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SUMMARY RECORD OF THE 27th MEETING

Chairman: Mr. VARELA QUIROS (Costa Rica)

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ORGANIZATION OF WORK

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The meeting was called to order at 10.40 a.m.

REQUESTS FOR HEARINGS (A/C.4/34/12)

1. The CHAIRMAN said that a request for a hearing had been received from the International League for Human Rights (A/C.4/34/12), relating to the question of Namibia. If there were no objections, he would take it that the Committee decided to grant the request.

2. It was so decided.

AGENDA ITEM 27: QUESTION OF NAMIBIA

AGENDA ITEM 90: QUESTION OF SOUTHERN RHODESIA (continued)

HEARING OF PETITIONERS

3. At the invitation of the Chairman, the Reverend Michael Scott, Mr. Chandra and Mr. Ngwenya (World Peace Council) and Mr. Meyers (International League for Human Rights) took places at the petitioners' table.

4. The Reverend Michael SCOTT said that the President of the Security Council, referring to the capture of the United States Embassy by Iranian students, had declared that it was not right that people in the diplomatic service should be treated like that.

5. The world was living in the middle of a great upsurge of the peoples of the third and fourth worlds. The Secretary-General of the United Nations had said, in that regard, that the United Nations depended on the political will of its Member States for its success and that that political will, in turn, depended on the interest and involvement of public opinion throughout the world. He had added that that support would come only if the United Nations looked for its priorities to the future rather than the past.

6. With regard to the two conferences concerning Africa and the third world currently being held in London, one on Rhodesia and the other on apartheid in South Africa, it was a stern reality that the policy and practice of apartheid and racism was growing stronger with the ever-increasing influence and power of transnational corporations. Many such corporations and banks saw in South Africa a safe haven for investment and rapid growth in productivity and profits, unimpeded by trade-union organization against the exploitation of peoples and resources. The excessive profits were ploughed back into mining, industrial and military development and, for example, the "semi-processing" of steel, much of which entered the Common Market through multinational corporations, while in the United Kingdom, where workers were to some extent protected by their unions, steel mills were closing down.

7. The demoralized state of the United Kingdom was characterized, unfortunately, by the cynical statesmanship which to date had offered only force and fraud in the

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(The Reverend Michael Scott)

negotiations aimed at preserving the privileges of whites in Africa and the Middle East. South Africa's nuclear experiments and offers of military aid to the United Kingdom in Rhodesia had hardly been tempered by the demonstration by the United States of its capacity to deploy nuclear power throughout the world, and should serve to warn Africa and the third world of the dimensions of the mounting struggle for power.

8. In view of the nature and expansion of apartheid in recent years and the aid and protection accorded to its expansionist aims, there could be no doubt that Africa and the whole world were faced with a form of organized racism akin to National Socialism. South Africa's aim was to ally itself with the developed countries of the West and to take advantage of the West's fear of communism, on the one hand, and, on the other, of the corruptibility of some of the upper strata of some of the military and bureaucratic régimes that had taken over control of some of the newly independent States. Evidence abounded of the increasing and corrupting influence of South Africa in many such States, not only in Africa but also in the Caribbean, South America and even South-East Asia. Mr. Rhoodie's statement on the so-called Muldergate scandal, which had been published in the Netherlands newspaper Elseviere, told only a very small part of the story of organized deception and corruption which today disfigured southern Africa.

9. He asked for an immediate investigation into all the wide-scale ramifications of the Muldergate scandal, including the active collusion of States - among them the United Kingdom - and corporations, in order to obstruct and break down the policies of the United Nations and international law, both in Rhodesia and Namibia, and he asked that that investigation should be carried out by a competent body appointed by the United Nations.

10. Secondly, he asked that a judicial body should examine all the legal implications of the transfer of sovereignty over the land and people of Rhodesia from the British Crown to a racist local political body. He wondered, moreover, what the role of the United Nations was in those proceedings, and whether consideration should be given to the juridical implications of transferring rights in land and minerals which belonged to the indigenous people without reference to international law or the principles of the United Nations.

11. He had documentary evidence, which he would make available to the Committee, of cases of corruption and attempted corruption initiated by South Africa, and he asked for the long-range appointment of at least one or two competent persons to investigate that aspect. Sanctions were virtually the only weapon at the disposal of the United Nations and that weapon must not be allowed to be brought to nought by certain States or transnational corporations.

