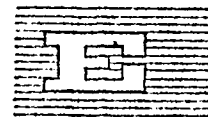


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COMMISSION ON HUMAN RIGHTS

Forty-first session

SUMMARY RECORD OF THE 18th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 15 February 1985, at 10 a.m.

<u>Chairman:</u>	Mr. CHOWDHURY	(Bangladesh)
later:	Mr. KHMEL	(Ukrainian SSR)

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

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS (agenda item 6) (continued) (E/CN.4/1985/8, 14 and 47; A/39/460; E/CN.4/1985/NGO/3)

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IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 17) (continued) (E/CN.4/1985/28 and 29)

1. Mr. SYTENKO (Union of Soviet Socialist Republics) said that his delegation considered the statement by the representative of the United States of America at the 16th meeting to be an attempt to give political assistance to the apartheid regime of South Africa. The United States representative had turned the debate on to issues irrelevant to the items under consideration, and had claimed that criticism of South African legislation constituted intervention in the internal affairs of South Africa. However, racism and the threat to peace posed by South Africa were not internal issues. The statement of the United States representative had been designed to provoke an ideological confrontation within the Commission which would not benefit human rights or international co-operation as a whole.

2. The United States of America was supporting the South African nuclear programme. South African scientists had been trained in United States laboratories, and the United States of America had helped to build a nuclear research centre, for which the United States firm of Ellis Chambers had provided two nuclear reactors. The United States of America had undertaken to provide the centre with enriched uranium until the year 2007, and enough uranium had already been supplied to construct 9 or 10 atomic bombs. He called upon the United States of America to withdraw its support for South Africa, in the Commission and elsewhere.

3. The Decade to Combat Racism and Racial Discrimination, which had begun in 1973, had enjoyed the constant support of the USSR. A number of colonial territories had gained political independence during the Decade, and the racists and their protectors had been universally condemned. The Second World Conference to Combat Racism and Racial Discrimination had underlined in its Declaration and Programme of Action the pressing need for further efforts by the international community to eliminate racial discrimination.

4. Since the foundation of the United Nations after the historic defeat of fascism, the fight against racism and racial discrimination had constituted one of the Organization's main tasks. Racism, both in the Nazi era and in modern times, had persisted because it served the economic interests of the most reactionary imperialist circles and assured enormous profits for the major international monopolies. Those regimes which practised apartheid or Zionist policies were the successors to Nazism, and the most pressing task of the United Nations was to put an end to their policies of State racism.

5. Racial discrimination still flourished in a number of countries. In accordance with the Chairman's request, he would not mention countries by name, although other speakers had insisted upon doing so. His delegation would refer to the situation in specific countries under other agenda items, especially item 12. Behind a façade of democracy and equality, certain countries concealed millions of victims of racial discrimination - negroes, Indians and migrant workers from Asia, Africa and Latin America. They lived in slums and ghettos, were the first to lose their jobs in a slump and were the victims of reprisals and intimidation in their fight for racial and national equality. The State machinery of such countries often became an instrument of racial discrimination. Networks of clandestine racist organizations spread the doctrine of racial superiority, creating an atmosphere of racial hostility, and conducted a terror campaign against the opponents of racism. All such racist organizations and their propaganda must be banned.

6. Misleading information and slanderous allegations formed part of the arsenal of modern racism. In order to distract public attention and intimidate the opponents of racial discrimination, it presented a distorted collection of lies about socialism, the equality and brotherhood of the peoples of the USSR and the USSR's fight against all forms of racial persecution. The USSR had been founded on the principles of the elimination of all forms of racial discrimination and the free and equal development of all Soviet peoples. Soviet legislation and the Constitutions of the USSR and of the Union republics stated that all Soviet citizens enjoyed equal rights. Any limitation of rights on racial or national grounds and any advocacy of racial or national exclusiveness were punishable under the law of the multinational Soviet State. The USSR was in the forefront of those fighting racism and racial discrimination at the international level. It was a party to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, and adhered strictly to their provisions. All countries which had not already done so should accede to the above-mentioned Conventions and implement measures at a national level to put them into practice, in accordance with the Declaration and the Programme of Action of the Second World Conference to Combat Racism and Racial Discrimination, approved by the General Assembly. The obstructionist position adopted by Israel and its supporters in respect of the First and Second World Conferences to Combat Racism and Racial Discrimination proved that they were on the side of racism. Refusal to accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid could only be interpreted as an unwillingness to work towards the elimination of apartheid.

