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**1628<sup>th</sup>** MEETING: 28 JANUARY 1972

ADDIS ABABA

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## SIXTEEN HUNDRED AND TWENTY-EIGHTH MEETING

Held in Africa Hall, Addis Ababa, on Friday, 28 January 1972, at 3 p.m.

*President:* Mr. Abdulrahim Abby FARAH (Somalia).

*Present:* The representatives of the following States: Argentina, Belgium, China, France, Guinea, India, Italy, Japan, Panama, Somalia, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

### Provisional agenda (S/Agenda/1628)

1. Adoption of the agenda.
2. Consideration of questions relating to Africa of which the Security Council is currently seized and implementation of the Council's relevant resolutions.

### Adoption of the agenda

*The agenda was adopted.*

### Consideration of questions relating to Africa of which the Security Council is currently seized and implementation of the Council's relevant resolutions

1. The PRESIDENT: The Security Council has received in document S/10600 a note by the Secretary-General concerning the decisions taken by three United Nations bodies to designate representatives to address the Security Council during its meetings away from Headquarters. Unless I hear any objection, I shall take it that the Security Council wishes to hear the statements of the representatives of the bodies mentioned in that document.

*It was so decided.*

*At the invitation of the President, Mr. E. E. Seignoret, representative of the Special Committee on Apartheid, Mr. S. A. Salim, Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and Mr. A. Shahi, President of the United Nations Council for Namibia, took the places reserved for them behind the Council table.*

2. The PRESIDENT: I should like to inform members of the Security Council that I have received a letter from the representatives of 20 African States Members of the United Nations, which I shall now read out:

"We, the undersigned representatives, have the honour, under instructions from our Governments, to request that we be permitted, in accordance with rule 37 of the

provisional rules of procedure of the Security Council, to participate, without the right to vote, in the current meetings of the Security Council at Addis Ababa [S/10601]."

The letter was signed by the representatives of Cameroon, the Congo, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Kenya, Liberia, Malawi, Mauritania, Mauritius, Morocco, Nigeria, Senegal, Tunisia, Uganda, the United Republic of Tanzania, Zaire and Zambia.

3. I propose, accordingly, with the consent of the Council, to invite the 20 representatives of African Member States to take places in this chamber behind the Council table, on the understanding that they will be asked to take a place at the Council table when it is their turn to take the floor.

*It was so decided.*

*At the invitation of the President, Mr. M. H. Dicko (Cameroon), Mr. H. Lopes (Congo), Mr. A. E. Abdel Meguid (Egypt), Mr. M. Haile (Ethiopia), Mr. J. C. Bonney (Ghana), Mr. N. Mungai (Kenya), Mr. E. Eastman (Liberia), Mr. C. M. Mkona (Malawi), Mr. R. K. Ramphul (Mauritius), Mr. A. Harket (Morocco), Mr. L. Kamara (Senegal), Mr. B. Gueblaoui (Tunisia), Mr. G. S. K. Ibingira (Uganda), Mr. I. Elinawinga (United Republic of Tanzania), Mr. B. Losembe (Zaire) and Mr. E. H. K. Mudenda (Zambia) took the places reserved for them behind the Council table.*

4. The PRESIDENT: Before proceeding with the consideration of the item on the agenda, I wish to draw the attention of the Council to a communication addressed to the President of the Council by the Permanent Representative of India to the United Nations. The communication contains a message from Mrs. Indira Gandhi, the Prime Minister of India, to the President of the Security Council on the occasion of the Council's meetings in Africa from 28 January to 5 February 1972. It reads as follows:

"I am glad that the Security Council is meeting for the first time on the continent of Africa. It is a historic occasion. Africa symbolizes the indomitable spirit of man to break free from the shackles of injustice, inequality and oppression. From the very beginning of the foundation of the United Nations, India had the privilege to raise its voice against colonial domination and racial discrimination, which continue to afflict the peoples of the region of southern Africa and elsewhere.

"India is privileged to be a member of the Security Council on this occasion and will play its full part in

supporting the aspirations of the oppressed peoples for equality and freedom. It is our earnest hope that the meetings of the Security Council in Addis Ababa will take positive steps not only to curb but to eliminate the evil forces of *apartheid*, colonialism and racism.

