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GENERAL ASSEMBLY
TWENTY-SIXTH SESSION
Official Records

FOURTH COMMITTEE, 1945th MEETING

Friday, 5 November 1971, at 11 a.m.

NEW YORK

Chairman: Mr. Keith JOHNSON (Jamaica).

In the absence of the Chairman, Mrs. Skottsberg-Åhman (Sweden), Vice-Chairman, took the Chair.

AGENDA ITEMS 66, 67 AND 68

Question of Namibia *(continued)* (A/8388, A/8423/Add.1, A/8423/Add.3 (parts I and II), A/8473, A/C.4/738 and Add.1, A/C.4/740)

Question of Territories under Portuguese administration *(continued)* (A/8348 and Add.1, A/8403, chapter XIII (section A); A/8423/Add.1, A/8423/Add.4)

Question of Southern Rhodesia *(continued)* (A/8423/Add.1, A/8423/Add.2 (parts I and II))

GENERAL DEBATE *(continued)*

1. Mr. TADESSE (Ethiopia) said that, in giving priority to the consideration of the agenda items relating to southern Africa, the Committee had drawn attention to the gravity of the situation prevailing there and to the urgent need to seek a solution to the problems affecting millions of Africans.

2. The question of Namibia had often been described as a test case for the United Nations; indeed, no other problem had posed such a serious challenge to the authority of the United Nations as that of the *de facto* presence of the Pretoria régime in Namibia. The history of the diplomatic struggle over Namibia was a long one and was well known. The disappointment experienced by his own country and Liberia after a protracted legal suit instituted before the International Court of Justice, coupled with the indifference of the racist Pretoria régime to all appeals addressed to it by the world community, had culminated in the adoption of General Assembly resolution 2145 (XXI) of 27 October 1966, which had terminated South Africa's Mandate for Namibia. That decision by the General Assembly had been confirmed by resolutions 276 (1970) and 283 (1970) of the Security Council, which body had also asked, in resolution 284 (1970), for an advisory opinion from the International Court of Justice. In its Advisory Opinion, handed down on 21 June 1971, the Court had stated, among other things, that the continued presence of South Africa in Namibia was illegal and that South Africa was under obligation to withdraw its administration from Namibia immediately.[1] It was to be hoped that in rendering that unambiguous opinion the Court had put an end to the strategy of evasion and procrastination that had so far been the chief cause for inaction by some Members of the United Nations in the face of the Challenge by the racist Pretoria régime. In his delegation's view, the Court's Opinion had given legal sanction to the decisions of the United Nations and should usher in an era of effective action by the world community to avert bloody confrontations and to ensure that the oppressed people of Namibia achieved freedom and independence.

3. His Government welcomed the adoption by the Security Council of resolution 302 (1971) and hoped that further measures over and above those provided for in that resolution would be adopted, for it was well known that those in power at Pretoria were not accustomed to rational behaviour. It should be remembered that Vorster, the Prime Minister, had already rejected and ridiculed the decision of the Court. In view of the intransigence of the Pretoria régime and the repression to which it was subjecting the people of Namibia, those people had been forced to intensify their struggle—a struggle whose legitimacy had been duly recognized by the United Nations. The Members of the United Nations should give the liberation movements not only moral but also material assistance, in order that their struggle might be as effective as possible. Ethiopia had always supported the just struggle of the Namibian people and would continue to do so in the future. The Ethiopian Government, together with some others, had been entrusted by the Organization of African Unity (OAU) with the task of putting the African point of view with regard to Namibia before the Security Council the previous month. On that occasion, Ethiopia had tried to emphasize the gravity of the situation and had urged the Council to spare no effort to find a solution to the problem. It now reiterated its appeal to those allies of South Africa which, by their unlimited co-operation and support, had emboldened South Africa to defy and frustrate the efforts of the United Nations.