7. His delegation supported the conclusion and recommendations of the Group of Three (E/CN.4/1985/27), and drew particular attention to the similarity in the racist nature of the apartheid regime and the Fascist and Nazi regimes defeated during the Second World War (paragraph 32). The crime of apartheid was a form of the crime of genocide (paragraph 33).

8. The USSR would play an active part in all measures undertaken during the Second Decade to Combat Racism and Racial Discrimination and supported all United Nations decisions and recommendations on the fight against racism and apartheid. The Soviet

delegation would support all measures adopted by the Commission to implement the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and all international instruments calling for the elimination of apartheid, racism and all forms of racial discrimination.

9. Mr. MONTEMAYOR (Mexico) congratulated the Ad Hoc Working Group of Experts on its report (E/CN.4/1985/8 and Add.1 and 2). His delegation shared the Group's concern at the South African Government's "bantustanization" policy, as a result of which more than half of the population confined in bantustans had lost their South African citizenship, their rights and their land. However, he was not convinced of the usefulness of referring the issue to the International Court of Justice for an advisory opinion. It was not perhaps the most important of the many pseudo-legal methods devised by South Africa to maintain apartheid, and in any case the question should be studied in further detail.

10. He reiterated his country's total repudiation of the cruel and inhuman system of apartheid and support for the legitimate struggle waged by the South African people for their rights against a reactionary white minority which had imposed its own system of production and thus stunted the normal historical development of indigenous culture and civilization.

11. Thus far, efforts to find a peaceful and satisfactory solution to the question of Namibia had proved unsuccessful. In view of the South African Government's refusal to implement Security Council resolution 435 (1978), the Security Council had adopted resolution 539 (1983), in which it rejected South Africa's attempts to link the independence of Namibia with the withdrawal of Cuban troops from Angola. General Assembly resolution 38/36 A and B had reaffirmed the inalienable right of the Namibian people to self-determination and independence and also rejected the link between the plan for Namibian independence and the presence of Cuban troops in Angola. Mexico called for the rejection of the proposals for an internal solution based on a sham "constitutional conference" and for continued support for the heroic struggle of the Namibian people, under the leadership of SWAPO.

12. He congratulated the Special Rapporteur on his report (E/CN.4/Sub.2/1984/8 and Add. 1 and 2) on 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. The Government of Mexico had been one of the first to comply with resolution 1983/6 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and had submitted a report in March 1984 stating that Mexico had no diplomatic or consular relations with South Africa, that it had suspended all cultural, educational, sporting and tourist links with South Africa and had given instructions to all governmental bodies to comply strictly with United Nations resolutions concerning the severing of economic, financial and trade relations with South Africa. It would like the Special Rapporteur to continue his important task.

13. Mexico was a member of the Group of Three established in accordance with article VII of the International Convention on the Suppression and Punishment of the Crime of Apartheid, and therefore endorsed the Group's conclusions and recommendations in document E/CN.4/1985/27.

14. The best way to put an end to the racist policies of South Africa would be the strict application by all countries of the resolutions of the General Assembly, the Security Council and the Commission on Human Rights. If, as in the past, the South African Government continued to ignore the appeals of the international community, Mexico would support the idea of applying economic and other sanctions as envisaged in Chapter VII of the Charter of the United Nations.