12. Recalling that it had been the United Kingdom which had initiated and led the United Nations policy of sanctions against the unilateral declaration of independence by Mr. Smith - which had brought 14 years of misery, imprisonment, death and ruination to a beautiful, prosperous country - he asked also for a competent legal investigation of the eight years of attempted litigation in the

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(The Reverend Michael Scott)

High Court of England and before the Commission of Human Rights of the European Court of Human Rights at Strasbourg in what was to be regarded as a test case of African farmers driven from their land and illegally imprisoned by the Smith régime. The High Court of England had been asked to declare that the victim in the case had been wrongfully imprisoned and that he and his dependants had been deprived of their land and rights. In declining to make such a declaration on behalf of the Court, the judge had quoted as precedents an instance in which the British Government had been sued for its failure to protect the crew of a vessel captured by pirates in the China Sea a century or two earlier, and a case in which a landowner had sued the Crown for its failure to protect his land from the encroachment of the sea. The Africans wronged in the test case had tried by every legal means open to them to obtain redress for the measures taken against them, their lands and their people, and the English judicial system had not supported their cause. It might then be asked whether international law recognized only the right of conquest in relation to indigenous peoples, their lands and their minerals, and whether the law had become a rampart to protect the powerful and the privileged, thereby obstructing the cause of justice and peaceful change.

13. In the test case, in which the plaintiff had been Didymus Mutasa, the question of land and of treaties and agreements in relation to the Crown and the British South Africa Company had been deeply involved. He had copies of the Court's judgement against the plaintiff, which he would make available to members of the Committee, and from which it could be seen how justice had been circumvented by the law. He also had copies of the application made on behalf of Mr. Mutasa to the Strasbourg Court of Human Rights, which had so far not been answered and which, together with other relevant documents, he would make available to any expert appointed by members of the Committee. Mr. Mutasa had empowered him to act on his behalf in that way, since he himself was currently serving in the Patriotic Front, and had expressed the hope that the United Nations might be brought back to the fulfilment of its proper role in that matter, a role which the present United Kingdom Government appeared to be trying to arrogate to itself, despite its many tragic failures, past and present.

14. For generations, Africa had been plundered of its great wealth in gold, diamonds and uranium. If the profits from their exploitation continued to be used to corrupt African society and to break up with migrant labour the national growth and prosperity of the vast majority of the population, then the right to justice of those people must be defended by all the constitutional means open to the international community and the United Nations.

15. If the law in the United Kingdom had not been used to obstruct the rights of justice of the people and rob them of their share in the potential prosperity of the land of their birth, then the laws of Rhodesia and the United Kingdom would long ago have been changed and the death sentences and wrongful imprisonments would have been stopped. If there was need for a fund to compensate the Rhodesian white immigrants of the post-war years, there was an even greater need for a fund for the restoration of Africa and to defend the rights and justice of those who had lost their land, their liberty, and even their lives in the struggle to attain their own nationhood.

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(The Reverend Michael Scott)

16. In the United Kingdom, voluntary organizations were trying to do what only the United Nations could do because in the United Kingdom, as elsewhere, voluntary organizations were vulnerable to attack, or to infiltration or manipulation by governmental agencies. A situation had been reached in world history in which it was clearly impossible for voluntary bodies to handle the consequences of law without justice.

17. The laws of Member States had been used to continue dispossessing indigenous peoples of their lands and rights. What had been said about Southern Rhodesia was true also of Namibia, and the case of Didymus Mutasa had been only one of thousands of cases of wrongful dispossession and imprisonment. It was a test case of the British judicial system and of that of the European Community, as was the case of the Africans who had not escaped execution even though they had appealed to the Privy Council against the death sentence imposed on them by the illegal régime. The European Commission of Human Rights had rejected the applications from Rhodesia on the ground that that Territory was not listed by the United Kingdom Government as a Territory to which the European Human Rights Convention applied.

18. Present-day military strategy required an ever-increasing proportion of resources to be used for armaments, while whole populations were deprived of the most basic necessities. That was a crime against humanity perpetrated by tyrants profiting by the weakness of newly independent States or the turmoil following previous misrule. In the West, generations had been taught that the greatest threat to civilization was from communism and Marxism, whereas in reality those ideologies were becoming more and more fragmented and the real danger to civilization lay rather in the revolt which was beginning to emerge in the countries of the third world against the exploitation of their lands and natural resources by transnational corporations of the developed world and their political and military allies. The Marxists were by no means excluded from that international conspiracy against the peoples of the world: communism and the techniques of communism must be included in the investigation which the United Nations should undertake before the illegal situation had gone so far that no remedy was possible. The investigation must encompass both East and West, and concern itself with political and economic matters, as well as armaments and military strategy.

