COMMISSION ON HUMAN RIGHTS

Forty-fourth session

SUMMARY RECORD OF THE FIRST PART */ OF THE 14th MEETING

Held at the Palais des Nations, Geneva, on Wednesday, 10 February 1988, at 3 p.m.

Chairman: Mr. MEZZALAMA (Italy)

later: Mr. SENE (Senegal)

CONTENTS

Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts (continued)

The adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa (continued)

*/ The summary record of the second part of the meeting appears as document E/CN.4/1988/SR.14/Add.1.

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GE.88-10743/3191G
CONTENTS (continued)

Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid (continued)

Study in collaboration with the Sub-Commission on Prevention of Discrimination and Protection of Minorities of ways and means of ensuring the implementation of United Nations resolutions bearing on apartheid, racism and racial discrimination (continued)

Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (continued)
The meeting was called to order at 3.15 p.m.


THE ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO COLONIAL AND RACIST REGIMES IN SOUTHERN AFRICA (agenda item 7) (continued) (E/CN.4/Sub.2/1987/8/Rev.1 and Add.1 - Parts I and II)


STUDY IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES OF WAYS AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS BEARING ON APARTHEID, RACISM AND RACIAL DISCRIMINATION (agenda item 17) (a)) (continued)

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 17 (b)) (continued) (E/CN.4/1988/2, 33, 34, 35; A/RES/42/47; A/42/492 and 493)

1. Mr. Konate (Senegal) said it was paradoxical and inadmissible that, late in the twentieth century, a system of government should be based on the separation of the races and advocate the superiority of a white minority over millions of blacks. It was a curse to be black in South Africa and barbarous humiliation was still the most striking feature of the "townships" and the bantustans, where blacks lived in morally inadmissible conditions.

2. To tolerate or keep silent about that situation was to betray the memory of the first signatories of the Charter of the United Nations; yet, the apartheid régime continued to exist. The Special Rapporteur of the Sub-Commission had noted in his report (E/CN.4/Sub.2/1987/8) that millions of black South Africans were regarded as being not only "less equal", but also "less human" and, in its interim report (E/CN.4/1988/8), the Ad Hoc Working Group of Experts painted a merciless and dramatic picture of the human rights situation, which had further deteriorated since the proclamation of the state of emergency in 1986. The South African régime did not hesitate to imprison children and 40 per cent of detainees were minors. The declaration of the state of emergency had been accompanied by thousands of detentions without trial and black prisoners were being subjected to torture and inhuman and degrading treatment which had led to many deaths.

3. In order to justify the maintenance of the state of emergency, the apartheid régime had invented and was providing support for secret groups which were genuine death squads that were terrorizing the black townships. The régime was not changing but was, rather, intensifying its methods and acquiring all kinds of legal weapons to justify the policy of separate development, the best illustration of which was the practice of depriving blacks of their South African nationality and establishing bantustans mired in extreme poverty and insecurity. Sympathizers of organizations opposed to
apartheid, black trade unionists and representatives of the Anglican Church had been arrested and murdered; that might make the situation even more explosive by kindling legitimate feelings of revolt against repression and injustice.

4. With its so-called constitutional reforms, the Pretoria régime was actually trying to lend legitimacy to its own existence and to the absolute power it wielded over the future of the black majority, which was being denied the most basic rights. By using delaying tactics, the racist régime was, of course, making changes in the forms repressive methods took, but it was not changing the substance of separate development. The apartheid régime could not be reformed; it had to be abolished.

5. The régime still existed and the South African leaders could continue to act in defiance of the will of the international community because they benefited from the complicity, support and collaboration of certain countries, as had been stressed by the Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1987/8). The list of government and private institutions which maintained economic, military, financial and other relations with South Africa ruled out any hope that genuine democracy would rapidly be established in that country. On the basis of the Special Rapporteur's report, which showed that priority was being given to economic and financial collaboration, it could only be regretfully concluded that profits came before ideological and strategic considerations. There was, however, greater awareness and fuller commitment on the part of some countries, which had taken encouraging disinvestment measures. For example, the decision by the United States Congress to restrict trade with South Africa, the programme of action against South Africa adopted by the Ministers for Foreign Affairs of the Nordic countries and the decision taken by the member countries of the European Economic Community in 1986 were all to be welcomed, but if disinvestment measures were to be effective, they had to be accompanied by monitoring machinery and sanctions. According to a study on the implementation of the ILO anti-apartheid programme, moreover, a slow and gradual process of disinvestment could be counter-productive because it might allow the South African economy to adapt. Drastic measures therefore had to be taken promptly.

6. The Commission on Human Rights was a forum where national and international public opinion could be mobilized and encouraging signs were already beginning to be seen as a result of the activities of non-governmental organizations, which were reminding the Governments of the countries concerned of their responsibility in perpetuating the apartheid régime.

7. The system of apartheid, which was based on the idea of the superiority of the white race, was also rooted in the economic exploitation of the Territory of Namibia. Strike movements in Namibia were being savagely put down and freedom of assembly and association obstructed. The implementation of Security Council resolution 435 (1978) was being hampered by a variety of delaying tactics that were testing the effectiveness of the measures provided for by the Charter of the United Nations.

8. South Africa was also carrying out attacks on the "front-line States" and, in particular, Angola and Mozambique, which it was trying to prevent from building their national economies and consolidating their unity. Since the
South African régime already possessed nuclear weapon secrets, peace and security in the African continent were being seriously threatened. The Security Council therefore had to bring all its authority to bear in order to help Africa with its process of development, which would not be possible without security. Senegal believed in the effectiveness of comprehensive and mandatory economic sanctions against the odious apartheid system. The international community had no other solution because the conditions for a frank dialogue has been denied to the legitimate representatives of the black peoples of South Africa and Namibia, namely, the Pan Africanist Congress, the African National Congress (ANC) and SWAPO. As the Senegalese Head of State had recalled, it was still possible to protect South Africa and the African continent from a racial and political explosion that would have unforeseeable consequences, and the Commission had to act accordingly. In South Africa, the population was already determined to build a new and democratic country; in that connection, he welcomed the historical meeting organized in Dakar in July 1987 by the Institute for a Democratic Alternative for South Africa (IDASA), which had been attended by South African whites and representatives of ANC to discuss their country's future. The establishment of democracy and respect for human rights in South Africa depended on dialogue and political will, for, otherwise, there might be a bloodbath in that country for which the entire international community would be responsible.

9. Mr. JAEGER (Federal Republic of Germany) said that the disastrous situation in South Africa had again failed to improve in 1987 and that no sign of a solution was yet in sight. The system of apartheid, by which blacks were subjected to intolerable discrimination, fuelled discord in the country, where there could be no peace until human rights were guaranteed. The declaration of the state of emergency and the increase in repression would not solve political problems, but merely created a vicious circle.

10. Apartheid and racial discrimination were not South Africa's internal affairs, but a permanent challenge to all those who subscribed to the principles of the Charter of the United Nations. The aim must be to ensure that all citizens could take part on equal terms in the country's political, social and economic life.

11. Like many other members of the international community which were speaking out more and more loudly against the injustice of the system of apartheid, the Government of his country pursued a peace policy in southern Africa that was designed to create conditions for a just and lasting order of which the most important was the abolition of apartheid. The basic principle of his country's Constitution, which was the protection of human dignity, made it an obligation for the Government to stand up resolutely for human rights throughout the world; in rejecting any form of racial discrimination, the Government had the support of Parliament, the political parties and the vast majority of the population.