4. In the Territories under Portuguese administration, the stalemate that had developed as a result of the obstinate policy of the Lisbon régime remained unchanged. Portugal still clung to its anachronistic belief that the colonial Territories under its domination in Africa were part and parcel of metropolitan Portugal. In furtherance of that misguided belief, it was repressing the inhabitants of the Territories with a force of more than 130,000 men and was now engaging in a cruel type of warfare, using herbicides and defoliants to deprive the population of their means of subsistence. It was distressing to note that no pressure was being exerted on Portugal by its military allies and economic partners to make it heed the decisions of the United Nations on decolonization. On the contrary, the political and military co-operation between Portugal and its

[1] See *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971.*

friends and allies had increased in the preceding year. The most notable victory that Portugal had achieved in that regard during the current year had been the holding at Lisbon of the Ministerial Meeting of the North Atlantic Treaty Organization (NATO), an unequivocal expression of solidarity with Portugal by its allies. That would have been an excellent opportunity for the members of NATO to demonstrate to Portugal, clearly and publicly, their rejection of its colonial policies. His delegation had been glad to note the stand taken on the question by Norway at that meeting and it hoped that it marked the beginning of a much needed exertion of pressure on Lisbon by its allies. Portugal was guilty, not only because of its refusal to implement the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples, but also because of its role in rendering the United Nations sanctions against Southern Rhodesia ineffective. That was clear evidence of the contempt with which Lisbon regarded the decisions of the United Nations.

5. The question of Southern Rhodesia was another which had been a challenge to the United Nations for many years. His delegation reiterated its belief that the primary responsibility in that situation lay with the administering Power, the United Kingdom. Although it had been sceptical about the effectiveness of sanctions against the illegal Salisbury régime, his delegation had supported the United Nations decision to impose sanctions. The accomplices of the Salisbury régime—Lisbon and Pretoria—were helping it to circumvent the sanctions through Mozambique and South Africa. Furthermore, the list of other countries which were not complying fully with the sanctions imposed by the United Nations was increasing. Only recently the United States Senate had decided to authorize the import of chrome from Southern Rhodesia. It was to be hoped that Washington would heed the appeal made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the consensus adopted the month before and which was contained in paragraph 36 *(b)* of chapter VI of its report (see A/8423/Add.2 (part II)). Although the existing sanctions had not brought about the desired results, his delegation maintained that they should remain in force and, since the administering Power was not willing to take punitive action against the Salisbury rebels, it thought that the time had come for the Security Council to impose comprehensive and mandatory sanctions against Southern Rhodesia. If, however, a measure of that kind did not take into account the collusion between the régime of Southern Rhodesia and Portugal and South Africa and did not provide for a contingent plan that could be applied against those two countries, the entire value of sanctions as a non-military international instrument of coercion would be placed in jeopardy. The attempt being made to isolate the rebel régime had been undermined by the recent decision of the International Olympic Committee to invite the so-called National Olympic Committee of Rhodesia to participate in the XXth Olympiad. That decision was an obvious contravention of the relevant provisions of the resolutions on Southern Rhodesia adopted by the Security Council since 1968. The National Olympic Committee of Ethiopia had declared that it would not participate in the forthcoming Olympic Games if the decision to invite participants from Southern Rhodesia was not rescinded. The Fourth Committee should bear that subject in mind in the decision it would take on the question of Southern Rhodesia.

6. With regard to the central issue in the question of Southern Rhodesia, his delegation was convinced that the United Kingdom should take no steps that would have the effect of legitimizing the rebellion. It was firmly opposed to the negotiations which were being conducted in complete disregard of the rights and aspirations of the African population of Zimbabwe. The interests of the majority should not be subordinated to those of the racist minority. Nor would it be acceptable for the problem to be solved on the basis of some vague arrangement that was expected to take effect one or two generations later.

7. It was truly distressing to come to the conclusion that no positive development had taken place in the preceding year and that, on the contrary, the situation had deteriorated. Violence had been intensified and the arrogant defiance of the colonialist régimes was threatening the authority and prestige of the United Nations. The forces of oppression, encouraged by the support that they were receiving, seemed to be eager to precipitate in southern Africa a confrontation whose repercussions would not necessarily be confined to that part of the world.

Mr. Johnson (Jamaica) took the Chair.

8. Mr. TEYMOUR (Egypt), speaking on behalf of his own delegation and those of the African States that were supporters of the freedom of Africa, thanked all those who had made statements in the general debate. It had been foreseen that those who were really in favour of freedom would express their feelings about their oppressed brothers in southern Africa. At the same time, he understood those who had not wished to speak in the debate.

AGENDA ITEM 66

Question of Namibia *(continued)* (A/8388, A/8423/Add.1, A/8423/Add.3 (parts I and II), A/8473, A/C.4/735/Add.4, A/C.4/738 and Add.1, A/C.4/740)

HEARING OF PETITIONERS *(continued)*

At the invitation of the Chairman, Mr. Joel Carlson (A/C.4/735/Add.4) took a place at the Committee table.