19. In conclusion, he said that Rhodesia and Namibia and the peoples of Africa and the Middle East would be in even greater peril if they failed to understand what had happened at the Lancaster House conference and during the Geneva negotiations on Namibia. It was South Africa's ambition, assisted by certain developed countries and industrial and financial corporations, to become a solar system in Africa with undisputed sway over its satellites. Unless an effective system of legal sanctions was applied there would be no end to the problem, which he had been expounding to the United Nations for more than 30 years. However, the problem had to be studied in the context of a world in which corruption prevailed, both in the East and the West, at all levels.

20. Mr. CHANDRA (World Peace Council) said that his organization was a mass movement of people belonging to organizations represented in 135 countries in all

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(Mr. Chandra)

continents. It was one of the largest mass movements for peace, justice and social progress of the present time and the largest of those organizations which supported United Nations activities in every field. As an example of what the World Peace Council could do in mobilizing world public opinion, it had submitted to the General Assembly at its special session on disarmament 700 million signatures of people in more than 100 countries asking for an end to the armaments race and for disarmament. The connexion of the World Peace Council with the liberation struggles in southern Africa went right back to the time of its foundation. The peoples of southern Africa represented in the liberation movements, which also formed part of OAU, participated in the work of Council. The Council's position had been and always would be identical with that of the peoples of southern Africa as expressed through their sole representatives, the liberation movements.

21. It did not seem at the present time that the United Nations needed to repeat the positions which it had taken on so many occasions regarding the liberation movements and against the illegal occupation of Namibia and the racist régimes of Pretoria and Salisbury. On the contrary, if during the present session the United Nations were merely to repeat its former positions it would only be opening the way to new conspiracies by the racist régimes and those who supported them. It must be remembered that efforts were currently being made in London and Geneva to advance the liberation of Namibia and Zimbabwe. Although any advocate of peace, justice and freedom welcomed any measures taken by any party with a view to speeding up the process of liberation, it was a matter for concern that serious manoeuvres were being carried out during the Lancaster House talks with a view to slowing down the liberation process and encouraging the racist régimes: such manoeuvres tended to reinforce the exploitation of Zimbabwe through the penetration of foreign economic interests. It was the view of the World Peace Council that the position of the United Nations was correct and must be maintained. In the past two days the world had witnessed the shameful spectacle of the United Kingdom Government, which had once asked for sanctions to be applied, trying to lift them unilaterally. Fortunately there was firm opposition in Parliament, the trade unions, the churches, youth organizations and public opinion to the Lancaster House talks and the measures the United Kingdom Government proposed to take.

22. The position taken by the Security Council Committee on sanctions, which had stated categorically that the measures which the United Kingdom Government intended to take violated international law, must be upheld. The States members of the Committee on sanctions which had said that they could not take a position because they had not received instructions from their Governments were all members of NATO and had always used their transnational corporations to violate sanctions against Rhodesia, directly or indirectly.

23. World public opinion expected the United Nations, through its General Assembly, to uphold the position of the Security Council Committee on sanctions before 15 November. The lifting of sanctions must not be proclaimed until Rhodesia was liberated and the Patriotic Front had taken over power.

24. With regard to the Lancaster House conference, it was his view that, although discussions were taking place, the responsibility of the United Nations in the matter

(Mr. Chandra)

must not be obscured. The United Nations had formulated many resolutions in which the great majority of countries considered that the only solution to the problem was to put an end to the racist régime and transfer power to the sole representatives of Zimbabwe. United Kingdom pressure on the Patriotic Front and its proposals regarding the transitional period worked in favour of the illegal régime and were therefore most disquieting, since it was essential that peace and security should be maintained in the Territory during the transitional period. The United Nations must urge the United Kingdom Government to accept the proposals of the Patriotic Front and must condemn that Government's unilateral decision. Public opinion looked to the Security Council to take the necessary measures to ensure that the United Kingdom Government did not persist in its attitude.

25. Another conference on Namibia, convened by the Secretary-General, was currently being held at Geneva. The World Peace Council wished to express its support for the Secretary-General's efforts to ensure the speedy liberation of Namibia from illegal occupation.

