their provisions. The Charter, in Articles 55 and 56 and elsewhere, set forth the duties of States; in addition, the declaration annexed to General Assembly resolution 2625 (XXV) provided that States should refrain in their international relations from the threat or use of force. Moreover, the right of all peoples to self-determination had been reaffirmed in General Assembly resolution 545 (VI). Yet it was clear that South Africa continued to violate the provisions of all those instruments.

28. Perhaps the best opportunity for solving the racial problem in South Africa had been missed in 1902, when the Boer republics of the Transvaal and the Orange Free State had been defeated. The United Kingdom authorities should have insisted on legislation in the defeated lands similar to that in force in Cape Province, which had enfranchised the non-white population subject to property qualifications.

29. One reason for the lack of progress was the assistance South Africa received from Japan and the Western States whose companies profited from sweated labour in South Africa. The argument that those countries' Governments could not dictate their nationals' trade policy was unconvincing; such Governments should recognize the need to avoid frustrating the application, in South Africa, of the standards their countries themselves had introduced to the world.

30. As the representative of the Organization of African Unity (OAU) had stated, Africa would persevere in its fight against apartheid. The purposes of the Charter of OAU included the eradication of all forms of colonialism from the continent of Africa and the promotion of international co-operation, having regard to the Charter of the United Nations and the Universal Declaration of Human Rights. In accordance with those and other instruments, the front-line African States, despite their limited resources, would not flinch from their duty of seeking to end the exploitation of man by man. To that end, Zambia encouraged the African liberation movements to use negotiation rather than violence wherever possible, pursuant to the Lusaka Manifesto of April 1969.

31. Mr. SCHIFFLER (United States of America) said that the United States had consistently made known its abhorrence of the South African Government's practice of apartheid. As long as apartheid was maintained, it was impossible to develop a desirable type of relationship with South Africa.

32. The United States had striven for equal rights and opportunities, under the law, for all its citizens, and would continue to ensure that its Bill of Rights applied to them in full. It was ready to share its experience in order to show that the goal of equality was both essential and attainable.

33. The United States could not endorse any system which was racist in purpose or effect, such as that currently applied in South Africa. The Commission would shortly be considering ways of protecting the basic human rights of dissidents in some oppressive societies which themselves were advocates of human rights. The South African Government was one of the worst offenders in that respect. Expression of opposition to its policies was strictly curtailed by law and enforced through the practice of banning; that practice violated human rights and the very notion of democracy, and served only to provoke violence and repression.

34. Although the United States abhorred apartheid, it also abhorred violence and terrorism. Even in South Africa, change was gathering momentum, and any opportunity to enhance evolutionary progress must be seized, for the benefit of all persons in South Africa as well as for the world at large. To extend human rights institutions to all, on the basis of equality, was always preferable to destroying them through violence.

35. A system which sought to keep 85 per cent of the population in a subordinate role was doomed to failure; those in South Africa itself who sought to change it should be constructively supported. Strident rhetoric and calls for radical action served only to encourage those prone to violence or to increase the intransigence of those who clung to the status quo. In that connection, there was good reason to question the motives of those who criticized the human rights record of other countries whilst, in their own countries, not even minimum human rights standards were observed.

36. The United States invited all to join in working towards a solution in which South Africa, representing all its citizens, could take its place as a respected member of the international community.

37. Many nations, including his own, were aware of the scars which racism left on a society and its individuals, and of the emotions it created. But the efforts of an international forum such as the Commission must focus on the attainment of a better life for South Africans of all races - which could best be achieved by a concerted effort based on reason, human brotherhood and the pursuit of progress.



38. Mr. SAHM (Federal Republic of Germany) said that, as his country's Minister for Foreign Affairs had made clear at the General Assembly's thirty-fifth session, the obligation to prohibit all forms of racial discrimination was self-evident. South Africa's presence in Namibia was incompatible with international law, and South Africa alone was responsible for the failure of the conference held in January 1981 to arrange for the implementation of the United Nations plan pursuant to Security Council resolution 435 (1978). The international community must persist in its efforts to achieve independence for Namibia through free elections held under United Nations supervision. Developments in Zimbabwe had confirmed his country's conviction that such solutions were possible even in the most difficult circumstances.

39. His Government would continue to do its utmost, both through direct talks with the South African Government and by means of co-operation with other interested countries, to help bring about a peaceful change in the situation in South Africa. To that end, his delegation had voted in favour of Commission resolution 9 (XXXVI), and had approved of the dispatch of a telegram by the Chairman of the Commission at its thirty-sixth session, calling on the South African Government to put an immediate end to violent and repressive measures. His delegation was confident that the Chairman of the Commission at its current session would follow developments in southern Africa with his customary diligence.