12. Apartheid was an institutionalized violation of human rights and, it could therefore not be reformed; it had to be abolished and the South African Government had to understand that the abandonment of apartheid was in the interests of the entire country and of all its citizens. In 1987, however, well-known forms of repression had been intensified by the authorities, which could use the excuse of the need to maintain law and order.
13. His Government advocated peaceful change in South Africa because it was convinced that violence and revolutionary struggle would not lead to a just social system. It was therefore continuing its policy of engaging in critical dialogue by using political and diplomatic means to try to exert influence on Pretoria. Problems had to be solved not through the use of force, but, rather, through constructive negotiations involving the churches, the trade unions, the United Democratic Front, Inkatha and the African National Congress (ANC). The state of emergency first had to be ended, the ban on the opposition lifted and political prisoners, Nelson Mandela before anyone else, released. In his capacity as President of the European Economic Community, the Chancellor of the Federal Republic of Germany had stated that Nelson Mandela's release would be a first step, however small, towards negotiations leading to peaceful change. The announcement of the release of a member of ANC, Govan Mbeki, had therefore been welcomed with satisfaction, but that had unfortunately been only a half-hearted measure because Pretoria had prohibited the former prisoner from making speeches and the repression of political opponents was continuing, as shown by the arrest of a member of UDF, Eric Molobi. The Government of the Federal Republic of Germany and its European partners had protested and demanded the immediate release of that activist and they would continue to use diplomatic channels to have the execution of the death sentences of the "Sharpeville Six" stayed. The countries of the European Economic Community were united in strongly rejecting apartheid and pursued a common policy vis-à-vis South Africa; in September 1986, they had thus decided to ban imports of steel, coal and gold coins, as well as new investments. Despite its scepticism about economic sanctions, his country's Government had backed that decision in order to ensure that Europe would continue to be capable of taking political action.

14. While continuing to exert economic and political pressure on Pretoria, his country intended to increase its assistance to the population of South Africa. Bilaterally and multilaterally, it would continue to urge the lifting of the state of emergency, the release of political prisoners, the lifting of the ban on members of the opposition and the restoration of freedom of the press.

15. His country's Government and its partners had strongly condemned South Africa's military acts of aggression against Angola, as well as the visit by President Botha and some members of his cabinet to the forces based in Angola. His delegation urged South Africa to stop violating international law and the territorial sovereignty of Angola and to withdraw its troops from that country. His country's policy on southern Africa was to help the countries of that region achieve lasting peace, above all by becoming independent of South Africa in the economic and transport sectors. To that end, his Government would intensify its co-operation and continue to give its support to the Southern Africa Development Co-ordination Conference.

16. There would be no peace in southern Africa until Namibia had gained independence and his delegation remained convinced that the plan proposed by the United Nations and the implementation of Security Council resolution 435 (1978) were essential in ensuring the transition. In co-operation with its partners and allies, his country would continue its efforts with a view to Namibia's independence and, in order to give fresh impetus to the prospect for a settlement, the Minister for Foreign Affairs had contacted his colleagues in the countries forming the Contact Group to suggest that the Group's work should be resumed.
17. Apartheid, which was an affront to human dignity, the gauge of internal harmony and external peace, had to be eliminated. The efforts being made for that purpose must, however, not undermine South Africa's economic structures or the basis for the existence of the South African population. His country would continue to base its policy towards South Africa and its participation in the United Nations and, in particular, in the Commission on Human Rights on the idea that the new South Africa should become a respected member of the family of nations.

18. Mr. PATIL (India) said that the South African people's struggle had become the symbol of the struggle against colonialism and apartheid, a deliberate and official policy which deprived blacks of all fundamental rights and freedoms and perpetuated the hold of the white minority over the majority of blacks, coloureds and Indians. The sad truth was the opposite of the universalist and humanitarian vision of South African nationalist leaders, such as Nelson Mandela, imprisoned for the past 26 years, who wished to build an independent, united, democratic and non-racial society in free South Africa.

19. The interim report of the Ad hoc Working Group of Experts (E/CN.4/1988/8) presented a sordid account of the situation in 1987, which had been marked by intensified repression, further banning orders, expulsions, arrests, cases of torture, treason trials and continuing losses of human life. The whites-only elections held in May 1987 had not only further alienated the black population, but had also set the stage for a deepening of the crisis. In recent years, the Pretoria régime had tried to deceive world public opinion by introducing a fake constitutional reform and making empty concessions on the issue of the citizenship rights of the inhabitants of the so-called "homelands". It had merely been trying to buy time in order to split the liberation movements and sow discord within the black majority and between the black, coloured and Indian communities.

20. The human rights situation in South Africa had deteriorated sharply in 1987, as shown by the report of the Ad hoc Working Group of Experts (E/CN.4/1988/8) and the report of the mission by the International Commission of Jurists. In the 14 months following June 1986, 40 per cent of the 30,000 persons detained in South Africa had been 18 years of age or younger and, although some had been arrested for subversion, many others had been detained merely in order to instil fear in them. Four young girls from Durban had been arrested for bathing on a white-only beach and the report of the International Commission of Jurists spoke of widespread physical abuse and violent assaults on detained children, who found it very difficult to become reintegrated in society after being released from prison. That proved that the South African legal apparatus had itself become an instrument of oppression.

21. The South African people had a long and glorious tradition of passive resistance to racial discrimination and apartheid. South African women had participated in mass protests against the pass laws as early as 1913 and, in recent years, protests had become sharper and had invited disproportionate reactions. It was now clear that the militancy of the oppressed people had grown and that there was a resurgence of popular resistance throughout South Africa.
22. In Namibia, which continued to be subject to South African legislation, the Pretoria régime had created a mirror image of the situation in South Africa and continued to refuse to implement Security Council resolution 435 (1978) by requiring that the implementation process should be linked with an issue that was extraneous to the Namibian question. In point of fact, South Africa had no intention of withdrawing from Namibia unless it was forced to do so by all Member States of the Security Council. The Namibian people was continuing its heroic struggle, under the leadership of SWAPO, in the face of a powerful and relentless adversary.

23. All of southern Africa was suffering the consequences of the attitude of South Africa, which was engaged in actively pursuing aggression and destabilization in neighbouring States by using mercenaries stationed illegally in southern Angola. Mozambique was also the target of such attacks, which were doing considerable damage to basic infrastructure and directly or indirectly causing losses of human life. In Botswana, Swaziland, Zambia and Zimbabwe, death squads were murdering nationalists and freedom-fighters and South Africa was using every possible means to reduce the front-line countries to a state of economic paralysis and collapse.

24. Since the international community was now convinced that apartheid had to be abolished, it must refrain from any further collaboration with the racist Pretoria régime because friendly persuasion and the policy of constructive engagement had failed. It was now time to isolate South Africa, boycott its goods and enforce comprehensive and mandatory sanctions without any reservations motivated by short-term economic, political or strategic considerations.

25. It was a proven fact that foreign funds and contacts were bolstering South Africa's resistance to change and that profits derived from the plundering and exploitation of the resources of South Africa and Namibia played a major role in maintaining the deplorable status quo. It was therefore incomprehensible that countries which had themselves fought for democracy and their own national independence and for the abolition of slavery should continue to have reservations about imposing sanctions. Either the pursuit of profit had pushed principles aside or those countries considered that the existence of the Pretoria régime was essential to their global interests and they did not see that their long-term interests would be better safeguarded by boycotts and sanctions. There was no doubt that South Africa would not fail to fight sanctions by passing the burden on to its black citizens and by exacting retribution from the front-line States. That was, however, not an argument against the imposition of sanctions. It was an argument for applying sanctions wisely and judiciously.