26. Two years previously, the world had been astonished to learn that nuclear tests had taken place in the Kalahari Desert, and an investigation was currently in progress on further explosions recorded in the Indian Ocean and the South Atlantic. Whatever the results of those investigations, it seemed clear that South Africa had the potential to manufacture nuclear weapons. The United Nations had already condemned those Governments and transnational corporations responsible for the militarization and nuclearization of South Africa, but the time had come to take decisive action in that respect, instead of simply duplicating resolutions and decisions. The nuclearization of South Africa would pose such a threat to independent Africa and to international peace and security that the elimination of the apartheid régime was not only an act of solidarity with the people of South Africa, but also a matter of vital importance to international peace and security. Nuclearization of South Africa was closely linked to a new plan to deploy medium-range nuclear missiles in Europe under consideration at that very moment by the planning group of the North Atlantic Treaty Organization. It was no mere coincidence that the very same countries that were responsible for sustaining and supporting South Africa's nuclear capability were those simultaneously planning the deployment of new nuclear weapons in Europe, which could only lead to a spiralling escalation of the arms race and possibly to an extremely dangerous situation. NATO's nuclear strategy was closely linked with the question of the nuclearization of South Africa.

27. The World Peace Council had organized a major international campaign calling for the imposition of mandatory sanctions on South Africa.

28. With respect to Namibia, it was strange that the five Powers which, sadly, had been unable to prevent the large corporations and monopolies in their own countries from helping South Africa and contributing to its nuclearization were the very ones which were currently offering to exert pressure on South Africa to speed up the independence of Namibia. Just a few weeks previously, the Conference of Heads of State or Government of Non-Aligned Countries had condemned those same countries. They could not escape responsibility for the continuing racist oppression and criminal apartheid policy since, by their political, diplomatic, economic, nuclear

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and other collaboration with the Pretoria régime, they were denying the legitimate aspirations of the people of South Africa. Those countries were the very same five countries which were currently represented at Geneva, ostensibly to speed up independence for Namibia and put an end to the illegal occupation of that Territory. They were the same countries cited year after year by the United Nations for collaborating with South Africa. He wondered how anyone could believe that those responsible for bolstering the apartheid régime had undergone such a sudden change of heart that they wished to help liberate Namibia. However, the World Peace Council was pleased to welcome any measures taken by the United Nations to convince those countries to end their collaboration with South Africa. The United Nations and world public opinion were currently together calling for an international mobilization against apartheid. The corner-stone of that mobilization was the imposition of mandatory sanctions and an end to the violation of existing sanctions. There was no other course open because, despite all the United Nations resolutions, foreign investment in South Africa and international trade with South Africa had constantly increased since 1962, the date of the adoption of the first General Assembly resolution relating to sanctions. In fact, the global figure of foreign investment had increased several times from 3 billion rands in 1962 to 21 billion in 1967. Over the same period international trade had increased from 2 billion rands to 15 billion. It was therefore useless to adopt yet another resolution and let the figure for international trade rise to 20 billion rands over the next year. The World Peace Council welcomed United Nations resolutions, but, as had been repeatedly stated by the President of the General Assembly and the Secretary-General, as well as by the Organization of African Unity and the non-aligned movement, the time had come to take action.

29. The World Peace Council had launched an appeal for the holding of national conferences on sanctions against South Africa and the racist régimes and for a week of action for sanctions against South Africa to begin on 21 March, the International Day for the Elimination of Racial Discrimination. Jointly with the NGO Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization, of which he was Chairman, and in co-operation with the United Nations Special Committee against Apartheid, the Organization of African Unity, and the specialized agencies, the World Peace Council had called for the convening in Geneva from 1 to 4 July of a conference of non-governmental organizations on sanctions against South Africa. That conference would deal with all the various aspects of sanctions, such as political, military and nuclear collaboration, economic collaboration, the role of the transnational corporations, bank loans, the oil embargo, the suspension of sporting and cultural contacts, and research and publicity on the subject of sanctions. Through that conference help would be given on the widest possible scale for the preparation of national sanctions conferences, which, it was hoped, would be held before the next session.

30. The World Peace Council would be convening the following year a World Parliament of the Peoples for Peace, to be held at Sofia, Bulgaria, from 23 to 27 September 1980. The question of the liberation of southern Africa would head the agenda of that Parliament of the Peoples. It was to be hoped that progress would be made before then, and that the United Nations and the Governments of the world would already have adopted resolutions and decisions and, above all, taken

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action. Throughout, solidarity with the liberation movements and firm opposition to all forms of collaboration would be the focal point of the Parliament.