"I take this opportunity to send my greetings to you and to the members of the Security Council and to wish every success to your deliberations."

5. In addition to this message from a Head of State of a State Member of this Organization, the President has received a number of telegrams from a variety of non-governmental organizations, political movements and church groups and individuals, and these will be published in the form of a press release. Naturally, copies will be made available to the members of the Council.

6. The Council will now proceed to the discussion of the item on its agenda. The first speaker on my list is the Permanent Representative of Egypt. I invite him to take a place at the Council table and to make his statement.

7. Mr. ABDEL MEGUID (Egypt): Mr. President, allow me at the outset to salute you and, through you, our brotherly country of Somalia, with which we have the oldest and friendliest ties. Your skills and abilities, your dedication to the cause of liberation and justice, and your vast experience are well known inside and outside the United Nations. I am looking forward to working and co-operating with you at the United Nations.

8. As this is the first time I have the honour to speak before the Security Council, allow me to pay a tribute to all the members of this august body and to congratulate all the new members who joined the Council this year. I wish them success in their important and rather difficult task.

9. I seize this opportunity to congratulate Mr. Kurt Waldheim on his election to the high office of Secretary-General. He assumes his heavy responsibilities in a period of great difficulty in the world. But we are confident that his extraordinary abilities and personality will be of great help to him in this immense task of the office of Secretary-General.

10. It is my duty to pay a special tribute to U Thant, the former Secretary-General, who has made an outstanding contribution to the work of our Organization.

11. As you yourself rightly said in your statement on your arrival in Addis Ababa, Mr. President, the meeting of the Security Council in Africa for the first time is an important landmark in the history of the United Nations and in the development of closer relations between the Member States and the Organization. We hope that the Council will not fail to live up to the expectation and will take concrete measures for the benefit of mankind. We hope that this event will mark the narrowing of the credibility gap that exists between the United Nations and the peoples of the world. Let this event mark the beginning of a new era in the life of the United Nations.

12. The choice of Addis Ababa was a correct decision. You could not possibly have made a better choice than to

meet in this land which combines ancient civilization and a new and dynamic role in the African struggle for liberation, here in Addis Ababa, under the patronage of such a world figure as His Imperial Majesty Emperor Haile Selassie I. Egypt is particularly happy about this choice also because of its cordial and fraternal ties with this great country—Ethiopia.

13. We in Egypt, situated as we are in Africa and in the Middle East, have a bitter experience with racist theories and colonialism. Our history in the fight against colonialism and racism is long and eventful. We seize every opportunity to reaffirm our commitment to the principles of human equality and human dignity, and to the doctrines of self-determination.

14. We will continue to lend our full support to the oppressed peoples of southern Africa and to provide moral and material assistance to the liberation movements in South Africa, Namibia, Zimbabwe, Angola, Mozambique and Guinea (Bissau). We will continue to grant scholarships to students from these territories. We will continue to direct broadcasts to these territories. Cairo will always be the haven of freedom fighters deprived of the right to return to their homeland.

15. We do this not only because we suffer from the consequences of a doctrine of exclusiveness, but also because we share the view of the General Assembly that any such doctrine is scientifically false, morally condemnable and socially unjust. We believe that colonialism and racism are a new form of the slave trade. The slave trade, which had formally ceased to exist in the nineteenth century, was swiftly followed by a new form of domination, namely, colonialism and racial discrimination. The same century also witnessed the establishment of monopolistic forms of economic power, followed by the creation of large empires.

16. Racial discrimination is justified on the ground of superiority, while colonialism is allegedly a mission of civilization. Similar arguments were used to justify the slave trade. It was based also on the superiority of the "white race". The "Chosen People of God" is another slogan in the jargon of race superiority. The racial philosophy of "Chosen People" or "white superiority" is the source of the aggressive aspirations and policies of the racist régime.

17. These régimes have many things in common; they show complete disregard and contempt for international public opinion and for United Nations resolutions. They evict and expulse peoples from their homeland; they demolish houses, they build new settlements and colonies for new settlers on the land of the indigenous people, they arrest without trial and they restrict freedom of movement. These are some manifestations of the theory of racial discrimination.