26. The Commonwealth countries were continuing their efforts to mobilize support for dismantling the structures of apartheid. Despite the partially unsuccessful initiative by the Heads of Government of the Commonwealth countries to set up a Group of Eminent Persons and initiate a dialogue with the Pretoria régime, which had taken reprisals against three Commonwealth States, the leaders of the Commonwealth countries had met in Vancouver in October 1987 and decided to constitute a Commonwealth Foreign Ministers' Committee on Southern Africa. That group, which was composed of eight countries and was expected to focus primarily on strengthening the capacity of the front-line States to withstand various types of pressure from the Pretoria régime and to step up the international campaign in favour of sanctions, had
appealed to international banks to put maximum pressure on Pretoria for early repayments of all loans and had decided to speed up the establishment of a special fund to help Mozambique. It had also decided to undertake studies on the impact of sanctions and on steps to block loopholes in the arms embargo. Australia, Canada and India had been assigned the task of studying South Africa's international financial relations and the Commonwealth countries would be expected to decide on further measures on the basis of the results of those studies. The Commonwealth countries were convinced that the apartheid régime could be ended in relatively calm conditions, provided that all economic and military assistance to Pretoria ceased. In their opinion, only such action would offer one last opportunity to avert a bloodbath.

27. The movement of non-aligned countries was also calling for mandatory economic sanctions and those countries, themselves facing considerable economic difficulties, had decided to establish the Action for Resisting Invasion, Colonization and Apartheid Fund (AFRICA) in order to help the front-line States, which were the targets of South African aggression. To date, over $US 230 million had been pledged and some projects had begun to be implemented.

28. It was heartening that, in the past two years, Norway, Sweden and Finland had adopted mandatory measures against South Africa, that the United States Congress had also adopted the Anti-Apartheid Act and that the European Economic Community had banned new investments in and imports of iron, steel and gold coins from South Africa. Those measures had to be reinforced and extended.

29. Apartheid was a crime against humanity and all of mankind had to strive tirelessly to end that evil system and restore the exercise of human rights in that part of the world. World public opinion had to be persuaded to contribute to that struggle and to give moral and material support to ANC, the Pan Africanist Congress, SWAPO, peace-loving peoples in southern Africa and the front-line States, which were fighting for a much wider cause. There was no doubt that South Africa would one day become a united, democratic and non-racial country, but the point was that it had to do so rapidly and as peacefully and reasonably as possible.

30. Mr. GRIEGER (German Democratic Republic) said that evidence of the inhuman policy being pursued by the apartheid régime in defiance of international law was abundant indeed. While the forty-second session of the General Assembly had been discussing the situation in southern Africa, South Africa had been preparing to attack Angola yet again. Like a colonial overlord, Botha had carried provocation to the extreme of personally setting foot in Angolan territory to inspect the invasion troops. South Africa was, moreover, entering its twentieth month of a nationwide state of emergency, of which the black majority was the main victim. Pretoria continued to flout the efforts being made internationally, particularly in the United Nations, to put an end to the policy of apartheid.

31. As long as apartheid continued to exist, however, millions of human beings in South Africa, Namibia and the neighbouring States would be unable to live in peace and enjoy their human rights, which were at present only an illusion. Entire generations had experienced only war, oppression, exploitation and humiliation and had been subjected to the same kind of tutelage that was proscribed by the International Bill of Human Rights. His
delegation was particularly concerned about the situation of children in the countries of the region, on which an international conference had been held in Harare in September 1987: according to UNICEF, the health and even the lives of 15 million children were being endangered as a result of economic backwardness and South Africa's policy of aggression and destabilization. In South Africa itself, nearly one third of the 30,000 persons arrested since the proclamation of the state of emergency were children. In addition to the inconceivable brutality of the security forces, the black majority was being subjected to appalling humiliations every day. Institutionalized and even constitutionalized racism affected some 87 per cent of the South African population. Bantustanization and the Group Areas Act were undermining the social structures and family ties of the persons concerned.

32. During the Christmas period, which was traditionally a season of peace, GDR television had broadcast a film on Nelson Mandela, in order to make public opinion more aware of the dangers that still persisted in today's world. The South African régime's contribution to that state of affairs had led to many reactions of indignation on the part of citizens of the German Democratic Republic. It was only natural that his country would further intensify its solidarity with the oppressed peoples, an approach that was gaining ground throughout the world and would help to eliminate the anachronistic policy of apartheid.

33. Responsibility weighed heavily on the imperialist forces and, in particular, on the transnational corporations that gave assistance to the Pretoria régime. Some Western nations had already imposed sanctions against South Africa, but they were not comprehensive enough to prevent that country from pursuing its policies of oppression, thereby making it necessary to impose the mandatory comprehensive sanctions provided for in Chapter VII of the Charter of the United Nations.

34. A report prepared by a research institute in the Federal Republic of Germany on the impact of possible economic sanctions against South Africa contained a number of conclusions that were worth taking into account. The report stated, for example, that South Africa's economy was highly vulnerable to well-directed sanctions from abroad and that a small group of six countries would be capable of depriving the apartheid régime of major support if they suspended the South African economy's integration into the world economy. The white minority would almost immediately be faced with the dismantling of its privileges and a decline in its standard of living, which was fairly high at present; the black majority in general would not suffer as a result of effective sanctions designed to cut off the régime's lifeline and precipitate its collapse. The report did not overlook the fact that such sanctions would bring about a higher rate of unemployment among the black labour force, but it was the apartheid system itself that was generating increasingly higher unemployment rates, which, according to the ILO, now stood at 25 per cent of the black labour force. Only the elimination of apartheid by means of sanctions would create the necessary conditions for an economic and social policy that would make it possible to scale down and finally eliminate unemployment in South Africa. The report also stated that sanctions which had not been properly prepared and co-ordinated and which were imposed half-heartedly would serve no purpose and might even delay the fall of the régime and prolong the suffering of the black majority and the neighbouring states, which were virtually being bled dry. Those conclusions were widely shared by the general public and by the overwhelming majority of States.
35. His country was resolutely in favour of a peaceful settlement of the conflict by political means and of comprehensive and mandatory sanctions. It was also in favour of any other initiative aimed at bringing about an equitable solution. It had therefore taken note with great interest of the results of the meeting held in Dakar in July 1987 between a representative group of South African whites and representatives of the African National Congress; those results were an encouraging step in the right direction. The meeting had shown that ANC was prepared to work, together with all South Africans of good will, to find a democratic and non-racist solution to the problem.

36. The United Nations and the Commission in particular were under an obligation to help settle the conflict. They had to translate their decisions into practice and that would require a genuine political will on the part of all States. His country would continue to help promote the interests of the peoples of southern Africa, as well as the implementation of human rights in that region.

37. Mr. KOLBY (Norway), speaking on behalf of the five Nordic countries, Denmark, Finland, Iceland, Sweden and Norway, said that the South African policy of apartheid was the single most important problem that countries which condemned all forms of discrimination and segregation based on race, creed or colour had to combat. Apartheid, which was contrary to the most fundamental concepts of human liberty and equality, could not be reformed and therefore had to be fully abolished.

38. The situation in South Africa had further deteriorated in the past year, particularly as a result of the renewal of the state of emergency. Several hundred persons had been killed since June 1986 and 30,000 had been detained without charge or trial. Members of the United Democratic Front and of COSATU, in particular, had been subjected to harassment and detention. The International Conference on Children, Repression and Law in Apartheid South Africa, held in Harare in September 1987, had drawn attention to the brutal repression of children, who were being subjected to detention and all types of abuse, including torture. Oppression, which was reflected in the high number of executions, would only lead to escalating violence and increased bloodshed and prolong the suffering of the South African people.

39. The South African régime was trying to hide from the outside world the population's growing dissatisfaction and unrest. Under the emergency laws, the army and the police had been given broad powers and were thus able to keep a tight rein on the situation. Harsh censorship measures could, however, not fool the outside world into believing that the situation had improved. Whether it had or not, the Governments of the Nordic countries strongly condemned all the brutal violations of basic human rights that were being committed in South Africa.