9. Mr. Joel CARLSON asked the members of the Committee not to accept the evidence he was about to present unless they were fully convinced of its validity. In his opinion, those who were far from Namibia were also far from the problems of the Territory. He himself had seen those problems, for he had been born in South Africa, had studied at Johannesburg and had started to practise law there 17 years earlier. As a lawyer, and not as a politician, he had represented many political prisoners of Namibia and South Africa. For that reason his South African passport had been withdrawn and now, because he had travelled to New York on a British passport, his wife and children had been expelled from South Africa.

10. Some of the people he had known in Namibia had died, others were in prison, and there were many of whom he did not know whether they were still alive, were sick or had been driven mad. He was appearing before the

Committee particularly on behalf of those whose fate was unknown, appealing to the members to do all in their power to find out what had happened to those people.

11. If the Secretary-General were to initiate an inquiry of that nature, that act in itself would afford the detainees some protection and might help their relatives and friends to learn their whereabouts. He also appealed to the Secretary-General to use his good offices to enable the relatives of political prisoners to visit them and to ensure that Namibian detainees remained in Namibia and were not taken to distant prisons such as Robben Island, more than 1,000 miles from Ovamboland.

12. He wished to place before the Secretary-General certain documents concerning the arrest of Namibians in Namibia, their removal to and detention in South Africa and their subsequent disappearance, and he asked the Secretary-General to treat the documents as strictly confidential in order to protect the persons concerned. In the course of his professional duties he had often received confidential information from clients, who had been unaware that the security laws prohibited attorneys from receiving and retaining such information. On one occasion he had received a letter from a Namibian in custody informing him that a leader of the Caprivi African National Union (CANU) had been arrested in 1964, shortly after the organization had been formed. CANU had been outlawed and many of its members arrested. Some of them were still in custody in 1971, while others had been exiled. Some had been detained, exiled to remote places and then redetained. He had been informed that two had gone mad in prison. One had been treated in a mental hospital for 10 months and then returned to prison, still mentally disturbed; what had happened to the other was not known. All of those detained had been tortured during interrogation and one man had had his arm cut off above the elbow during interrogation. He had never been brought to trial because the circumstances of the amputation would have come to light.

13. In March 1970 he had received instructions to defend 10 indicated Namibians. The instructions had been conveyed to him through illegal channels and he had been unable to serve as defence counsel. He had, however, sent the indictment to the United Nations and other organizations in the hope that they could help the accused. The significance of the indictment, drawn up by the Office of the Attorney General of the Supreme Court of the Transvaal, was that it clearly confirmed the information he had previously received by letter. It referred specifically to CANU and mentioned the incidents in 1964 that had led to the arrest of the persons to whom he had referred earlier. The indictment did not, however, mention the man whose arm had been amputated; that, too, was consistent with the information he had received through other channels. He had learned from another source that the 10 prisoners had been brought to trial at Pretoria and that the State had provided them with defence counsel. The Security Police had seen to it that the case was not publicized. It was common practice in South Africa for the police to intimidate people who wanted to attend such trials. Since only the Security Police had known that those 10 Namibians had been arrested in 1964 and brought to trial in 1970, it was not surprising that their brief court appearance had not attracted more attention. After their appearance, the defence attorney had held consultations with the prisoners at the Pretoria prison. Then, for reasons unknown, the charges had been withdrawn, but the Security Police had subsequently redetained all 10 persons and placed them in solitary confinement. Later he had been informed that the prisoners had been removed from the Pretoria prison, and possibly from South Africa, but their fate and present whereabouts were unknown.

14. All of that was made possible by the powers granted under the Terrorism Act, which specifically allowed procedures admitting of double jeopardy, jurisdiction at any place and indefinite detention in solitary confinement for police interrogation. The courts, relatives, lawyers and ministers of religion had no access to the detainees and no right to receive information concerning them. The Security Police not only had free rein in their treatment of detainees and their interrogation methods but also received every possible assistance from the courts, which turned a blind eye to the allegations of torture brought to their attention. For example, in 1964 he had offered to submit proof of such allegations and had written to the Minister of Justice asking him to order an impartial inquiry, but the Minister had declined. Time and again he had placed sworn information before courts, but the judges had refused to give it due consideration, holding that the matter was not urgent and that the security of the State was more important.