31. The large delegation of the World Peace Council which he was leading was sincere in its wish to make an increasingly greater contribution to the work of the United Nations. The World Peace Council did not believe that Governments alone could ensure peace, security, independence and justice, or that peoples without their Governments could achieve that end. Co-operation was needed between Governments and peoples. But the peoples could prevent the repeated violation of United Nations resolutions by a handful of Governments which went against the principles of the Charter and the resolutions of the United Nations. For that reason, co-operation between the United Nations and the World Peace Council, together with other non-governmental organizations dedicated to the liberation of southern Africa, was essential. The World Peace Council strongly supported United Nations efforts to speed up the transfer of power in southern Africa to the genuine representatives of the people, the liberation movements of South Africa, Namibia and Zimbabwe, and was convinced that the discussions in the Committee would be an important contribution to that goal.

32. Mr. NGWENYA (Representative of the Patriotic Front of Zimbabwe to the World Peace Council) said that in his opinion the problem before the Committee involved the transfer of political power from the minority to the majority, or opting for armed struggle instead of continuing endless constitutional and legal debates. The history of the Special Committee of 24 showed the Special Committee's untiring efforts to arrive at a peaceful settlement of the problem of Southern Rhodesia; however, despite all of the efforts of the international community, a solution had not been found and those efforts had failed, owing to the deceitful statements made by the United Kingdom Government with regard to its intentions to decolonize Southern Rhodesia.

33. The latest mendacious act of the United Kingdom Government had been its announcement at the recent Commonwealth Conference held at Lusaka in August that it accepted its legal and constitutional responsibility and its obligation to establish a genuine majority régime. The international community should now ask itself whether it could continue to place faith in the United Kingdom Government and trust it to fulfil honourably its obligations to organize a constitutional solution which would provide a genuine majority régime and independence for Zimbabwe.

34. Since the beginning of the talks now being held in London, the world had awaited with impatience a peaceful solution to the Southern Rhodesian problem based on the granting of independence to Zimbabwe. However, what was happening was that the United Kingdom Government was trying to re-establish its colonial domination over the people of Zimbabwe, as if that people had sacrificed many lives simply to perpetuate colonial domination by the British. The world understood that the talks now under way in London were negotiations between the Patriotic Front and the United Kingdom Government; however, the United Kingdom Government was in fact negotiating with the international community to persuade it to support the United Kingdom plan to establish a neo-colonial régime in Zimbabwe. The objective of the United Kingdom Government and its NATO allies was to undermine the revolutionary struggle in southern Africa. That was the meaning of the support for

(Mr. Ngwenya)

the Smith-Muzorewa régime. The acceptance of a constitutional arrangement which excluded the Patriotic Front meant, furthermore, the perpetuation of the slavery of the peoples of southern Africa.

35. Information arriving from London indicated that the British Parliament, expecting an agreement to be reached on Zimbabwe, had adopted the necessary legislation to enable the United Kingdom Government to take measures leading to the implementation of the agreement, regardless of the position taken by the Patriotic Front. At the present critical stage the international community must provide its unswerving support for the people of Zimbabwe.

36. Mr. MEYERS (International League for Human Rights), speaking as the Assistant Director of the National Association for the Advancement of Colored People (NAACP) and the Director of the NAACP Office of Research, Policy and Plans, said that NAACP was the oldest and largest civil rights organization in the United States and had some 450,000 members in 1,700 branches and youth councils across the nation. For more than 20 years NAACP had been a national affiliate of the International League for Human Rights.