40. In the economic sphere, his country and its partners in the European Community were seeking to exert influence by means of a code of conduct for enterprises represented in South Africa, particularly with a view to improving the conditions of black African employees of European firms there. For that reason, it felt that severance of economic ties with South Africa would be unwise, and it disapproved of lists which implied that trade relations with South Africa were tantamount to support for, or complicity with, the racist régime.

41. His country's society observed the principle of free trade; and private trade with South Africa did benefit African workers and their families. However, such trade was often the subject of attacks which were not only intemperate but in many cases insincere, coming as they did from countries which themselves traded actively with South Africa. For example, South African imports from CMEA countries had exceeded 13 million rand in 1977 and over 14 million rand in 1978; South Africa had exported to those countries goods worth over 21 million rand in 1977 and more than 23 million rand in 1978. The trade of such countries with South Africa was, of course, as legitimate and as helpful to the black population as anyone else's. But the facts revealed what amounted to a policy with a double standard, which should have no place in the Commission's approach. Moreover, progress towards an acceptable solution to the South African problem would be enhanced if the perennial propaganda against the Western States were abandoned.

42. Mr. MARTINEZ (Argentina) said that racial discrimination, a flagrant violation of basic human rights and of the purposes and principles of the Charter of the United Nations, was particularly abhorrent when enshrined in the very constitution of a State, as was the case with apartheid. It was not surprising that the non-aligned States, at their recent meeting in New Delhi, had condemned apartheid as one of the most odious forms of human rights violations as well as a serious threat to international peace and security.

43. His country shared that concern regarding the situation in southern Africa and reaffirmed its support for the United Nations resolutions which condemned apartheid and recognized the legitimacy of the struggle of the peoples of southern Africa to eradicate it. In that connection, he made particular mention of the General Assembly's condemnation of bantustanization as a violation of the fundamental United Nations principle of territorial integrity in an attempt to maintain a racial minority in power. The international community had rightly rejected that endeavour to pervert the principles of international law and to reduce State sovereignty to a mockery by establishing artificial States.

44. South Africa had further violated basic human rights and defied the opinion of the world community by its denial of the right of self-determination in Namibia and its extension of apartheid to that Territory. His country joined the non-aligned States in condemning South Africa for deliberately sabotaging the meeting recently held in Geneva to implement the United Nations plan for Namibian independence and it agreed that South Africa's attitude constituted a threat to peace.

45. Mr. ZORIN (Union of Soviet Socialist Republics) said that the persistence of gross and flagrant violation of the human rights of the vast majority of the population of southern Africa constituted a threat to international peace and security. For decades the ruling circles of South Africa had enacted laws and regulations designed to ensure the domination of their white minority régime. They also made every effort to pit blacks and Asians against each other in order to weaken their struggle against an apartheid system which maximized profits for a white minority subsidized by badly paid Africans. A particularly odious expression of that policy of "divide and rule" was the bantustans established in the face of international protest. Those artificial States were no more than a reservoir of cheap labour in which 80 per cent of the African population was forcibly settled on 13 per cent of the territory, organized into unconnected units with no industry or resources, and hence politically and economically unviable, and placed under puppet rulers. No country recognized the bantustans, even though the United States and the United Kingdom had recently sent observers to a farcical referendum held without the participation of three-quarters of the local population and with many of its leaders in gaol.

46. In spite of everything, the apartheid system was in serious trouble and could not survive. Its opponents increasingly included members of all African ethnic groups, including progressive whites, and their growing solidarity made victory inevitable. Recently cosmetic changes had been instituted in the apartheid system in a desperate effort to undermine that joint struggle, but they could deceive no one, particularly against the background of increasingly frequent and brutally crushed demonstrations. In those circumstances, it was essential to support all forces struggling against South Africa's open defiance of world opinion.

47. South Africa's apartheid policy was inseparable from its increasing acts of military aggression against neighbouring States, in which it used sophisticated weaponry. He recalled the statement by the representative of Zambia in that connection and noted that the South African army had been engaged in full battle in Angola and had trained squads to carry out acts of sabotage in Mozambique.

Voluminous evidence was available regarding those aggressive acts and all the suffering they caused. The undeclared war against Angola, for example, which included the bombardment of peaceful towns and multiple incursions into Angolan territory, had claimed many innocent victims and caused great harm to the Angolan economy. A recent statement by the South African Foreign Minister indicated that such attacks would continue, in spite of the appeals of the international community for South Africa to respect the right of self-determination and territorial integrity.