40. The situation in Namibia was also a matter of concern. According to Amnesty International, the detention without trial of suspected opponents and the torture and ill-treatment of detainees were continuing. Although there was a tendency to overlook what was happening in Namibia because of the more dramatic events in South Africa, the focus on human rights violations in Namibia had to be maintained. The Namibian people's struggle for independence and self-determination deserved full support. The Nordic countries rejected
the attempts being made to obstruct progress in that regard and considered that Security Council resolution 435 (1978) was still the only internationally acceptable basis for Namibia's independence.

41. South Africa was relentlessly pursuing its policy of destabilization in the region, particularly by attacking Angola and Mozambique. The constant source of tension which the apartheid policy represented in southern Africa was yet another reason why immediate action had to be taken to eliminate that inhuman system. The Nordic countries expressed their solidarity with all the front-line States and assured them of their continued support. The successful meeting held in Arusha 10 days earlier between the Nordic Ministers for Foreign Affairs and those of the front-line States had clearly reflected that solidarity.

42. Despite universal condemnation, the South African Government refused to take meaningful steps to end its racist policy. It nevertheless had to recognize that its country's agony signalled the end of apartheid, which had to be replaced by a democratic, non-racist régime guaranteeing equal rights for all. A first step in that direction would be for the South African Government to show genuine willingness to negotiate with the true leaders of the black majority. It had to lift the state of emergency, release Nelson Mandela and all other political prisoners, lift the ban on political organizations and allow exiles to return to the country. Only if those conditions were met could there be any hope of negotiations with a view to the peaceful abolition of apartheid in South Africa.

43. The release of Govan Mbeki, an influential member of ANC, and of other political prisoners had been seen as a positive sign by those involved in the struggle for the release of all political prisoners in South Africa, but the Nordic countries regretted that Govan Mbeki's activities were still subject to severe restrictions. He had been invited to visit those countries.

44. In view of the failure of the policy aimed at the abolition of apartheid through dialogue, outside pressure had to continue to be exerted if apartheid was to be abolished by peaceful means. The Nordic countries therefore urged the Security Council to impose comprehensive mandatory sanctions against South Africa and, in the meantime, to consider additional measures, even limited ones, by which States would signal their disapproval of apartheid and express their solidarity with those working for change in South Africa.

45. An effective oil embargo might influence South African society, since oil was virtually the sole strategic raw material in which South Africa was not self-sufficient. Consideration might therefore be given to mandatory sanctions in clearly defined fields, such as the supply of oil and petroleum products to South Africa. The 1977 arms embargo should be strengthened. Sanctions were intended to leave no doubt about the international community's stand on apartheid and they should therefore be implemented and strengthened.

46. The absence of mandatory sanctions should not serve as a pretext for failing to act against apartheid. As repeated calls for mandatory sanctions had been met by vetoes, the Nordic countries had all been practising an economic boycott against South Africa and Namibia in the hope of inspiring other countries to follow suit and step up international pressure on the apartheid régime.
47. The Nordic countries also drew attention to the need to help the victims of apartheid. South Africa's neighbours were in a particularly precarious situation both because of their economic dependence on South Africa and because of South Africa's policy of destabilization in the region. The Nordic countries' assistance to the Southern Africa Development Co-ordination Conference and its members was designed to promote their independent development. The Nordic countries were also continuing to provide increased humanitarian assistance to liberation movements, refugees and other victims of apartheid. They hoped that the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa, which would be held in Oslo in August 1988, would help to make the international community more aware of the plight of those persons.

48. In conclusion, he stressed that action to combat racism, racial discrimination and apartheid was so important that it required the collective efforts of all members of the international community. He therefore welcomed the fact that the General Assembly had decided that the second half of the Second Decade to Combat Racism and Racial Discrimination should give priority to combating racism and all forms of racial discrimination and apartheid, especially in South Africa and Namibia.

49. Time was running out for peaceful solutions to South Africa's problems. If apartheid was not abolished soon, all of southern Africa might explode in a violent upheaval. The international community should therefore join in taking effective action against apartheid.

50. Mr. FISENKO (Byelorussian Soviet Socialist Republic) thanked the Under-Secretary-General for Human Rights for his detailed introduction to the group of questions under consideration and for the documentation which had been submitted and should serve as a good basis for the discussions. Apartheid, which was a challenge to the United Nations and contrary in every respect to the purposes and principles of the Charter of the United Nations, was a crime against humanity and a threat to international peace and security. In his report on the work of the Organization (A/42/1), the Secretary-General had noted that, "In South Africa, a human tragedy of overwhelming proportions appears imminent unless timely action is taken to prevent it". Having recalled the condemnation of apartheid by United Nations bodies and quoted from Security Council resolution 569 (1985) and the International Convention on the Suppression and Punishment of the Crime of Apartheid, on the implementation of which his country had, as a party, just submitted a report, he referred to resolutions 1987/7, 8, 9 and 11, which the Commission had adopted at its last session on the South African policy. Similarly, the General Assembly had, at its forty-second session, not only once again condemned the policy of apartheid, but had also recommended the adoption of specific measures to put an end to it. It was deplorable that the South African Government was unprepared to listen to the voice of the overwhelming majority of States, doing nothing to improve the situation and, instead, stiffening repression, attacking neighbouring States, extending the state of emergency and arresting more persons, including women and children.

51. In its report to the forty-second session of the General Assembly (A/42/22), the Special Committee against Apartheid had stressed that the state of emergency "revealed South Africa as a police state where the security forces have almost unlimited powers of repression" (para. 21). The racist
regime could, however, not act in such a provocative manner without the support of certain countries and transnational corporations. South Africa served as a strategic spot and as a base for the struggle against independent Africa. The addendum to the report of the Special Committee (A/42/22/Add.1) gave many examples of collaboration with the racist régime, which had, however, been condemned by the overwhelming majority of the members of the international community because it stood in the way of the elimination of apartheid and caused the oppressed peoples continued suffering. Investments in South Africa, which were evidence of the self-serving activities of transnational corporations and encouraged the racist régime to defy the will of the international community, represented enormous amounts. Demagogical arguments were being invoked throughout the world against the imposition of mandatory sanctions against South Africa on the pretext that they would be to the detriment of the black majority and the population of the so-called front-line States. In point of fact, it would be primarily the South African authorities that would be vulnerable to such sanctions and his country shared the view of the Special Committee, which regarded the total isolation of South Africa as one of the international community's most pressing goals.

52. On the basis of such considerations, his delegation had voted, at the last session of the General Assembly in favour of resolution 42/23 G, entitled "Concerted international action for the elimination of apartheid", and supported Security Council resolutions 418 (1977) and 578 (1984). Measures to put an end to military and nuclear co-operation with South Africa and its imports of military equipment would contribute to the elimination of apartheid. In general, his delegation was in favour of the strengthening of international measures to put an end to the racist régime.

53. Mr. Sene (Senegal) took the Chair.

54. Mr. AKYOL (Observer for the United Nations Council for Namibia), describing the views of the lawful administering authority of Namibia concerning the part of the report of the Ad Hoc Working Group of Experts relating to Namibia (E/CN.4/1988/8), said that, for years, the situation in Namibia had been characterized by illegal occupation and by the economic exploitation and repression of the Namibian people, even though the United Nations had been directly responsible for that Territory for 22 years and would continue to be responsible for it until it had achieved independence. At its forty-third session, the Commission had expressed indignation at the fact that Namibians and their leaders continued to be imprisoned and arbitrarily detained and at the inhuman massacres and torture to which they were often subjected and had denounced the measures taken by the occupation régime to harass the Namibian people and break its will to achieve self-determination and national independence. The situation had, however, not changed during the past year.