18. Although the Charter of the United Nations stated the principle of self-determination 26 years ago and called for respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion, several million Africans are still subject to colonial rule with no hope for a peaceful emancipation. The authorities in Sou

Africa, Namibia, Rhodesia, Mozambique, Angola and so-called Portuguese Guinea, acting in collaboration with one another and with the support of foreign economic and other interests, are now resorting to military operations to crush the legitimate struggle of the Africans to achieve freedom and independence. Salisbury, Pretoria and the authorities in the Portuguese territories are committing acts of aggression against the territorial integrity and sovereignty of neighbouring States to force these States to withdraw their assistance to the liberation movements. These régimes have developed an *entente* among themselves dedicated to fighting for the last vestiges of colonialism. These things are known in the United Nations and numerous resolutions have been adopted year after year calling for an end to racism and the speedy granting of independence to colonial countries and peoples. But no action follows the words. The result of the inaction of the United Nations is clearly demonstrated by the fact that Namibia is still under occupation, the Arab territories are still occupied and the problems of South Africa, Rhodesia and the territories under Portuguese administration are still on the agenda of several United Nations organs. Thus the only thing left is liberation through armed struggle.

19. The former Secretary-General of the United Nations, U Thant, commenting on this problem in the introduction to his annual report on the activities of the Organization, said:

"It is particularly disquieting that the collective efforts of the international community have so far failed to put an end to the impasse in southern Africa where no less than 18 million people, denied even their most fundamental rights, live under conditions of undisguised racial discrimination and ruthless repression. Finding peaceful solutions for the colonial problems in this part of the world has proved especially difficult."<sup>1</sup>

20. We share the view of the former Secretary-General, and we admit this fact with a heavy heart, especially if we recall the determination of the peoples of the United Nations, as proclaimed by the Charter, to save succeeding generations from the scourge of war, and for this end to live in peace with one another as good neighbours and to unite their strength to maintain international peace and security.

21. Now it is the duty of the Security Council, especially its permanent members, to intensify its efforts to discharge its primary responsibility for the maintenance of international peace and security through the full and speedy implementation of all United Nations resolutions. After a quarter of a century of the existence of the United Nations there is an urgent need to make it more effective as an instrument for maintaining international peace and security.

22. We welcome United Nations recognition and vigorous support of the legitimacy of the struggles of all oppressed peoples everywhere against colonial, racial and alien domination or foreign occupation.

23. The situation in Rhodesia needs rather urgent consideration by the Council because of the explosive situation in that Territory. We firmly believe that the solution of this problem lies in the achievement of an immediate transfer of power to the people of Zimbabwe on the basis of majority rule. We supported the General Assembly resolution 2769 (XXVI), adopted on 22 November 1971, by which the Assembly reaffirmed the principle that there should be no independence before majority rule in Southern Rhodesia. We believe that any settlement should be negotiated with the liberation movements recognized by the Organization of African Unity and with the political leaders of the majority of the people of Southern Rhodesia. We believe the Security Council should, as a matter of priority, hear those leaders, namely, the representatives of ZANU (Zimbabwe African National Union) and ZAPU (Zimbabwe African People's Union).

24. Conditions in Rhodesia, as they now exist, do not permit the free expression of the right to self-determination, a right which must be exercised through universal adult suffrage for all the people of Southern Rhodesia without distinction as to their colour or race. We feel that the "proposals for a settlement"<sup>2</sup> do not fulfil these conditions.

25. My Government, furthermore, has the following two basic observations: first, there are serious doubts that the proposed electoral arrangements could eventually lead to majority rule; secondly, it is no exaggeration to say that according to optimistic estimates the achievement of parliamentary parity between Africans and Europeans in Rhodesia would take much too long even if all circumstances continued to be favourable.

26. It should not be overlooked that sanctions, despite gaps in implementation, have played a part in making the illegal minority régime of Southern Rhodesia more yielding to the pressure of world public opinion. But we firmly believe, in the words of the General Assembly, that:

"the sanctions will not put an end to the illegal racist minority régime unless they are comprehensive, mandatory, effectively supervised, enforced and complied with by all States, particularly by South Africa and Portugal;" [resolution 2796 (XXVI)].