48. Ample evidence had also been presented to the Commission of the barbarous measures, which now included a form of bantustanization, taken by South Africa to suppress the liberation movement in illegally occupied Namibia. South Africa had sabotaged the recent conference to find ways of implementing the United Nations plan for free elections in Namibia in order to keep SWAPO, the sole legitimate representative of the Namibian people, out of power, and thereby had left little alternative but armed struggle. In those circumstances, the Commission must again condemn South Africa and demand the implementation of its decisions regarding Namibia.

49. South Africa's persistent and widespread violations of basic human rights constituted an increasingly serious threat to peace, a threat which could be averted only by depriving South Africa of the political and economic support which it needed to survive. That support came largely from the United States, the United Kingdom and Israel, countries which argued that they were powerless to limit the activities of private enterprise and even tried to maintain that such activities actually helped the African population. No such argument was ever invoked to prevent embargos against the USSR or Cuba, however. Nor were the countries concerned exempt from the United Nations arms embargo which was in force against South Africa and binding on all Member States. Yet it was technical know-how deriving from the United States, the United Kingdom, the Federal Republic of Germany and other countries that had enabled South Africa to develop a nuclear capability, in spite of the Non-Proliferation Treaty, to which, incidentally, South Africa was not a party. The ostensibly non-military material provided to South Africa was easily converted to military purposes. Those same States, which paid lip-service to their opposition to apartheid, also provided South Africa with every kind of conventional weapon, under a system of foreign licences. At the same time, profit-minded Western monopolies were plundering the natural wealth of Namibia, from which they drew a number of strategic materials, including uranium. It was in order to protect their investments that certain Western countries argued for persuasion rather than action in dealing with South Africa. What was needed, however, was not persuasion, or even condemnation, but the expansion of sanctions to include all forms of aid to South Africa in order to isolate it. All those who opposed such a boycott were in effect co-operating with the apartheid régime.

50. Finally, it was urgent to implement all the provisions of the Programme for the Decade for Action to Combat Racism and Racial Discrimination and to maximize the effectiveness of the International Convention on the Suppression and Punishment of the Crime of Apartheid by persuading those countries which had not yet done so to become parties to it.

51. Mr. ALMEIDA RIBEIRO (Portugal) recalled that Portugal, which had been the world's first colonial power, had, after repeated condemnations by the United Nations and other international bodies, and following a prolonged period of international isolation, granted independence to its African colonies. None of the former Portuguese colonies, in Africa or elsewhere, had had a history of racial prejudice. Indeed, the mixing of people of different races and religions had been a prominent feature of Portuguese colonialism. The total absence of racial discrimination or prejudice based on colour were attested to by Portugal's legacy of language and institutions to countries in Africa, Asia and South America. Accordingly, Portugal regarded as unnatural the institution of apartheid, which was repugnant to the deep-rooted instincts of co-existence and racial tolerance of the Portuguese people. His delegation had consistently expressed its disagreement with the practice of discrimination in South Africa.

52. However, any change of that racist policy must be brought about, not by violent means, but by persuasion and by international pressure. In that regard, the presence of half a million Portuguese in South Africa, most of whom were engaged in modest professional or business activities, would not fail to exert an influence, albeit small, on South African life. The severing of diplomatic or economic relations with South Africa would not hasten change in that country's racist institutions. On the contrary, such relations would bring pressure to bear on South Africa's leaders to do away with the catastrophic and unnatural practice of apartheid.

53. On the question of Namibia, his delegation firmly believed that the United Nations should take measures to ensure that that Territory's right to self-determination was exercised freely and lawfully.

54. In conclusion, he condemned South Africa's armed attacks against Angola and Mozambique and expressed the fervent hope that such infringements of the sovereignty of those two countries, which Portugal was proud of having assisted to become independent and with which it had close ties, would cease once and for all.

55. Mr. ORTIZ RODRIGUEZ (Cuba) said that the inhumanity of the apartheid régime had few parallels in history. The black people of South Africa, who constituted the majority of the population, had been continually humiliated and brutally exploited. Millions of individuals had been forced to leave their homes for urban ghettos, and had been detained under racist laws; thousands of patriots had been sentenced to long terms of imprisonment or tortured; and hundreds of persons had been massacred for their participation in anti-apartheid demonstrations.

56. More than 30 years had passed since the violations of human rights perpetrated by the South African régime had first been brought to the attention of the United Nations. The numerous valuable studies and investigations carried out had demonstrated clearly the nature of the policy of apartheid and the consequences of the institutionalization of racism and racial discrimination. After all the work that had been done, and after witnessing year after year the suffering of the black people of South Africa, one could not help wondering what were the factors that made it possible for that situation to continue. The response of the Pretoria régime to the repeated demands of international public opinion had been to step up its discrimination, brutality and violations of human rights.