15. In the trial of 37 Namibians, 27 of them had given him statements about the tortures inflicted on them by the Security Police after arrest and during interrogation. Each of the 37 Namibians had given the police a full confession, but the State had not dared to use any of the confessions in court for fear that their methods of torture would be exposed. Gabriel Mbindi, a 68-year-old Namibian who had alleged that he had been tortured, had been released by the State, which, moreover had paid him $4,000 in order to avoid an inquiry into the matter. One of the 37 Namibians had died during the trial as a result of injuries sustained during his interrogation. The prison doctor had refused to treat the broken arm of another Namibian detainee, who was considered a terrorist and therefore undeserving of treatment.

16. It was not known how many people had died in prison. There was a record of some 20 deaths. According to the courts, seven of the deaths had been suicides, and according to the police one detainee had died after slipping on a piece of soap and falling in the shower. One detainee had jumped out of the seventh-floor window of his interrogation room. During the preceding week a 31-year-old Indian teacher had "fallen" from the tenth floor of Security Branch headquarters at Johannesburg, five days after his arrest.

17. That violence was the law being enforced in South Africa and extended to Namibia. It consisted, for example, in arbitrary arrest and indefinite detention in solitary confinement for the purpose of endless interrogation; in punishing a person without trial without informing him of the charges against him; in a system of informers and arbitrary restrictions under which the individual was unsafe and unsure of his actions or his future; in refusal to give the

best possible education to all sections of the population; in the forcible removal of persons from their homes and the breaking up of family life; in lack of proper medical care and food and the death by starvation or disease of children, women and men; and in the limitation of people's right to work, travel and live where they wished.

18. For all those reasons, he appealed to the Secretary-General and the Committee to act as a matter of urgency to protect the lives of the Namibians in custody in South Africa and Namibia.

19. Mr. WILKSTRÖM (Sweden) asked the petitioner, firstly, for information on the application of the pass laws in Namibia; secondly, for data on employment and wage levels in the Territory; thirdly, for evidence of the existence of genocide in Namibia; and, fourthly, for evidence to substantiate the accusations of violence he had just made.

20. Mr. Joel CARLSON said that, according to private investigations, the number of pass law violators averaged 2,500 a day. A Minister had stated in Parliament that arrests for pass law offences in 1968 and 1969 had numbered 1,776,662. According to his own investigations, 10 million persons, out of a total population of 16 million, had been arrested under those laws over a 10-year period. That figure related to South Africa, but he had no reason to believe that the situation was any better in Namibia. It was true that the so-called Abolition and Co-ordination of Documents Act was not applied in Namibia. but there were 8 laws and more than 100 regulations in force in the Territory under which Namibians were required to possess 18 different documents. The Ovambos were not allowed to leave Ovamboland, even in order to consult a physician, without prior authorization from their chief or from a number of different authorities. The penalty was three months' imprisonment for a first violation and 12 months' imprisonment for a second. The court could rule that the first 90 days should be spent in solitary confinement on reduced rations. Besides the pass laws, Namibians were subject to all kinds of labour, curfew, residency and other regulations. According to his own investigations, 50,000 to 60,000 persons were arrested in Namibia every year, out of a total population of 600,000. When the demand for labour increased, so did the number of arrests.

21. In reply to the question concerning the employment situation, he said that it had been determined that the subsistence wage in South Africa for a family of five should be $105 a month, but 70 per cent of Africans lived on far smaller incomes. The average wage of the indigenous population of South Africa was $12 a month and the situation in Namibia was far worse.

22. It must be borne in mind that native labour contracts were arranged through a recruiting agency: employers could not freely choose their employees or vice versa. To the South African authorities the African was not a human being but a labour unit, as he would be in a system of slavery. SWANLA (South West Africa Native Labour Association) subjected Africans to medical examinations and then divided them into three categories, A, B and C. It was said that that was done in order to safeguard the people's health but its real purpose was to determine the type of work each man would be assigned to and the wages he would be paid—$7, $10, $12 or $14 a month. In that way it would be decided that he was to be sent to a mine, where he might have to work as many as 349 shifts, to a farm, where the work contract lasted 18 months, or to an urban area, where the contract lasted 11 or 12 months. Upon completion of his assigned work period, the African must return to the reservation, for it must be borne in mind that he had no labour rights of any kind. If he was unfortunate enough to fall into the hands of a cruel employer, there was nothing he could do: any complaint he might wish to make would have to be channelled through the local magistrates or the police, and it was easy to imagine their attitude in such a case. On the other hand, if he left his employer, he was considered a deserter and subject to the provisions of the pass laws, which could provide for severe penalties.