27. Sanctions should also be imposed upon South Africa and Portugal, whose Governments have openly refused to carry out the mandatory decisions of the Security Council, in defiance of the Council and of Article 25 of the Charter. We believe also that the United Kingdom, as the administering Power responsible for the Territory of Southern Rhodesia, should put an end to the illegal minority régime and transfer all powers to the people of Zimbabwe on the basis of majority rule.

28. Because of the deteriorating situation in the Territory, we ask the Security Council to condemn the acts of brutality committed recently by the illegal racist minority

<sup>1</sup> Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 1A, para. 297.

<sup>2</sup> See Official Records of the Security Council, Twenty-sixth Year, Supplement for October, November and December 1971, document S/10405.

régime of Ian Smith in Rhodesia, to appeal to the United Kingdom as the administering authority to take all necessary steps to restore normalcy in the Territory and to put a stop to the activities of the Pearce Commission.

29. Namibia is an international Territory under the direct responsibility of the United Nations. Nevertheless, South Africa has continued not only to disregard both the General Assembly and the Security Council resolutions demanding the withdrawal of its presence from the Territory, but also to intensify its presence in taking measures aimed at the complete annexation of Namibia. It has extended its deplorable system, *apartheid*, to the Territory.

30. The illegality of South African occupation of Namibia has been recognized by the overwhelming majority of the General Assembly, by the Security Council, and, lately, by the International Court of Justice. The advisory opinion delivered by the Court on 21 June 1971,<sup>3</sup> upon the request of the Security Council [*resolution 284 (1970)*], confirmed the illegality of South Africa's continued presence in Namibia and thus the obligation to withdraw its administration from the Territory immediately. The Court has affirmed also that Member States are under obligation to recognize the illegality of that presence and the invalidity of South Africa's acts on behalf of or concerning Namibia. In our view, this constitutes the ideal situation where effective action is required by the Security Council. The Council should take immediate and effective measures, under Chapter VII of the Charter, to ensure the removal of South Africa from the Territory and to assume direct responsibility for the Territory until independence.

31. I shall not miss this opportunity to draw the attention of the Security Council to the fact that a general strike in protest against the so-called contract labour system is taking place in Ovamboland and is entering its sixth week. The system is a flagrant example of slavery and forced labour. The mass protest of the strikers should be encouraged and they should be assisted in such a way as to enable them to continue the strike until the racist authorities succumb to world pressure.

32. South Africa has become the pillar of racism and colonialism in southern Africa. It continues its illegal occupation of Namibia; it is providing military and economic assistance to the illegal racist minority régime in Southern Rhodesia; it is assisting Portugal in its colonial war in Africa, and above all it is practising the internationally condemned system of *apartheid*, which is slavery, twentieth-century style.

33. According to document A/AC.115/L.288<sup>4</sup> of the Special Committee on *Apartheid* 5.1 million Africans, or 40 per cent of the total African population, live on the reserves, and, according to the *South African Medical Journal*, in one African reserve at least 50 per cent of all children die before the age of five. The same document

states that the distribution of income in South Africa is highly unequal, that Africans constitute 68 per cent of the population and receive less than 20 per cent of all income while whites account for less than 19 per cent of the population and receive 74 per cent of the total income.

34. The myth that economic development in South Africa has meant progress for all is false and the facts demonstrate that it is not true. Official figures show ratios of African to white workers ranging from 8.56 to 1 in mining, 3.38 to 1 in construction, 2.45 to 1 in manufacturing. Moreover, the 15 million Africans who make up 70 per cent of the population receive only 18.8 per cent of the nation's *per capita* cash income. Whites, who constitute 17.5 per cent of the population, receive 73.3 per cent of the income. The average income in 1969 for whites works out at 95 rand, or—1 rand being equal to \$1.40—\$133 per month, and for Africans at 7 rand, or \$9.80. This means that on average the *per capita* income of Africans is 6 per cent of that of the whites. The average salaries or wages per head per month in mining are 262 rand for whites, as compared to 48 rand for Africans, and in manufacturing the figure is 297 rand for whites, as compared to 18 rand for Africans. These figures are published in the issue of *Foreign Affairs* of January 1972.