15. Mr. EL-TAL (Jordan) said that the struggle against racism and racial discrimination was inseparable from the wider struggle against all human rights violations, wherever they were committed. His delegation had noted with appreciation the information provided by the Assistant Secretary-General for Human Rights, the Ad Hoc Working Group of Experts on southern Africa and the Group of Three established under the International Convention on the Suppression and Punishment of the Crime of Apartheid. In addition, his delegation studied with particular attention the reports of the Special Rapporteur which listed the banks, transnational corporations and other organizations giving assistance to the racist and colonial regime in South Africa. The Jordanian Government had implemented the relevant resolutions adopted by all United Nations bodies, and maintained no form of relations with the Pretoria regime.
16. The situation in South Africa represented a violation of the Charter of the United Nations and of the Universal Declaration on Human Rights. His delegation would continue to support any resolutions which condemned and sought to end such a violation, and would do its utmost to support all measures aimed at achieving freedom for the South African and Namibian peoples and at giving effect to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.
17. Mr. SOFINSKY (Union of Soviet Socialist Republics), speaking on a point of order, said it had been reported that representatives of the South African regime were taking part in the Commission's meetings. He wished to know in what capacity they were doing so and who had sanctioned their presence. The General Assembly, during a number of past sessions, had refused to recognize that regime's credentials and to include it in lists of participants in the Organization's forums.
18. Mr. HERNDL (Assistant Secretary-General for Human Rights) said that the matter would be looked into immediately and the circumstances reported to the Commission as quickly as possible.
19. Mr. MTANGO (United Republic of Tanzania), speaking on a point of order, said that, pending clarification of the matter, the person or persons concerned should be required to withdraw from the room.
20. Mr. HERNDL (Assistant Secretary-General for Human Rights) said that no request to take part in the Commission's meetings, pursuant to rule 69 of the rules of procedure, had been received from the South African authorities, and that the number and designation of participants in the Commission's proceedings conformed strictly to the provisional list of attendance (E/CN.4/1985/Misc.2). The question of the physical presence of any other representatives was being examined immediately by the Secretariat, and the possible legal implications were likewise being looked into.
21. Mr. MTANGO (United Republic of Tanzania) said that the question also arose of how the Secretariat and the security service could have allowed such persons to gain access to the Commission's meetings.
22. Mr. SOFINSKY (Union of Soviet Socialist Republics) supported the previous speaker's observation. It was not enough to be assured that the persons concerned had not been given permission to participate; the question was whether such persons were actually present. If they were, they should be required to withdraw immediately, as the previous speaker had proposed. There was also the question of how they had evaded scrutiny and, in particular, whether they were in unauthorized possession of identity badges.

23. Mr. SAKER (Syrian Arab Republic), Mr. FERJANI (Libyan Arab Jamahiriya), Ms. BOJKOVA (Bulgaria) and Mr. DHILLON (India) supported the observations made by the representatives of the Union of Soviet Socialist Republics and the United Republic of Tanzania.

24. Mr. MLANGO (United Republic of Tanzania) said he hoped that the persons concerned had now withdrawn, and that steps would be taken to prevent any similar occurrence.

25. Turning to agenda items 7, 16 and 17, he said he felt bound to draw the Commission's attention, first of all, to a newspaper report, dated 30 October 1983, of a brutal act which typified the callous attitude of the white minority regime in South Africa towards indigenous southern Africans. He quoted from the newspaper article, which described the murder, by a South African farmer, of an 18-year-old Namibian farm-hand who had been chained up and forced, under torture, to say that he was a SWAPO sympathizer. The article was accompanied by a photograph for which the murderer had posed beside his pinioned victim shortly before killing him; the photograph had been part of the evidence used by the prosecution during the farmer's trial in March 1984. According to the article, the farmer, on being found guilty, had been sentenced to six years' imprisonment, under provisions which would make him eligible for parole after serving only two years of the sentence. The case typified the criminal injustice prevailing under the current regime and did much to explain why the regime's policy was so bitterly opposed everywhere. But if South Africa abandoned its current criminal policies and practices, there would be no reason for its neighbours and the world community at large not to live in harmony with it.