23. Replying to the question on the practice of genocide in South Africa and Namibia, he said that in speaking of genocide there was a tendency to think at once of the Jews who had died in concentration camps during the Second World War. Genocide in Namibia and South Africa was connected with the fact that there was no obligation to register births among the indigenous population and with the lack of free and compulsory medical care and of a compulsory minimum wage. In the great majority of Bantustans, Africans died of kwashiorkor, which amounted to saying that they died of malnutrition. Figures proved that between 40 and 50 per cent of African children died before they reached 10 years of age. In the large urban centres the comparative infant mortality figures for white and black children spoke for themselves: in Port Elizabeth the proportion was 23.26 per thousand for whites and 274.51 per thousand for blacks; in Johannesburg it was 19.41 per thousand for whites and 101.11 per thousand for blacks. Those were the figures for 1968 and 1969; although he did not possess similar figures for all the urban centres, it was obvious that they were typical and gave an idea of the general situation. Thus, the conclusion must be reached that such a policy had the characteristics of deliberate genocide.

24. With regard to evidence to subsantiate what he had said concerning violence, he repeated that violence undoubtedly reigned when the Security Police had force of law and when there existed a system of detention for indefinite periods, house arrest, withdrawal of passports without explanation or a proper trial, etc. The Security Police had established a reign of terror which made them seem omnipresent. No one could go to bed at night safe in the knowledge that he would not be arrested the next day; no one went to work in the morning in the certainty that he would return to his home in the evening.

25. He cited the case of 22 Africans who, after being imprisoned for six months, had appeared before the court, where the Attorney-General had withdrawn the charges and the judge had released them. The judge had barely left the room when the 22 Africans had been re-arrested and detained for five more months, and the whole process had begun once again, with the same cycle of detention, trial, withdrawal of the charges and so on. Hundreds of similar examples could be given. Nor was it necessary to stress that violence reigned when the population lived in fear of a whole network of informers. When the Reverend Gonville

ffrench-Beytagh, Dean of the Anglican Church, had been sentenced recently, the evidence against him had included parts of a confession he had made, which had been obtained by means of a tape recorder secretly installed to record his words in the confessional. As could be seen, the South Arrican authorities did not even respect the sacraments.

26. The attitude which South Africa had adopted with regard to education also spoke for itself. Education was compulsory for whites, but was a kind of privilege for blacks. Mr. Vorster, the Prime Minister, who was also Minister of Education had said that it was necessary to educate the black man, not to a level which would make him frustrated, but only to the degree necessary for him to carry out certain types of work. There were no black apprentices, nor were there opportunities for skilled labour for the indigenous population.

27. Talk of violence was inevitable in view of the fact that black people were forcibly evicted from their homes and transferred to townships which were really ghettos or concentration camps, where it was easier for the police or the army to control them; that family ties were ruthlessly destroyed; that a man was only a labour unit and that his wife, his children and his aged relatives were superfluous; and that even the sacred bond of matrimony was not respected.

28. It would certainly be easy to substantiate all those accusations. Any independent investigating commission which had direct access to the facts would reach the conclusions that he had just outlined.

Mrs. Skottsberg-Åhman (Sweden) took the Chair.

29. Mr. AHMAD (India) told the petitioner that he would speak to him as a lawyer; he asked him to reply as if he were in a court of law and to refrain from giving circumstantial evidence, following Roman, rather than Anglo-Saxon, law.

30. Operative paragraph 1 of resolution A/SPC/146 of the Special Political Committee[2] stated: "*Expresses its grave indignation and concern* over any and every act of maltreatment and torture of opponents of *apartheid* in South Africa. . .". In the inial draft that passage had read: "*Expresses its grave indignation and concern* over the maltreatment and torture of opponents of *apartheid* in South Africa. . ." but the text had had to be amended because it could not be proved that prisoners were in fact tortured. He wondered whether the petitioner could produce evidence of the torture of prisoners.