35. The activities of foreign interests support the *apartheid* régime. In this regard I shall quote from the same issue of *Foreign Affairs*: "The role of international investment has supported the National Party programme for maintaining white domination." Thus, total international investment in South Africa was 4,990 million rand in 1969. South Africa has given a capital return on investment of between 17.2 and 20.6 per cent over the past five years. The corporations now have a vested interest in "law and order" and "stable government", and if conflict were to erupt in South Africa they doubtless would align the national interests of the nations from which they came with the white minority against the interests of the majority in South Africa.

36. In education, the situation is even worse. For example, in 1969 the State and provinces spent about 238 million rand on education for whites and 39.5 million rand on African education. Expenditure per head on African education is less than one eighth of that on white education, and the gap has grown for the past 13 years.

37. The United Nations has studied the question of *apartheid* thoroughly. The General Assembly has condemned it as a crime against humanity and has several times expressed its grave concern over the aggravation of the situation in South Africa, and in southern Africa as a whole, because of the inhuman and aggressive policies of *apartheid* pursued by the Government of South Africa in defiance of United Nations resolutions, in violation of the Universal Declaration of Human Rights and in contravention of its obligations under the Charter.

38. Time and again the Assembly has drawn the attention of the Security Council to that grave situation and recommended that the Council should take effective measures, including those under Chapter VII of the Charter, to put an end to such an explosive situation. We hope that

<sup>3</sup> *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p. 16.*

<sup>4</sup> Mimeographed.

the Council will heed the several appeals of the General Assembly.

39. Portugal is persistently refusing to implement the United Nations resolutions and is waging a colonial war against the peoples of Angola, Mozambique and Guinea (Bissau), a war that threatens the security and violates the territorial integrity and sovereignty of independent African States. The Security Council should take all effective measures in accordance with the relevant provisions of the Charter to ensure that all repressive activities and military operations carried out by Portugal against the peoples of Angola, Mozambique and Guinea (Bissau) are stopped; it should order Portugal to withdraw all military and other forces from the Territories and to effect the full and speedy implementation of General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other relevant resolutions of the General Assembly and the Security Council.

40. We take this opportunity to salute the freedom fighters in the Territories under Portuguese administration and to assure them that Egypt, in spite of its circumstances and its efforts to liberate its own territory, will continue its vigorous support for their just struggle.

41. We welcome the reaffirmation by the United Nations of the legitimacy of the struggle in the territories under alien domination or foreign occupation to obtain liberation, and its affirmation that the acquisition of territory by force is inadmissible.

42. In conclusion, I should like to stress the fact that the numerous resolutions that have been adopted by the various organs of the United Nations still have little or no effect, owing to arrogant, flagrant and stubborn disregard on the part of the colonial, racist and expansionist régimes, and to the continued political, economic and military aid and support coming from certain States.

43. As we have stated in the Lusaka Manifesto:

"It is on the basis of our commitment to human equality and human dignity, not on the basis of achieved perfection, that we take our stand of hostility towards colonialism and racial discrimination which is being practised in southern Africa. It is on the basis of our commitment to these universal principles that we appeal to other members of the human race for support."<sup>5</sup>

44. The PRESIDENT: I invite the Minister for Foreign Affairs of the Republic of Zambia to take a place at the Council table and to make his statement.

45. Mr. MUDENDA (Zambia): Mr. President, I thank you and, through you, all the members of the Security Council for acceding to our request to participate in this historic debate on Africa's vital and urgent questions of decolonization and human justice. I do so with more than personal satisfaction and pride, noting that the Council, during its

historic series of meetings on African soil, is meeting under the Presidency of a distinguished son of Africa. I am confident that under your wise and acknowledged leadership the deliberations of the Council will be guided to a meaningful and successful conclusion.