55. South Africa refused to engage in any process of negotiation and was pursuing its policy of the fait accompli. Its present evasiveness, its siege mentality and its political manoeuvres gave no sign that it was prepared to accept a peaceful transition to independence. In fact, the military activities in which it had engaged a few months earlier against its neighbours showed to what extent it was prepared to defy the international community.
56. The United Nations Council for Namibia fully endorsed the description of the facts found in the report of the Ad Hoc Working Group of Experts now before the Commission (E/CN.4/1988/8). The situation in the Territory was actually getting worse. The state of emergency imposed in 1986 had affected remote parts of Namibia and was giving rise to further human rights violations. Discriminatory practices were being intensified by means of the policy of racial fragmentation known as "bantustanization"; segregation was the rule in schools, hospitals and other public establishments and there was blatant discrimination against Namibians in education, employment, health, etc.

57. South Africa continued to intensify its brutal repression through murders of innocent Namibians, arbitrary detention measures, indefinite detention incommunicado, the kidnapping and disappearance of civilians, bannings and deportations, all of which were contrary to the provisions of the Charter, General Assembly resolutions and the Universal Declaration of Human Rights. The illegal occupation regime in Namibia used various legislative texts, administrative regulations and proclamations to give the police and the army far-reaching powers. Under such proclamations, pre-trial detention, the prohibition of meetings, the imposition of martial law and the establishment of "security districts" could be used to crush political resistance by the Namibian people.

58. Martial law was in force in two thirds of the country and a dusk-to-dawn curfew applied to over half the population. It was prohibited to move from one area to another without a written authorization from the army or the police. Information censorship was strictly enforced. Despite such repressive legislation, however, the occupant had had to instal some 100,000 troops in the Territory.

59. As a result of that odious policy, the majority of the Namibian people lived in extreme poverty, there was a high incidence of malnutrition, a high death rate and an alarming rate of unemployment owing to the inhuman system of labour organization under which workers were separated from their families. The Pretoria régime regarded Namibians only as second-class citizens. The laws were enforced in a discriminatory manner in every aspect of daily life and were being used to prevent the people from waging their struggle for national liberation. It was thus no surprise that many Namibians left their country. According to the United Nations High Commissioner for Refugees, there were between 70,000 and 80,000 Namibian refugees in Angola, Zambia and other neighbouring countries.

60. The Namibian people was being subjected to brutal exploitation by South African economic interests, in violation of decree No. 1 of the United Nations Council for Namibia. There were, for example, enormous differences in wages, which varied according to skin colour, and 75 per cent of administrative and technical staff were white, whereas black workers were forced to accept badly paid menial jobs. The educational system was also characterized by blatant discrimination: schools for white children received more money than schools for black children, in which the drop-out rate was consequently very high. There were few young blacks who went on to higher education and some black population groups had no access to education at all.
61. Those were only a few examples of the inhumanity and injustice that the Namibian population had to endure every day because of South Africa's hold on the Territory, which had, however, been declared an international territory. The Namibian people's deep frustration, resentment and impatience were therefore understandable and it was now more essential than ever that the international community should do everything in its power to promote a prompt settlement and Namibia's immediate independence. The international community must take measures without delay to put an end to the occupation of Namibia.

62. Mr. DLOVA (Observer for the Pan-Africanist Congress of Azania), highlighting some of the most disturbing aspects of the deteriorating human rights situation in South Africa, said that the press had been completely gagged by means of measures that were being dutifully applied by the judiciary; that activists had been murdered by death squads because they had dared to speak out on foreign radio and television broadcasts; that political refugees in neighbouring countries were being kidnapped and murdered; that secret executions were announced to relatives only 24 hours in advance; that the régime was encouraging interorganizational violence among Africans; and that the executive and judiciary were working hand in glove.

63. With regard to the press, the South African Bureau of Information was now the only authorized source of information on incidents relating to political unrest. Foreign journalists were not allowed to enter African townships or other "trouble spots", as the régime preferred to call places where the indigenous peoples lived. Regional police authorities could ban any publication which, in their view, appeared to endanger national security. Their opinions could not be questioned in any court of law as long as they had followed the normal procedure, which had been simplified. Moreover, foreign news services were being monitored by South African agents in order to identify political activists who spoke out against apartheid. The best known victim of that practice was an 18-year-old boy named Dhlomo who had appeared on an ABC television programme in the United States. He had been arrested after his appearance, without any official reason, and had been found murdered a few days later, shortly after his release from police custody.

64. Growing numbers of exiled leaders and activists of the liberation movements were being kidnapped and murdered. The Administrative Secretary of the Pan-Africanist Congress could have been one of the victims of that campaign if it had not been for his own vigilance and that of the Tanzanian security forces. However, the brother of the Secretary for Foreign Affairs of PAC, Ismael Ebrahim, had been abducted: he was a member of a sister organization, the African National Congress of South Africa, and had been kidnapped in a neighbouring State. The fact that the act had been committed in another State, in violation of that State's sovereignty and territorial integrity, had not prevented a South African court from agreeing to try Ismael Ebrahim.

65. Another new, but no less disturbing trend was that of semi-secret executions. On 4 February 1988, seven political activists had been executed for "unrest-related" crimes. Their relatives had apparently been given only 12 hours' notice. While the Commission continued its discussions, five men and one woman were awaiting their appointment with the hangman for a "crime" the prosecution had been unable to prove they had committed. Those persons, known as the "Sharpeville Six", had been on death row for two years and the Supreme Court of South Africa had recently rejected their appeal. They had
been arrested together with scores of others from a mob of 500 persons who had killed a councillor in Sharpeville. There was no evidence to connect the six with the killing, but the prosecutor had argued that they had a common purpose with the "murderous mob" and should therefore be found guilty of murder.

66. That case set a particularly frightening precedent because it meant that the police could arrest virtually any person found at the scene of a mob killing and charge him with murder and that the prosecutor could be assured of a conviction under the more than nebulous doctrine of common purpose. Now that the indigenous population was again threatening the very existence of white rule in South Africa, the South African courts were siding with the executive to punish all those who were perceived as a threat, whether or not they were guilty under the existing rules of law.

67. Referring to the unfortunate events which had taken place in 1987 in Pietermaritzburg, where 400 persons had died in a clash between two mass organizations, he said that the Botha forces of law and order, which had the broadest police powers under the state of emergency, had done nothing to stop the carnage. They had, in fact, stirred up hostility by publishing daily statistics of casualties on both sides, thus whetting the appetite for revenge. It was clear that the settlers' purpose was not to maintain law and order, but, rather, to secure white rule. That was why they had done nothing to stop the clashes.

68. PAC had already invited the feuding parties to halt that campaign and direct their efforts against the common enemy. African clergymen, community leaders and youth organization leaders had met to find a solution to the problem, but theirs was not an easy task, for the most influential leaders of the African population had either been jailed or exiled or were in detention camps. That was precisely the case of the Secretary-General of the Methodist Church of South Africa, who was one of the advocates of united action or at least of co-ordinated action by all anti-apartheid and anti-colonial forces in South Africa and who might have been detained because his voice of reason had been striking a positive note in the hearts of African patriots.

69. The Pan Africanist Congress would continue to oppose the enemy's divisive strategy to consolidate the unity of African population and to enhance its fighting capacity. It appealed to the international community to maximize its support for the South African people's liberation movements, to sustain the campaign for the total economic, political and cultural isolation of the settler State and to increase its support for the front-line States in order to help them withstand South African aggression. To refuse to take economic sanctions was to defend apartheid. PAC also urged the Commission to do everything in its power to prevent the Sharpeville Six and others on death row from being executed.