26. The report of the Special Rapporteur (E/CN.4/Sub.2/1984/8 and Add. 1 and 2) revealed that violations of human rights in South Africa were still being condoned and that there was some form of acquiescence in violations of the arms embargo imposed by the Security Council. The report should therefore be welcomed as a means, not of criticising Governments, but of helping them take the necessary remedial measures. Mandatory sanctions must be imposed regardless of what the so-called tribal chief Buthelezi might have said. Buthelezi did not represent the will of the South African people. He was not a national leader, but a traditional leader of the Zulu tribe who was consciously promoting tribalism and thereby compromising the unity of the struggling peoples of South Africa. Most South Africans regarded him as a mere puppet of the apartheid regime, and he had been strongly denounced on many occasions by the authentic leaders of the people of South Africa. Buthelezi was not a Mandela, nor did he have the integrity of Bishop Desmond Tutu, who had recently stated that if there were no significant changes in two years, he would risk imprisonment by calling upon the international community to impose economic sanctions against South Africa. Bishop Tutu was more qualified to reflect the sentiments of the suffering masses of South Africa than a tribal head such as Buthelezi, and had stated that the authentic leaders of the South African people were either in exile or in prison. Those leaders did not share Buthelezi's views, and neither did Bishop Tutu.

27. It was not for anyone else to tell South African blacks not to advocate economic sanctions because they might suffer from them: they were more qualified than anyone to evaluate the situation. Any reluctance to support the sanctions had to be interpreted as lack of sufficient political will motivated by the economic and political interests of the countries co-operating with the apartheid regime.

28. Africans were justified in doubting whether those who refused to recognize the criminal nature of apartheid were genuine friends of black people. The people of South Africa had suffered long enough and could not wait until the next generation of less prejudiced South African whites was born. Those who had the greatest power bore the greatest responsibility and should discharge it. They could either act and prevent the inevitable conflagration in southern Africa or profess helplessness, thereby bequeathing to future generations misery, ruin and death.

29. His delegation advocated the speedy implementation of the Programme of Action for the Second Decade. In particular, efforts to disseminate information about the evils of racism should be stepped up and the United Nations public information agencies must play a more active role. Tanzania welcomed the efforts made by non-governmental organizations, national institutions and individuals to heighten awareness of the evils of apartheid and hoped that those efforts would be intensified. It was likewise gratifying that some of the authorities in the Western countries were beginning to consider action against the apartheid system. When the African continent was finally freed from the indignity of apartheid, those who had supported the crusade would not be forgotten.

30. Mr. RAMLAWI (Observer, Palestine Liberation Organization), said that South Africa and Namibia were the scenes of the most savage forms of human oppression. The people living there had no civil rights and were being deprived even of the right to life. One of the cruellest practices was the eviction of black populations, which isolated millions in inhuman living conditions and led to the arrest of those who opposed that practice.

31. The apartheid regime did not confine itself to committing crimes inside South Africa, but extended its inhuman form of racism to Namibia. Document E/CN.4/1985/8 gave a detailed picture of the evils of the apartheid regime. Since South Africa failed to comply with the resolutions calling for an end to its occupation of Namibia, the United Nations should impose the sanctions envisaged in Chapter VII of the Charter of the United Nations.

32. The documents before the Commission revealed that those who aided South Africa bore a heavy responsibility for the preservation of that regime and the perpetuation of its racist and colonialist practices. The alliance between Israel and South Africa illustrated the affinity between countries governed by racist ideologies. The report of the Special Committee against Apartheid (A/39/22) clearly showed that military, nuclear, economic, scientific, sporting and cultural co-operation between the countries was being consolidated and that Israel was making an effective contribution to the bantustanization effort. His organization, as a liberation movement, supported the ANC and SWAPO, for they represented peoples struggling to end the reign of the racist regime. As long as the regime was supported by Israel, peace in Africa was only a pipe-dream; its abolition would benefit not only the peoples of Namibia and South Africa but also the entire international community.

33. Mr. FERNANDEZ (Observer for Angola) said that apartheid was a crime against humanity and, that the racist regime, which defied the international community and the civilized world, enjoyed the unconditional support of certain developed countries. What had the Decade for Action to Combat Racism and Racial Discrimination achieved? Would the Second Decade be nothing more than a United Nations resolution? He hoped that the international community would finally commit itself to fight alongside the peoples who were enduring racism and racial discrimination.