31. Mr. Joel CARLSON said that the evidence consisted of 27 statements by detainees, given during the trial of 37 Namibians, which could be obtained if necessary. They were sworn statements, some of them affidavits, and had been submitted to the court. One of the detainees concerned had given evidence of torture to a delegate of the International Red Cross who had interviewed him. The detainees had alleged that the Chief of Security, who was also the head of the interrogation services, had systematically used torture. Nevertheless, the State had refused to examine the statements; in one case, which he had already mentioned, it had preferred to release the detainee and to pay him $4,000. In February 1970 he had again submitted an application to the courts for the investigation of cases of torture. In reply he had been told that the matter was not urgent and that he should present new sworn statements. That had not been possible, since he had not been allowed access to the prisoners. As usual, the court had ignored the matter.

32. Those statements to South African courts could be obtained by the United Nations. It should be borne in mind, however, that the persons who had made the statements were still in the power of their torturers.

33. Mr. AHMAD (India) regretted that the representative of South Africa was not present at the meeting. He pointed out that in the present case Article 2 paragraph 7 of the Charter did not apply, since the question concerned Namibia and not South Africa. He asked the Chairman to request the representative of South Africa to be present at the next meeting.

34. Referring to an article which the petitioner had written the previous year for the Unit on *Apartheid,* entitled "Arbitrary Detention in South Africa", he asked what was the point of the Terrorism Act if political prisoners could be tried as common offenders.

35. Mr. Joel CARLSON replied that the article in question summarized a lecture which he had given in various South African universities; he had been careful to follow prepared text, for reasons of security. As common law had provisions relating to the offences for which terrorists were tried, he considered that the Terrorism Act was unnecessary. It had in fact been promulgated for the trial of the 37 Namibians and had been made retroactive to 1962. It had been essentially an act of political intimidation. The judge who had tried the 37 Namibians had stated that, although they were charged under the Terrorism Act, he was sentencing them under ordinary law; that fact in itself proved that the trial was purely political. The Terrorism Act was designed to give special powers to the Security Police. On the day that it had been promulgated, South Africa had become a police State.

36. Mr. AHMAD (India) recalled that the petitioner had mentioned various deaths which had been explained as suicides or accidents. He wondered whether he could prove that those detainees had died as a result of tortures during interrogation or in prison.

37. Mr. Joel CARLSON said that he could not do so, since he had only acted as a lawyer in three investigations. Nevertheless, although he could not prove that all the supposed suicides had died of torture, he knew that some of them had been tortured. In one of the cases, Dr. Morris, United States Navy, Army and Air Force pathologist, who was a specialist in electrothermic lesions, had been retained; he had examined the body of the prisoner and had concluded that he had been electrocuted. In photographs taken after death, the prisoner's right arm was seen to be raised above his head and the left arm was stretched out at

2 Adopted by the General Assembly on 9 November 1971 as resolution 2764 (XXVI).

shoulder level. Despite that fact, the judges had decided that he had died by hanging and they had refused to hear Dr. Morris.

38. It was very difficult to provide evidence of torture, but he himslef, as a lawyer, had doubts when it was stated that various prisoners had committed suicide or had died in accidents.

39. Mr. AHMAD (India) asked the petitioner what procedure could be followed with respect to the proposal that the Secretary-General should conduct an investigation into the situation of Namibians detained by the South African authorities.

40. Mr. Joel CARLSON suggested that the Secretary-General might get in touch with the representatives of the South African Government and asked them for a list of all the Namibians under detention, with particulars of the conditions and place of detention and the reasons for detention. He himself had a list of the relatives of some of the detainees. He intended to hand it to the Secretary-General, but wondered whether it would be possible to keep it from coming to the knowledge of the South African security forces, which might perhaps take reprisals against the persons concerned.

41. Mr. ASHWIN (Australia) asked the petitioner, first, whether he considered the Government of South Africa to be following a deliberate policy in detaining Namibian political prisoners in prisons outside Namibia, or whether that practice was merely a matter of administrative convenience; and secondly, whether there was any form of legal advisory assistance for Namibians charged with political offences.

42. Mr. Joel CARLSON stated, in reply to the first question, that he did not know whether it was a matter of deliberate policy or merely one of administrative convenience. The trial of the 37 Namibians, most of them Ovambos, had taken place at Pretoria, 2,000 miles from Ovamboland, probably in order to avoid public reaction as a result of the publicity surrounding the trial. However, 12 Namibians had later been tried at Windhoek. On the other hand, the use of the South African security police in Namibia, with its skill in the application of certain specialized techniques, was undoubtedly deliberate.