70. Mr. PEKANE (African National Congress) said that the state of emergency in South Africa was being used as a tool to keep the system of apartheid in place and it involved mass arrests and detentions, torture and physical and psychological persecution, even of children. In a bid to enrol black youth, the racist régime had set up indoctrination camps where young people were trained in order to incite them to commit murders within their own community. It was hard to believe that such things were going on at present, in the year when the fortieth anniversary of the adoption of the Universal Declaration of Human Rights would be celebrated.
71. The régime was murdering people both inside and outside South Africa. Inside the country, it was making increasing use of "vigilantes" and hit squads to kill and maim Africans. The so-called "black on black violence" which had occurred in Pietermaritzburg was in fact the result of a deliberate policy. In the neighbouring countries, the régime was using armed agents, together with its armed forces, to assassinate and abduct members of the black South African community. In 1987, for example, a member of the ANC National Executive had been assassinated together with two other representatives of the movement in Swaziland.

72. ANC was particularly concerned about the growing number of children in prisons and detention centres in South Africa, the country which had the largest number of children in prison, including children under nine years of age. ANC also drew attention to the six patriots, including a young woman, whose appeal against their death sentence for opposition to the apartheid régime had been rejected by the Supreme Court. In ANC's view, the criminals were the racist judges of the Supreme Court, for they were implementing apartheid policies. ANC urged the Commission to demand the unconditional release of those patriots, who were known as the "Sharpeville Six", and of all political prisoners and detainees.

73. ANC was more than ever convinced that the most effective peaceful weapon that could be used to weaken and make the apartheid machinery unworkable was to apply comprehensive mandatory sanctions against the racist régime. It therefore called upon all peace-loving nations to sever their economic ties with South Africa. In the Security Council, the Governments of the United States of America and the United Kingdom had consistently vetoed any resolution calling for such sanctions. For the people of South Africa, that opposition meant that those two Great Powers, and all Western Powers, moreover, clearly aligned themselves with apartheid and chose super-profits over human freedom. ANC was also calling for disinvestment by foreign companies operating in South Africa as a means of bringing about the country's total economic isolation, weakening the apartheid economy and demonstrating to the Pretoria Government that the international community rejected that abominable doctrine.

74. ANC also drew the Commission's attention to the labour bill which was now being considered by the South African Parliament and which would ban sympathy strikes and intermittent strikes, as well as industrial dispute-related consumer boycotts. The bill was also designed to abolish the majority principle in collective bargaining negotiations and to make trade unions and their officials liable to be sued for damages in the event of so-called "illegal" strikes. According to the South African Minister of Manpower, if that bill became law, it would hang like a sword over unions' heads by enabling employers to make civil claims against unions. The Congress of South African Trade Unions (COSATU) had already warned that, if the bill became law, it would lead to the collapse of the industrial relations system.

75. In addition to cracking down on labour, the régime continued to kill militant workers both on and off the factory floor. In 1987, for example, railway workers had been killed during a transport strike, allegedly for having refused to join the strike. During the miners' strike in August 1987, some had reportedly been killed for defying the strike, while others had died
in clashes with the mine security services and the South African police. In May, COSATU headquarters had been bombed. Members of various chemical workers' unions had also died during a strike and a labour dispute in the chemical industry.

76. The state of emergency was being enforced in order to maintain the security of the apartheid régime by breaking the will of the people and destroying its organizations through sustained terror carried out by soldiers, the police and secret assassination squads. The objective was to stem the revolutionary tide represented by the mass democratic movement which had formed inside the country under the banner of UDF, COSATU and the African National Congress. Such attempts and efforts had, however, not only been in vain, but had also enabled the opponents of apartheid to harden their resolve.

77. ANC supported the cause of the Namibian people and SWAPO and condemned the illegal occupation of that sister country by racist South Africa, as well as the many atrocities being committed there in the name of law and order. It demanded South Africa's withdrawal from Namibia and called for the implementation of Security Council resolution 435 (1978). It urged the Commission and all Member States of the United Nations to condemn the invasion and occupation of southern Angola by the South African armed forces, as well as the acts of destabilization committed by South Africa throughout southern Africa.

78. There were striking similarities between the racist Pretoria régime and the Israeli Government. What was now happening in the West Bank was similar to the daily massacres of Africans by the South African racist army. The Pretoria régime had declared a news blackout and it would not be long before the Israeli Government did the same. ANC supported the legitimate struggle being waged by the Palestinian people under the banner of the PLO and was in favour of an international conference in which all interested parties, including the PLO, would take part, for that was the only way of reaching a durable settlement.

79. ANC was involved in a just and noble cause and in the struggle for the restoration of peace, not only in southern Africa, but throughout the world.

80. Mr. MTANGO (Observer for the United Republic of Tanzania), speaking as a member of the Ad Hoc Working Group of Experts which had prepared the report on violations of human rights in southern Africa (E/CN.4/1988/8), urged Member States to make available any information they might have on what was going on in South Africa so that the Working Group's report might be as comprehensive as possible.

81. Referring to agenda item 6, he said that the state of emergency and other Draconian measures imposed by the racist South African régime were an attempt to conceal from the outside world the horror and brutality of life in apartheid South Africa by prohibiting them from being shown on television screens. The situation had, however, not changed: South Africa continued its policy of mass detentions, harassment, torture and systematic killing both inside and outside the country.
82. The report of the Ad Hoc Working Group of Experts (E/CN.4/1988/8) revealed many incidents of organized assassinations, which appeared to have become quite common in Natal, where many political activists had been abducted and killed (para. 23). The Group of Experts had also reported that detentions without trial continued to occur on a wide scale, including detentions of children under the age of 15 and of some who were as young as 8 years old. Torture and ill-treatment also continued unabated. As stated in paragraph 58 of the report, a panel of doctors which had treated over 600 former detainees had revealed that 82.5 per cent of them showed clinical signs compatible with the physical abuse they claimed to have suffered. Such signs included lacerations, bruises, electric shock marks and perforated eardrums.

83. One of the victims, a 15-year-old boy, had been attacked by a white policeman, who had savagely beaten and trampled him. The child had been taken home semi-conscious by a neighbour and had died on the way to hospital. The fact was that, in South Africa, a generation of children was growing up knowing nothing but the daily violence of the white minority régime; they felt nothing but hatred, bitterness and fear towards the security forces. Another child had dared to relate his experience of ill-treatment and torture to a United States television network (ABC) and had, as a result, been murdered by agents of the racist régime only a few days later.

84. Many children had given testimony concerning their experiences at the International Conference on Children, Repression and Law in Apartheid South Africa, which had been held in Harare in September 1987. The Conference had adopted a declaration recognizing that children could not lead a normal life in South Africa as long as the apartheid system continued to exist. It had urged lawyers, medical practitioners, social and religious workers and all others whose work involved special responsibility for children to play a part in the struggle to protect the children of South Africa and help free them from apartheid. The Conference had also appealed to the international community and, thus, to the Commission to work for the imposition of sanctions against the South African régime and had urged all Governments to declare their support for all those who were prepared to defend the children of South Africa.

85. His delegation endorsed that appeal and assured all those who responded to it that the people of South Africa, when finally celebrating its victory against apartheid, would never forget those who had stood beside it during its ordeal. It was to be hoped that the countries in favour of sanctions against South Africa would be followed by others. And those which, out of self-interest, gave excuses for not putting pressure on South Africa should remember the words of Archbishop Desmond Tutu: "We will not forget where these Governments stood at the time when we needed them desperately".

86. Mr. KHERAD (Observer for Afghanistan) said that racism, racial discrimination and apartheid were still the most striking and odious examples of flagrant violations of human rights. It was thus quite natural that the institutionalized form of racism constituted by apartheid should have been recognized as a crime against humanity under international law, as an outrage to the conscience of all mankind and as a threat to international peace and security. International action to combat that evil was one of the lengthiest chapters in the history of the United Nations. It nevertheless continued to be a matter of major concern and, session after session, the Commission and other international bodies had adopted many resolutions condemning and
rejecting such practices, which were a serious obstacle to the equality and economic and social advancement of peoples and an affront to human dignity. Following the major efforts made during the First Decade for Action to Combat Racism and Racial Discrimination, the proclamation by the General Assembly, in its resolution 38/14, of the Second Decade had been an important step towards the elimination of those injustices and had proved that the international community was determined fully to eradicate racial discrimination in all its forms, whether old or new.