34. The report of the Ad Hoc Working Group of Experts (E/CN.4/1985/8) objectively reflected the tragedy of the black population, which was arrested, massacred, tortured and forced to live in bantustans, while the most fertile land was reserved for the whites. The "homeland" policy was being reinforced every day by increasingly rigorous laws.
35. In order to gain accomplices, Pretoria had enacted pseudo-constitutional reforms on behalf of Indians and those of mixed race, but those groups had boycotted the elections as a sign of protest. Their action should be a lesson to the transnational corporations which were exploiting the people of South Africa through the so-called policy of constructive engagement. Peace in South Africa hinged on recognizing ANC and assisting it in its efforts to build a new society.
36. The illegal occupation of Namibia and its transformation into a military arsenal was a serious problem and should command greater attention. In view of the situation in Namibia, his Government demanded that the Additional Protocols to the Geneva Conventions of 1949 should be applied to the members of SWAPO who were fighting for independence and self-determination and that all political prisoners should be released. It condemned all manoeuvres which delayed Namibia's accession to independence and demanded the implementation of Security Council resolution 435 (1978). The Government and people of Angola would always be ready to support peoples and liberation movements struggling against colonial exploitation, racism and other forms of domination, and were anxious for the problem of Namibia to be resolved.
37. Mr. KISS (Hungary) said that the racist Government of South Africa disregarded the will of the overwhelming majority of world public opinion and continued to pursue its aggressive policy of apartheid against the non-white majority. In Namibia, it denied the indigenous population its fundamental right to self-determination and independence and maintained its illegal occupation in open defiance of United Nations resolutions.
38. It would be a mistake to consider the system of apartheid merely as a case of the violation of human rights. Of course, apartheid was a brutal mass violation of the human rights of the vast majority of the population of South Africa, but the system was more than that. The humiliation of millions of people had an even more deep-rooted cause, inseparable from colonialism and imperialism, namely, the economic exploitation of the victims of apartheid. The Commission could not ignore the fact that "separate development" and the pass law system were means to ensure cheap labour for the benefit of the racist white minority regime and foreign economic interests present in South Africa.
39. South Africa had also committed acts of aggression against neighbouring States and started a massive arms build-up in Namibia while intensifying military operations against SWAPO, the sole legitimate representative of the Namibian people.
40. As a founding member of the League of Nations and the United Nations, South Africa had enjoyed a special place in the international organization of nations despite the fact that its racist policies had been brought to the attention of the United Nations as long ago as 1945. At that time, the issue had been put aside as a matter outside the competence of the United Nations.
41. In 1957, the General Assembly, considerably more representative of world public opinion than in 1945, had called upon South Africa to revise its racial policies. Since then, numerous resolutions and efforts had been made by the international community to force the South African Government to abandon its illegal practices.

It had been repeatedly emphasized in the United Nations that without the help and collaboration of its allies, the Pretoria regime could not even survive; that was why many United Nations resolutions called for comprehensive and mandatory sanctions against South Africa.

42. South Africa had been able to disregard the just demands of its population and the indignation of world public opinion only through the political and military support it received from certain countries which disregarded the resolutions of the United Nations.

43. It was deplorable and dangerous that some States and transnational corporations were intensifying nuclear collaboration with South Africa, thereby not only violating the relevant United Nations resolutions but also contributing to increase tension in southern Africa.

44. As a result of pressure by the international community and opposition forces within the country, the racist South African regime had adopted some measures towards so-called evolutionary changes in its rigid system of racial discrimination. The new Constitution, which was to promote such changes, totally excluded the black population from exercising social, political and economic rights and made use of disruptive tactics by granting insignificant rights to other groups of the coloured population.

45. The apartheid system could not be reformed; it must be totally eradicated. Only a genuinely democratic society, based on majority rule, could be acceptable to the people of South Africa and the international community.

46. Hungary was a party to all international instruments adopted by the United Nations as an indispensable part of the world-wide struggle against racism, racial discrimination and apartheid. As a founding member of the Special Committee against Apartheid, it had always stressed the importance of joint efforts aimed at the elimination of apartheid. His Government had supported and constantly complied with the General Assembly and Security Council resolutions aimed at the prevention, suppression and punishment of apartheid. It reported regularly on the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid. In conclusion, his delegation appreciated the work done by the Group of Three in examining his country's fourth periodic report in 1984.