37. Since its founding in 1909, NAACP had been in the forefront of the movement against racial discrimination in the United States. It had utilized every legal means to achieve equality of rights and eliminate racial prejudice among the citizens of the United States and to seek enactment and enforcement of Federal, state and municipal laws securing civil rights. NAACP had been established to put an end to racial segregation, which had for a long time been the custom and law in the United States. There had been a time when all areas of American society had been segregated. He cited the example of Marion Anderson, one of the best voices given by God to mankind, who, in 1939, after singing in concert halls throughout the world, had been barred access to a concert hall in Washington, D.C. because she was not white and that had happened in the capital of her own country, the chief democracy in the world. The group which had barred Miss Anderson's way had been the Daughters of the American Revolution, for whom colour had been more important than art, democracy and morality. Blacks in the United States had thus been denied the essential dignity deriving from feelings of humanity and the rights of citizenship. By law and by custom blacks in the United States had been allowed to hold only certain jobs, mainly as servants. Initially education had been denied to them; later schools for blacks had been kept separate and inferior to the white schools. Similarly, the right to vote had initially been denied to blacks and, once they had achieved that right, thousands of tricks had been used to prevent them from exercising that right. Segregation in the United States had meant the degradation of blacks. NAACP had continued to fight against segregation, racial separation and caste, because it believed that in the United States there was no reason for maintaining barriers or structures which separated people on the basis of colour, race or nationality. Although much progress had been made, the full participation of the black masses in the mainstream of society had still not been achieved. The American system was not perfect but it at least held out the hope of individual freedom linked with social responsibility, which was the measure of justice.

38. NAACP had long been concerned with the struggle for racial justice and peace in southern Africa, where institutionalized patterns of discrimination prevented the attainment of the goals to which he had referred and where racial cruelty and discrimination were the corner-stones of the system of apartheid and the policy of white supremacy, which the ruling white minority had created to maintain its unjust domination over the black majority. In that context, NAACP was especially concerned over the intrigues of the Pretoria régime to maintain its illegal occupation of Namibia. For more than a half century the blacks of Namibia, who outnumbered the whites in the country by seven to one, had been under the domination of South Africa and its policies of apartheid. Despite the fact that the South African administration in Namibia had been regarded internationally as an illegal régime since the revocation of the mandate in October 1966, South Africa continued to exercise legislative, executive and judicial functions in Namibia. In their efforts to maintain their illegal occupation of Namibia, the South African authorities had engaged in a number of practices which constituted severe violations of human rights to suppress political opposition and to intimidate opponents of their rule. South Africa had imposed its laws on Namibia, including racially discriminatory apartheid and its heinous security laws. Some of those laws provided for arbitrary detention without charge or trial; many of the detainees were held for months incommunicado and, according to persistent rumours, were subjected to torture.

39. A virtual state of emergency had existed in Ovamboland since 1972 and in the spring of 1979, in an attempt to tighten control over Namibia, South African officials had imposed martial law on large areas of central and northern Namibia, thus enabling the military to search persons and places without warrant.

40. In an open letter to Justice M. T. Steyn, the Administrator-General, the Council of Churches in Namibia had expressed its deep concern over the recent mass detentions of Namibian citizens and had called upon him to either bring those people to trial or immediately release them.

41. Through the implementation of South African law, designed to brutally repress political opposition, the ruling minority had attempted to eliminate all dissident elements. The Reverend Dr. Paul Wee, who had visited Namibia in June 1979 as an official representative of the Lutheran Churches of the United States of America, had pointed out that fear was the constant element in the situation. There was no doubt that the primary source of the escalation of terror was the South African Army. According to the Reverend Dr. Wee, the evidence of South African Army brutality among all segments of the population was so overwhelming, pervasive and capable of documentation, that it made a mockery of the South African Government's claim to be responding to the request of the Ovambo people for protection.

42. The South African authorities employed any means, including the violation of the most basic human rights, to maintain their dominance in Namibia. They had shown themselves capable of dogged resistance to the forces of change.

43. NAACP had struggled for many decades for racial equality and justice in the United States. Even as late as the mid-1950s it had been apparent that blacks

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would never obtain the vote in parts of the southern United States unless help was provided from the outside. The combination of white supremacy and ruthlessness of officials in denying the most basic rights of black citizens had been factors which only intervention from the Federal Government could overcome. By the mid-1960s there had been some areas in the southern states where only a tiny fraction of the total black population was allowed to vote. Every device of human ingenuity had been used to deny blacks their voting rights. The Civil Rights Act of 1957 had paved the way for federal intervention by authorizing the Justice Department to bring lawsuits for electoral discrimination. By 1960, judges had been authorized to appoint referees to help blacks to register and vote. By 1964, seven years after the enactment of the first civil rights law, it had become clear that the Federal Government had not succeeded in making the right to vote a reality for blacks in large parts of the south, where state and local officials had devised elaborate means to prevent blacks from registering and voting. The Voting Rights Act of 1965 had suspended literacy tests, had called on the Federal Attorney-General to appoint Federal examiners where there were voting violations, and had set criminal penalties for interference in the voting process. The result of that legislation had been a great increase in black voter registration in many states and the election of blacks to public office.