87. Despite the resolutions adopted, the measures taken and the genuine efforts made by the majority of the members of the international community, however, the goal had not been achieved. Millions of human beings continued to be denied equality and were being subjected to discrimination, oppression and persecution solely because of the colour of their skin. Virtually no progress had been made towards the elimination of one of the most shameful régimes in history, the apartheid régime, and that was a matter of serious concern.

88. The report by the Ad hoc Working Group of Experts on violations of human rights in southern Africa (E/CN.4/1988/8) stated that the situation had worsened. Unanimous disapproval had therefore not brought about any change whatever in the apartheid régime's racist, repressive and illegal policies and, within a few decades, South Africa had become an enormous concentration camp characterized by the inhuman exploitation of the population, political repression, arbitrary detentions, torture, summary executions, reprisals against families, forced population removals, persecution of trade unions and students and the denial of basic rights in general. Repression did not spare women and children, who were the main victims of bantustanization. From the time they were born, black South Africans were subjected to constant discrimination that had been taken to unprecedented extremes as a result of bantustanization, which, for them, meant exile, suffering and poverty and, for whites, shameless profits. The only choice the inhabitants of South Africa had was to live in a bantustan without resources or in an overcrowded ghetto, for apartheid forced them to leave their homes and made them foreigners in their own land. The only crime being committed by blacks who had to endure such violence was to demand the exercise, in their own territory, of the right to racial equality.

89. The South African régime had no intention of making any meaningful changes in its odious system and its so-called reforms were only subterfuges designed to conceal human rights violations. Recent events confirmed the fact that apartheid was not likely to be reformed and that it had to be totally eradicated, as the General Assembly had stated in its resolution 37/69A, since a régime based on the blood of some and the enrichment of others had no right to exist.

90. The policy of apartheid was also being relentlessly applied in Namibia in order to dash any hopes of genuine independence that country might have. The Namibian people, which was being deprived of its inalienable rights, was also being subjected to racial discrimination, massive repression and atrocities similar to those being committed in South Africa. The legislation adopted by the racist régime to impose its colonial system was being ruthlessly implemented and, with every passing year, the racist régime became more deeply entrenched in Namibia. It was therefore especially deplorable that the
Namibian people, for which the United Nations had special responsibility, should have to suffer not only under apartheid, but also under relentless military occupation, and that it could not exercise its inalienable right to independence and sovereignty because of South Africa's illegal presence and its refusal to comply with Security Council resolution 435 (1978).

91. The Pretoria regime had also been using Namibia as a launching platform for its attacks against independent African countries, particularly Angola and other front-line States, and that was a threat to regional and international peace. Pretoria's policy of terror, illegal occupation of Namibia, aggression and economic destabilization of the front-line States showed just how valuable discussions and decisive steps to eliminate apartheid could be. The Pretoria regime would not be able openly to disregard the concerns expressed by the Commission and by the international community if Governments unanimously complied with the resolutions adopted by the General Assembly, the Security Council and other bodies belonging to the United Nations system. The report on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa gave an idea of just how much assistance was being given to South Africa, which was thus adopting an even bolder attitude of defiance towards the international community.

92. Racism and discrimination did not exist only in South Africa and Namibia and the policies and practices of Israel and those of the Pretoria régime had a number of common features. The Palestinians and the populations of the occupied Arab territories and of Namibia endured the same suffering. There were also various forms of racism and discrimination in several other countries.

93. The international community therefore had to do everything in its power to achieve the objectives of the Second Decade for Action to Combat Racism and Racial Discrimination more rapidly. It had to implement the relevant United Nations resolutions and decisions, as well as the provisions of the Programme of Action for the Second Decade, 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 States which had not yet done so had to ratify those instruments. It was high time for all Member States of the United Nations without exception to show determined political will to implement those instruments without delay or compromise. The South African people wanted to exercise its right to life and to a dignified existence, but it was being prevented from doing so by an anachronistic régime whose very existence depended on denials of rights, on violence and on aggression.

94. The international community now had to go beyond mere expressions of solidarity and support for the oppressed peoples of South Africa and Namibia and actually come to their assistance by exerting stronger pressure on the Pretoria régime for the immediate lifting of the state of emergency and the unconditional release of Nelson Mandela and other political prisoners and by doing everything possible to enable the peoples of Namibia and South Africa to exercise their basic rights. The only effective type of pressure was to cease any collaboration with the Pretoria régime, to adopt concerted international measures and to impose comprehensive and mandatory sanctions against the Pretoria régime, in accordance with Chapter VII of the Charter. It was also
essential to intensify support for the front-line countries, as well as for
the oppressed peoples of South Africa and Namibia and their liberation
movements, under the leadership of ANC and SWAPO, respectively. The peoples
of South Africa and Namibia would be able to achieve national liberation only
through struggle and with the international community's moral and material
assistance.

95. The universal conscience could not be clear as long as racism, racial
discrimination and apartheid continued to exist.

96. Mr. HERNDL (Observer for Austria) said that the past year had been a
sombre one for southern Africa, which was still suffering under the odious
policy of apartheid. The latest interim report by the Ad Hoc Working Group of
Experts on violations of human rights in southern Africa, which had been
prepared in accordance with Commission resolutions 1987/8 and 1987/14 and
Economic and Social Council resolution 1987/63 (E/CN.4/1988/8), showed just
how widespread daily violations of human rights in southern Africa and Namibia
really were.

97. In South Africa, racial discrimination continued to be the organizing
principle of society and the state of emergency, which seemed to have become
permanent and was getting harsher and harsher, was an attempt to provide a
legal cover for repressive measures. In order to conceal the consequences of
its policy, the Government of South Africa had imposed a blackout on news on
the situation in the country, but arbitrary arrests, torture, detention
without trial, prisoners' mysterious deaths and capital punishment following
doubtful legal proceedings could not remain hidden and they moved the
conscience of the world.

98. One of the most alarming aspects of the South African policy was the
increasing victimization of children. That group of human beings, which was
perhaps the most vulnerable and which the community of nations was trying to
protect worldwide, was being particularly harassed in South Africa. According
to the latest report of the Special Committee against Apartheid, about
40 per cent of the 30,000 persons detained since June 1986 were children
aged 18 or less. That had been confirmed by the Ad Hoc Working Group of
Experts on southern Africa, part of whose report dealt with that question.
The competent South African authorities themselves admitted that children
under the age of 16 were being detained. According to particularly disturbing
information, children in police custody in South Africa were being subjected
to torture and ill-treatment. That situation had led Austria to join the
sponsors of the resolution on the torture and inhuman treatment of children in
detention in South Africa which the General Assembly had adopted by
acclamation at its last session.

99. Despite all exhortations, the South African authorities did not seem to
understand that the total alienation of the next generation of the majority
population would have particularly serious consequences. How could the
natural urge of black youths to bring about changes in the discriminatory
system to which it was subjected - even by force, if necessary - be contained
as long as such youths were constantly being humiliated and oppressed by the
authorities? Some South African voices argued that unrest in the black
townships proved that the country was not yet mature enough for equal rights
for all its citizens, regardless of colour. In his delegation's view, such an
argument was fallacious. Violence among black population groups themselves,
which was, moreover, being instigated by the State apparatus, showed what happened when a society was deprived of the right to free democratic expression. The longer the South African Government intransigently continued to uphold the system of apartheid, the greater the chances of turmoil and bloodshed would be.