That régime, far from finding itself unable to continue its policy of genocide against the black population, was enjoying increased foreign investment and an expansion of trade, and was receiving more political, economic and military aid, including nuclear technology, which meant that South Africa constituted a more serious threat to international peace and security than ever before. There had been no improvement in the human rights situation in South Africa or in the illegally occupied Territory of Namibia. The report of the Ad Hoc Working Group of Experts clearly showed the implementation of the recommendations of the Wiehahn report to have been a sinister masquerade. Executions of opponents of the apartheid régime continued to multiply; the establishment of new bantustans continued; acts of cruelty against persons detained as a result of their struggle against racism were proliferating and were marked by increasing brutality and inhumanity. South Africa had continued its cruel repression of all forms of resistance to the policy of apartheid. In that connection, he noted the substantial increase in South Africa's military budget to more than 17 per cent of its over-all budget.

57. Forced removals of the black population continued, with a view to instituting complete and permanent separation of the races. Repression of black student demonstrations resulted in the death or imprisonment of young people for their opposition to separate and discriminatory education. The case of Nelson Mandela was an example.

58. In Namibia, the Pretoria régime continued to disregard the resolutions of the Security Council and the General Assembly, at a time when the heroic resistance of the people of Namibia, led by SWAPO and the patriots opposed to the illegal occupation, was increasing. The failure of the recent conference on Namibia, brought about by the clear lack of will on the part of the South African régime to seek just and genuine solutions, was the latest proof of the nature of that régime which, on spurious pretexts, and with the support of the imperialist interests of the United States and its NATO allies, had once again ignored the demand of the Namibian people for their independence. South Africa was continuing its aggression against the front-line States in a vain effort to expand its discriminatory régime.

59. It was futile to sit and wait for the Pretoria régime to agree to abandon its apartheid policy, to recognize the rights of the black majority in South Africa and to put an end to its illegal occupation of Namibia by permitting the free exercise, by the people, of their right to self-determination. Zimbabwe had attained independence as a result of the struggle of its people. Nothing could be done to alter that historical fact. The Namibian people could not be expected to wait quietly until the South African régime was ready to grant them their independence.

60. The report of the Ad Hoc Working Group of Experts demonstrated the urgent need for other concrete action by the United Nations to bring an end to the apartheid régime and to South Africa's policy of aggression in southern Africa. His delegation, like others, wondered what spurious legal pretexts could be used, in the current situation, to oppose the call for the imposition of sanctions against South Africa.

61. Without the active support of imperialism and its Western friends, and without the continued activities and investment of transnational corporations, and powerful centres of finance and technology in the Western world, the Pretoria régime would not have the resources to continue its damaging policy, its repressive activities and its attacks against neighbouring countries and would no longer be able to disregard world opinion. The self-proclaimed defenders of human rights were prepared to protect such rights only when their own interests were not affected. When those interests were affected, they resorted to rationalizations in order to justify their conduct. What kind of morality was it that preached against apartheid, while providing aid to racists, and which accused those struggling for recognition of their fundamental rights of acts of terrorism? Co-operation with the South African régime was not confined to innocent free trade, but extended to the supply of sophisticated weapons, which were used to repress the black people of South Africa, and to the transfer of nuclear technology. Respect for human rights began with the firm condemnation of apartheid and all forms of racism, and support for liberation movements.

62. The documents before the Commission showed the provision of political, economic and military assistance to the Pretoria régime to be one of the most important factors in the continued existence of apartheid. The Commission should renew its request to the group of major Western countries and others, such as Israel, which provided such assistance, to join the majority of countries in calling on South Africa to put an immediate end to that situation. The Commission should also reiterate its solidarity with the peoples of South Africa and Namibia, and with the front-line States, in their resistance to the Pretoria régime. Support for the patriotic struggle in southern Africa should take the form of concrete moral and material assistance. Such assistance would serve as recognition and encouragement of the struggle being waged on behalf of mankind.

63. Mr. SAHM (Federal Republic of Germany), replying to observations made by the representative of the Soviet Union, reaffirmed that the Federal Republic of Germany engaged in no military or nuclear weapons co-operation of any kind with the racist régime of South Africa. He recalled that, as early as 1961, the Federal Republic had refrained, on a voluntary basis, from exporting arms to South Africa and had scrupulously implemented the mandatory arms embargo imposed against South Africa by the Security Council. The Federal Republic had ratified the Non-Proliferation Treaty and abided fully by its provisions, as it expected all other signatories of the Treaty to do. He rejected the unfounded insinuation that the Federal Republic of Germany had ever violated that Treaty.

The meeting rose at 1 p.m.