44. True progress in black registration and voting had only come about in the American south with the introduction of supervision from outside, by the Federal authorities. The present situation in Namibia was also characterized by a climate of fear and by the authorities' use of a variety of techniques to manipulate elections. Unless there was a strong and determined United Nations role in the electoral process in Namibia, the Namibian people would be denied a fair opportunity to determine their political future.

45. The South Africans had already demonstrated their preference for an internal settlement which would impose on Namibia a government appointed by South Africa. Moreover, South Africa had already demonstrated itself extremely adroit in manipulating the outcome of elections in Namibia. According to an open letter of 4 October 1978 to the South African Prime Minister from representatives of six churches, there had been extensive intimidation and deception in the campaign to register voters for the elections held in Namibia in December 1978. The letter also maintained that that process had caused fear and loss of confidence in the South African Government's intentions; as the registration had not been fair and free, neither could the elections be.

46. The United Nations today stood at a turning-point: it must determine how it could best ensure self-determination for the Namibian people. At the heart of that debate should be a careful examination of Security Council resolution 385 (1976), which required the United Nations "to establish the necessary machinery within Namibia to supervise and control /free/ elections, as well as to enable the people of Namibia to organize politically for the purpose of such elections".

47. While there were no obvious guidelines to help determine exactly what constituted "supervision and control", much could be learned from the experience of the civil rights movement in the American south. Analysis of that experience led to the conclusion that the only way to create conditions in which fair and free elections could take place in Namibia was for the United Nations to supervise directly not only those elections, but also the education and registration of voters, as well as the counting of votes. That would require a substantial expenditure of time, money and other resources, as well as the taking of difficult political steps in a very sensitive area of the world. But that process must take place if the United Nations was to fulfil its legal responsibility to Namibia.

48. Like government officials in the American south, the South African authorities had shown themselves to be extremely adept in manipulating the education and registration of voters, both necessary components of any free and fair election. The December 1978 elections, according to the Christian Centre in Windhoek, had served as a warning for the approaching United Nations-monitored elections in Namibia.

49. It was perhaps helpful to examine the elections in three stages: the education and registration of voters, the election itself, and the counting of the votes and the aftermath. In many ways, the first stage was the most important. It required careful planning to educate non-voters in the exercise of that new right. As 90 per cent of the black population of Namibia were unable to read or write, instructing those potential voters what an election meant, how it worked, and how they could participate became a major undertaking. Literally thousands of hours would have to be spent in each village and in rural areas preparing for a free and fair election. Even if everyone involved worked towards that end in good faith, the language and illiteracy barriers, the lack of familiarity with the democratic process, and the difficult logistical problems of registering voters in an area the size of Namibia made the task seem almost impossible. The United Nations needed to help resolve those problems through a massive commitment of manpower and money and through a definite and comprehensive election plan which afforded ample time to carry out that process.

50. An issue raised by the elections themselves was who should supervise them. If they were held in local police stations and were supervised by the existing security forces, it was more than likely that the voters would feel pressure to vote for the candidates favoured by the security forces. In addition, whoever ran those elections needed to be creative and resourceful in devising methods to allow illiterate, first-time voters to participate fully in the process.

51. Finally, the mandate in Security Council resolution 385 (1976) requiring United Nations supervision and control must extend to the counting of the vote. As with the previous stages, that would require an extensive effort throughout the rural and isolated areas, where the majority of people were involved for the first time in the electoral process.

(Mr. Meyers)

52. Considered together, those three elements - the education and registration of voters, the conduct of the election, and the counting of votes - required maximum international involvement through the United Nations, which must implement the Security Council mandate by supervising and controlling the elections.

53. The Reverend Michael Scott, Mr. Chandra and Mr. Ngwenya (World Peace Council) and Mr. Meyers (International League for Human Rights) withdrew.

54. The CHAIRMAN said that, if he heard no objection, he would take it that, in accordance with the request of the delegation of Ghana and taking into account the financial implications set out in paragraph 15 of document A/C.4/34/L.1, the Committee decided that the statements of the petitioners should be reproduced in extenso in the summary record.