100. For all its talk of reform, South Africa was doing very little in the way of specific measures. It was still a long way away from genuine reform that would bring about equal rights for all South Africans, in accordance with the "one man, one vote" principle. What was needed was an unequivocal commitment by the South African Government to abandon apartheid and enter into a serious political dialogue with the genuine leaders of the majority population. That obviously meant that the detained black leaders had to be released and that, in accordance with the legitimate demand of the international community, all persons imprisoned, detained, banned, exiled or deprived of freedom of movement for their opposition to apartheid should be granted unconditional and immediate amnesty.

101. Violations of human rights in South Africa and the negative impact of South African policy on the human rights situation in the neighbouring States had the same root cause: apartheid and South Africa's grim determination to perpetuate it. The very existence of independent African States with integrated white minorities was perceived as a threat to apartheid, as it tended to prove that black and white communities could live together in the same country. South Africa therefore seemed bent on pursuing a policy of the destabilization of neighbouring States which had grave consequences for the enjoyment of human rights in the region. All States which wanted to defend human rights had a moral obligation to help in overcoming the consequences of that policy. His country, for example, was taking part in the rehabilitation of the Beira Corridor Railway.

102. The Namibian people was also suffering under the policy of apartheid and South Africa's persistent refusal to comply with Security Council resolution 435 (1978) and to grant independence to Namibia was not only a violation of international law, but also a violation of the fundamental rights of the Namibian people. South Africa was maintaining its hold on Namibia, inter alia, by forced conscription of Namibian citizens into armed forces designed to perpetuate its illegal occupation. Namibians were thus being ordered to raid Namibian villages and to fight their compatriots. The militarization of the Territory and human rights violations were only two aspects of the tragedy Namibians were now experiencing. The situation would change only when Namibia became a sovereign and independent nation.

103. Unfortunately, human rights violations in southern Africa would not stop as long as apartheid continued to exist. The international community had to do everything in its power to alleviate the tragic consequences of that policy and his country had recently increased its contribution to United Nations programmes for southern Africa and to the International Defence and Aid Fund for South Africa.

104. It was, however, not enough to fight the symptoms of the disease, which had to be attacked at its roots. Austria, which was convinced of the need for concerted international action, had adopted specific national measures to give effect to Security Council resolutions 418, 558, 566 and 569. It was time not only to remedy human rights violations stemming from apartheid, but also to
avoid new suffering. Austria had consistently upheld the view that the solution to the problems of southern Africa lay in a peaceful transition to a free, democratic and non-racial society in a united South Africa based on the free exercise of universal suffrage. Once that goal had been achieved, the exercise of human rights would be restored.

105. Mr. LITTMAN (World Union for Progressive Judaism) said that the organization he represented unconditionally condemned apartheid. The moral outrage felt by Jews throughout the world had been clearly expressed by Elie Wiesel when he had received the 1986 Nobel Peace Prize and again a month later by Rabbi John Rayner, who had told the General Assembly of Reform Synagogues of Great Britain that there could be no more heinously flagrant violation of fundamental Jewish teaching than discrimination against some human beings because of the colour of their skin. Although the position of the World Union for Progressive Judaism and of Jews in general towards the inhuman system of apartheid was well known, the World Union wished to renew its appeal on behalf of Nelson Mandela.

106. There had been hope, following a statement made by President Botha on 31 January 1986, that Mandela might be released in conjunction with the Soviet Union's release of Anatoly Sharansky, but that hope had been vain. In a statement made following Sharansky's release on 11 February 1986, the South African Minister of Justice had said that, if Nelson Mandela was released for humanitarian reasons, Sharansky, Sakharov and Wynand Dutoit could be released for the same reasons. Mr. Sharansky's release had, however, not met the conditions set by the State President and Mr. Mandela could therefore not be released. It had been nearly two years day for day since Sharansky's release; Sakharov's exile in Gorki had ended on 23 December 1986 and Wynand Dutoit had been released on 7 September 1987. The three conditions laid down by President Botha had thus been fulfilled, but Nelson Mandela was still in prison and had been for over 25 years. Why refuse to take such a humanitarian decision, particularly after a member of ANC and three members of PAC had been released on 5 November 1987? If the South African Government was seriously considering the possibility of lifting the ban on those two organizations and on the Black People's Convention, it would be only logical for it to release Nelson Mandela before his 70th birthday on 18 July 1988. A general amnesty in connection with the fortieth anniversary of the Republic of South Africa would start the process of reconciliation between the country's white, black and coloured populations. It was interesting to note that President Reagan and General-Secretary Gorbachev had, in statements they had made, paraphrased words attributed to Rabbi Hillel over 2000 years previously: "If I am not for myself, who will be for me? But if I am only for myself, what am I? And if not now, when?" Now was the time to release Mandela and the other African leaders and to lift the ban on their organizations.

107. Now was also the time for black leaders to put an end to what the representative of PAC had referred to in the Commission one week earlier as the scandalous internecine gang warfare that had broken out between the black population's mass organizations, including Inkatha and the United Democratic Front. In a London Sunday Times article of 8 November 1987, the establishment of the Kwa Zulu/Natal Joint Executive Authority (JEA) had been regarded as a hope that was probably dim, but none the less genuine. At the first meeting of JEA, a black leader had stated that it was still not too late to hope for a peaceful future in which equality before the Constitution and the law would
lead to increasing prosperity for all. A few days later, at a meeting with Church leaders in Durban attended by Monsignor Desmond Tutu, the President of Inkatha had stated that black-on-black violence was linked to apartheid and that it must be made clear that noble ends could be achieved only through noble means.

108. With regard to the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, it was a matter of regret that, after over 20 years, members of the Commission, observers and non-governmental organizations were still unable to resist the temptation of linking apartheid to zionism. The World Union for Progressive Judaism had consistently denounced that amalgamation, as well as the one that had equated zionism with racism in General Assembly resolution 3379(XXX). That resolution, which incited to hatred against the Jewish people and the State of Israel, had recently been repudiated by the European Parliament, which had, by a vote of 190 to 3, described it as "unacceptable" and as an obstacle to a peaceful settlement of the Israeli-Arab dispute. That text must be repealed.

109. He particularly wished to draw the attention of the representatives of African countries to what the founder of modern zionism, Theodore Herzl, had written 85 years previously. Theodore Herzl had described the tragedy of the blacks who had been enslaved and whose descendants had grown up in exile, hated and despised because of the colour of their skin, and had said that, now that he had lived to see the return of the Jews, he wished he could help to prepare the way for the return of the blacks. In the past 30 years, 10,000 Africans had been trained in all kinds of development assistance programmes in Israel and 4,000 Israeli experts had provided technical assistance to African countries. Despite that constructive and fraternal co-operation, the representative of the Organization of African Unity had, in the statement he had made on 5 February, persisted in linking colonialism and apartheid with zionism. The representative of PAC had even stated that he would like to see the disappearance of all Israelis "in any part of Palestine". The representative of ANC and the observer for Afghanistan had also been unable to resist that temptation during the current meeting. It was nevertheless Theodore Herzl's message of peace that would eventually prevail in the Middle East, not carnage, terror and jihad. It might also be recalled that the wife of Moses, the law-giver of mankind, who had led the enslaved people of Israel out of Egypt to its historic homeland, had been Ethiopian and that, in 1985, nearly 10,000 Ethiopian Jews had fled famine and fulfilled their ancestral dream of returning to Zion in the humanitarian airlift known as "Operation Moses".

110. In conclusion, he said that the World Union for Progressive Judaism was once again calling for the release of Nelson Mandela and appealing to the members of the Commission, particularly the African countries and the members of the Organization of African Unity, to find a humanitarian solution that would enable their black Jewish brothers in Africa to be reunited with their loved ones in Israel. That request was not based on any anti-Ethiopian feelings, but was made in an entirely humanitarian spirit.

The second part of the summary record of the meeting appears as document E/CN.4/1988/SR.14/Add.1