47. Mr. CATO (Chairman/Rapporteur, Ad Hoc Working Group of Experts) said that the discussion in the Commission on item 6 had been of a high standard and served to emphasize the Commission's overwhelming rejection of the policies and practices of apartheid. It was entirely in order that the issues of forced removal, of attempts to deprive blacks of their citizenship and of the elements of genocide implied in the consequences of apartheid had been given particular focus. At present, it rested with the Commission to address itself to such measures as would contribute meaningfully to the over-all international effort to eradicate apartheid.

48. The Working Group had been encouraged by the many expressions of support for its work and the kind comments made with regard to the reports submitted by it. The Group had also taken note of the comments made with a view to enabling it to produce even better reports in the future. Of course, the Working Group had always recognized that there was room for improvement and, in the interest of clarity, he wished to state that at a later date it would examine and comment on the matters

raised in the letter which had been transmitted by the Government of South Africa to the Assistant Secretary-General for Human Rights and which was reproduced in paragraph 15 of document E/CN.4/1985/8. The Group had thought it preferable to examine the report at a future meeting when it would have more time to give it due consideration.

49. Mr. WOODRUFF (United States of America), speaking in exercise of the right of reply, said that one delegation at a previous meeting had distorted **his** country's position by stating that the United States argued that the racial laws and apartheid system in South Africa were solely the internal affairs of that country. In fact, the United States delegation had said that it believed that the fact that racial discrimination in South Africa was sanctioned by law made the situation worse rather than better. However, his delegation was not selective in holding to the view that South Africa's code of laws could properly be considered in the international arena. It did not consider it improper interference in the domestic affairs of any country for the Commission to scrutinize its code of laws if it conflicted with provisions of the International Bill of Rights.

50. His delegation would not attempt to reply to individual delegations. In many cases their comments had been made with obvious and malicious political intent. In many other cases, the statements made in the Commission had been based on allegations for which no evidence existed or could exist. Furthermore, unsupported allegations appearing in the public media should not be acceptable for the purposes of the Commission and only served to reduce the Commission's effectiveness and credibility in its efforts to bring to an end the illegal occupation of Namibia and the apartheid system.

51. A number of delegations had referred to an alleged military and nuclear relationship between the United States and South Africa. No such relationship existed. The United States had imposed a full embargo on arms to South Africa since 1963, which pre-dated the United Nations embargo by 14 years, and it was strictly enforced. Americans had been tried, convicted and sentenced for not respecting the embargo. The United States even had an embargo on the sale of computers to South Africa; only desk-top computers were sold. It provided no sensitive nuclear technology to South Africa. It did, however, provide information on maintenance services for a civilian power plant. Further, the services were fully safeguarded by the International Atomic Energy Agency. The United States had provided South Africa with a small nuclear research reactor in the 1950s before the embargo; it was a small and peaceful research reactor that was fully safeguarded.

52. As to the allegation that his Government sold military aircraft to South Africa, he pointed out that it had sold twin-engine, propeller driven Beechcraft King Airs which were used as air ambulances and were not an embargoed item. It had been alleged that \$28 million of military goods had been sold to South Africa in 1983; almost all of what the United States had sold were decoding devices for bank teller machines. The United States had sold some C-130 to South Africa before 1963, but since the 1977 embargo imposed by the United Nations, it had not even sold that country spare parts for those aircraft. The United States did not provide arms to third countries for re-sale to South Africa.

53. His delegation approved of the recent constitutional changes only in the sense that they were necessary, although minimal, steps towards full democratic representation in South Africa. It did not regard them as final results and had made that point clear publicly and to the South African Government.

54. With regard to Namibia, the question of the withdrawal of Cuban troops was highly relevant. In a recent statement, President Fidel Castro had acknowledged that Cuban withdrawal was negotiable in the interests of arriving at a solution which would permit the early independence of Namibia. In those negotiations, it was necessary to deal with the reality of the political and military power in the region and the security concerns of all the parties involved: one could not deal with the situation rhetorically, as one would like it to be.

55. Mr. HEREDIA PEREZ (Cuba) said that his Government condemned once again the policy of apartheid and the repressive measures used to impose that hateful system of exploitation. Apartheid was a crime against humanity and a serious threat to international peace and security. It was also a form of collective slavery and tantamount to an act of genocide against the South African black majority.