55. It was so decided.

56. Mr. MIR MOTAHARI (Iran), speaking in exercise of the right of reply with regard to the comments made by the Reverend Michael Scott concerning United States diplomats in Teheran, said that, despite the fact that the question was totally irrelevant to the discussion, he felt that he must answer those who were apparently very concerned about the situation in Teheran. He would have like the same concern to have been expressed over the fate of the Iranians who for more than three decades had suffered oppression under one of the most immoral tyrannies ever known, which, moreover, had had the support of international imperialism. By informing the highest leadership of the Christian world of the offences they had suffered, the oppressed people of Iran hoped that their distressing situation, as well as that of oppressed peoples throughout the world, would be taken into consideration.

AGENDA ITEM 92: ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN SOUTHERN RHODESIA AND NAMIBIA AND IN ALL OTHER TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (continued)
(A/C.4/34/L.23)

57. Mr. DABBASHI (Libyan Arab Jamahiriya), introducing draft resolution A/C.4/34/L.23, said that Angola, Mongolia and the Congo had joined the list of sponsors and that Lesotho had requested to be removed from that list.

58. He pointed out that, in the twelfth preambular paragraph, the reference to resolution 32/35 of 28 November 1977 should be replaced by a reference to resolution 33/40 of 13 December 1978.

59. Despite the fact that the item dealt with in the resolution had been on the agenda of the General Assembly since its twenty-second session, little had been done to date to control the activities of foreign interests in Southern Rhodesia, Namibia and other Territories under colonial domination. The reason for that was obvious: there were countries which refused to respect the will of the

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(Mr. Dabbashi, Libyan Arab
Jamahiriya)

international community and sacrificed universally recognized values and principles to further their own interests. In defiance of the resolutions of the General Assembly and other international organizations, the activities of foreign interests had further intensified; those interests continued to exploit the natural and human resources of the colonial Territories and thus prevent the people of those Territories from achieving their legitimate aspirations. The operations of the transnational corporations continued to grow and there had been no decline in the number of countries which collaborated, in various fields, with those racist régimes.

60. In preparing draft resolution A/C.4/34/L.23, the sponsors had taken into account the reports of the Special Committee and of the Council for Namibia, as well as the relevant resolutions adopted by OAU, the non-aligned movement and various international conferences. After reviewing the provisions contained in the various operative paragraphs of the draft resolution, he expressed the hope of the sponsors that those States which maintained relations with the South African and Southern Rhodesian régimes would follow the example of Iran and respect the resolutions and the Charter of the United Nations.

61. Lastly, he said that the draft resolution, which was clearly worded and had been prepared and studied in detail by the African Group, merited adoption by the Committee.

62. Mr. TANAKA (Secretary of the Committee) announced that Nicaragua had joined the list of sponsors of draft resolution A/C.4/34/L.23.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued) (A/C.4/34/L.24)

Question of Guam (A/C.4/34/L.24)

63. The CHAIRMAN said that the draft resolution on Guam was still not available in all the working languages. He announced that the representative of the administering Power wished to make a statement.

64. Mr. STRASSER (United States of America) said that during the current year his country had received a Visiting Mission of the Special Committee which had gone to Guam in order to observe the constitutional referendum held on 4 August and the economic, social and political situation in the Territory. The invitation to the Mission was characteristic of his country's sincere efforts to co-operate with the Special Committee in its consideration of Non-Self-Governing Territories under United States jurisdiction and to carry out its responsibilities under Article 73 of the Charter.

65. The United States was carefully studying the report of the Visiting Mission and, although it did not agree with all its observations and conclusions, it

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(Mr. Strasser, United States)

believed that it was an attempt to achieve a balanced view of the situation in Guam. The Visiting Mission had been in Guam when the inhabitants were reassessing their situation and calling for a greater dialogue with the United States Government concerning problems facing them, some of which were mentioned by the Visiting Mission. The Mission had certainly brought a greater understanding to the people of Guam of the work of the United Nations in the area of Non-Self-Governing Territories, a development which the United States supported. It was to be hoped that the General Assembly, as in recent years, would continue to be responsive to the desires of the people of Guam when it took a decision on the Territory.

66. Mr. MAYDAN (Syrian Arab Republic) pointed out that, although his country was listed as one of the sponsors of draft resolution A/C.4/34/L.24/Rev.1, it was not a sponsor. He hoped that the necessary correction would be made.

67. The CHAIRMAN suggested that the debate on the question of Southern Rhodesia should begin immediately after the conclusion of consideration of the question of Namibia, in other words, about 26 November.

The meeting rose at 12.55 p.m.