43. With regard to the question of legal advisory assistance, he recalled that there had been an organization named Defence and Aid which had assisted the detainees and their families. Although the Anglican Church had played a large part in that organization, its members had been accused of being Communists and terrorists and the organization had been banned. In addition, all the local offices for legal aid had been closed down and central office set up. He could give no information about the aid given by that office, but the Africans quite rightly mistrusted it, for they knew that lawyers who properly defended Africans charged with political offences were accused, as he himself had been, of being agitators.

44. Mr. DIALLO (Guinea) regretted that some representatives had been so insistent in asking the petitioner to provide proof. As far as he personally was concerned, he congratulated the petitioner on his courage, lucidity and frankness, and was glad to have heard a South African condemn the Pretoria régime.

45. With regard to the documents which the petitioner proposed to present, perhaps he could, following his own suggestion, request a private interview with the Secretary-General and leave the documents with him.

46. The petitioner was a true African and a true political spokesman, for he bravely proclaimed the truth. Africa was proud of him.

Mr. Joel CARLSON withdrew.

47. Mr. AHMAD (India) requested that as complete a text as possible of the petitioner's statement and the ensuing questions and answers to be transmitted to the Unit on *Apartheid* so that the latter could give it due publicity. He also asked the Office of Public Information to publish the statement, and the questions and answers, in its periodical *Objective: Justice* or in its bulletin "United Nations and Southern Africa".

48. Mr. ASHWIN (Australia) said that while his delegation sometimes had reservations about reproducing petitioners' statements *in extenso* because in many cases the summary record could adequately record their substance and because of the need to treat proposals for new expenditure with great care, his delegation took the view that on that occasion it was important for public information purposes that Mr. Carlson's statement and the questions and answers be reproduced *in extenso,* or that the Unit on *Apartheid* at least reproduce the statement and the gist of the replies.

49. Mr. DIALLO (Guinea) said that the petitioner's statement, if not reproduced *in extenso,* should at all events be distributed as widely as possible.

50. Mr. DAO (Mali), speaking on a point of order, expressed support for the Guinean representative's view. His delegation, too, was concerned by the costs that reproduction of the petitioner's statement *in extenso* would entail, but felt the case was a very special one, in that it had contributed new and very important data. In the case of other petitioners, it had been decided to issue their statements in full, and he accordingly urged that the statement which had just been heard should also be issued in full, on the understanding that such action would not serve as a precedent.

51. Mr. RIFAI (Secretary of the Committee) said that the cost of issuing the full text of the petitioner's statement in all the working languages would be $100 per page if they had a written text and $105 per page if there had to be a transcription of the sound recording. Another possibility, which would cost very little, would be to issue the petitioner's statement *in extenso* in the customary form, in other words, in the original language only.

52. Mr. OUÉDRAOGO (Upper Volta) said that his understanding of the Indian representative's remarks had been that the latter wanted the Office of Public Information to publish as much of the petitioner's statement as possible in *Objective: Justice.* He wondered whether duplication of

effort could not be avoided by asking the Office of Public Information to publish a special issue of *Objective: Justice* containing the petitioner's statement in full.

53. Mr. GODWYLL (Ghana) proposed that the Committee secretariat approach the Office of Public Information to find out whether it was possible to publish a special issue of *Objective: Justice* as suggested. He would also like the Secretary of the Committee to give as close an estimate as possible of the cost of issuing the petitioner's statement *in extenso*, and also state how much it had cost to issue the full text of the statements by the other petitioners who had spoken during the current session.

54. Mr. RIFAI (Secretary of the Committee) stated, with regard to the Ghanaian representative's first point, that he would get in touch with the Office of Public Information authorities. There would be no difficulty, he felt, in arranging the petitioner's statement to be published in an issue of *Objective: Justice.*

55. With regard to the cost of reproduction *in extenso* of the earlier petitioner's statements, it had amounted to $4,750 in the case of Miss Rogers, $3,445 in that of the Reverend Michael Scott and $4,150 in that of Mr. Khan. The cost of issuing Mr. Carlson's statement *in extenso* could be estimated at some $4,000.

56. The CHAIRMAN said that in the absence of any objections, it would be taken that the Committee had decided to ask the Office of Public Information to reproduce the petitioner's statement *in extenso* in an issue of its publication *Objective: Justice.*

It was so agreed.

The meeting rose at 1.15 p.m.