56. Through its impartiality and objectivity, the report of the Ad Hoc Working Group of Experts on violations of human rights in southern Africa (E/CN.4/1985/8) helped to reveal the truth about the racist policy of apartheid pursued by the South African regime. Its reports had indicated a continuing deterioration of the situation in South Africa and provided considerable information on the oppressive and inhuman nature of the racist regime, which continued to deny the peoples of South Africa and Namibia their human rights and fundamental freedoms.

57. In Namibia, the South African racists maintained their illegal occupation of Walvis Bay and also tried to hold up the independence of Namibia by invoking unacceptable excuses that sought to mislead the international community once again.

58. Cuba had denounced the Pretoria regime's oppressive actions against the freedom-fighters, members of SWAPO, and had called for the immediate and unconditional release of all Namibian political prisoners. The imprisonment of Nelson Mandela for having fought against the racist regime and defended justice and the human rights of peoples was a shameful and unworthy act. He had become a symbol for all those fighting against racism, racial discrimination and apartheid.

59. He reaffirmed his Government's solidarity with the Namibian people and its legitimate representative, SWAPO. It also supported the black people of South Africa and its liberation movement, ANC, in their struggle against apartheid.

60. His delegation also reiterated its condemnation of the continued collaboration of imperialist and colonialists with the apartheid regime. Without the assistance and support of some Western Powers in the economic, military, nuclear and other fields, the racist regime would have been unable to continue its policy of repression and to pursue its aggression against independent African States.

61. The report prepared by the Special Rapporteur on 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 (E/CN.4/Sub.2/1984 and Add.1 and 2) was reliable proof of the continued, and even increased, support given to the South African regime from abroad and the clear link between that foreign assistance and the regime's ability to continue defying world public opinion and all efforts made by the United Nations to eradicate apartheid. That assistance had enabled South Africa to strengthen its military arsenal and nuclear potential to such an extent that it constituted an alarming threat to international peace and security, and enabled the regime to increase its repressive measures against the black population.

62. For those reasons, his delegation urged the Commission once again to consider the application of mandatory sanctions against the South African regime.

63. With regard to agenda item 16, he reiterated his delegation's support for the International Convention on the Suppression and Punishment of the Crime of Apartheid, an instrument which made a significant contribution to the fight against racism, racial discrimination and apartheid and called on the States which had not yet acceded to the Convention to do so as soon as possible. He commended the work done by the Group of Three, to which his Government had recently submitted its fourth biennial report.

64. Lastly, he said that the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination contained specific measures and should be adopted in order to ensure the effectiveness of the provisions aimed at eliminating racism, racial discrimination and apartheid at the national, regional and international levels.

65. The Final Declaration and Programme of Action approved by the Second World Conference held in 1983 had made a significant contribution to the struggle for the total eradication of all forms of racism and racial discrimination and in that regard the Plan of Activities adopted in order to implement the Plan of Action required efforts to be made by the various Governments, intergovernmental and non-governmental organizations and specialized agencies to eradicate the racist policy of apartheid and all other discriminatory practices from the face of the earth.

66. Mr. Khmel (Ukrainian SSR) took the Chair.

67. Mr. MOHAMED (Special Committee against Apartheid) said that the deliberations of the Commission would help the peoples of South Africa and Namibia to exercise their right to self-determination and to eradicate the hateful system of apartheid.

68. He would welcome clarification on how the representative of the racist regime of South Africa had been allowed to attend the current meeting. The presence of that representative constituted a precedent which might have dangerous consequences.

69. Mr. LECHUGA (Observer for Cuba), speaking in exercise of the right of reply, said with regard to the remarks made by the United States representative, that the withdrawal of Cuban troops was a matter to be decided upon by the Governments of Angola and Cuba. In that connection, he said that the statement by the Ministers for Foreign Affairs of Angola and of Cuba of February 1982 and the Joint Declaration of the Governments of both countries of 19 March 1984 were quite clear. Any other pronouncement was an interpretation of the statements made by the two countries. Cuba had said that it did not intend to stay in Angola for ever. It was in favour of independence for Namibia and against the presence of South Africa in that country.

The meeting rose at 1 p.m.