46. I should like also to associate my delegation fully with the warm sentiments of Africa's sincere appreciation and welcome to the Council so eloquently expressed by His Imperial Majesty Emperor Haile Selassie I, as host, and by His Excellency Mr. Moktar Ould Daddah, President of the sister Islamic Republic of Mauritania and current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity [1627th meeting]. It was more than fitting that members of the Council consented to the request of the Organization of African Unity to hold this series of meetings in Africa—meetings which, I am convinced, could not have taken place at a more appropriate time than this, when the hideous forces of colonialism, oppression and human degradation and, indeed, of aggression in Africa are at the height of their brutal offensive.

47. That is a further clear testimony to the commitment on the part of the United Nations to the urgent cause of decolonization, peace and justice in conformity with the purposes and principles of its Charter and, in particular, with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in the momentous General Assembly resolution 1514 (XV) of 14 December 1960.

48. Needless to add, Addis Ababa, the seat of the Organization of African Unity and the symbol of the indefatigable spirit of African resistance to foreign aggression, occupation and oppression, has a justified claim to the privilege of acting as host to such a historic series of meetings of the Security Council.

49. As the Council is meeting here to pay long-overdue special attention to the pressing African issues, particularly the urgent and grave colonial situation in southern Africa and Guinea (Bissau)—a situation which clearly constitutes a threat to international peace and security—the international community is witnessing with profound dismay and a sense of deep shock one of the ugliest acts of betrayal and sell-out of a people. I am referring to the grave events in the British colony of Southern Rhodesia, where the British Government, by a pre-planned imperialist design, coupled with a bankrupt colonial policy of the same kith and kin, has ignominiously capitulated to the white racist minority as if, among other things, its betrayal in 1910 of the African people of South Africa was not more than sufficient as a sombre reminder to the conscience of the British Government.

50. The sell-out deal of last November between the British Government and the rebels in Salisbury—I refer to the so-called proposals for a settlement of the Southern Rhodesian problem negotiated behind the backs of the oppressed 5 million African people of Zimbabwe—was merely the culmination of systematically calculated events occasioned by the British Government's deliberate policy of duplicity and appeasement in the colony since 1923. This

<sup>5</sup> See *Official Records of the General Assembly, Twenty-fourth Session, Annexes*, agenda item 106, document A/7754, para. 4.

part of the sad story of the Southern Rhodesian tragedy is as familiar as the events leading to the illegal seizure of independence on 11 November 1965 by the pretenders in Salisbury. Equally of common knowledge is the incredible and unprecedented succession of clumsy acts of contradiction and treachery by British Governments since that illegal seizure of independence by the rebels.

51. Along the same road to a blind alley, it is the same successive British Governments which, contrary to their claimed commitment to the interests and welfare of the African majority people of Zimbabwe, have systematically obstructed the Security Council preventing it from effectively grappling with the situation in the colony since the illegal seizure of power by the white racist minority.

52. It will be recalled with a fresh sense of dismay that, only late last month in New York, the United Kingdom repeated its obstructionist actions when it vetoed a draft resolution [S/10489] which, essentially, was meant to uphold the very basic principle of majority rule, in which it claims to believe, for the people of Southern Rhodesia. Earlier, the United Kingdom had voted against a similar draft resolution before the General Assembly during its twenty-sixth session.

53. As regards the Home-Smith settlement proposals, the white man's sell-out deal in the series which, to the complete dismay of its architects, has inevitably sparked such untold indignation and political convulsion among the oppressed African people of Zimbabwe, my Government's firm views have already been adequately expressed before this august Council, the General Assembly and elsewhere. Like the African people of Zimbabwe, we vehemently and totally condemn and reject those proposals, and we call upon the Council and the entire international community to do likewise. Those who have followed closely the shocking events—the mass murders, arrests and detentions—which have occurred since the arrival and presence in Southern Rhodesia of the Pearce Commission will undoubtedly have realized that the African people of that colony, in a massive and spontaneous demonstration throughout the country, have already given the Pearce Commission their verdict: a total rejection of the proposals. We in Zambia pay special tribute to the people of Zimbabwe for their heroic struggle, and assure them of our continued support.

54. We therefore call for the following course of action:

First, the Council should support the Zimbabwe people's resounding voices of "no" to the Home-Smith so-called proposals.

Second, the Council should demand that the British Government immediately recall the Pearce Commission, whose mission has already amply proved to be a total farce and fiasco.

Third, the Council should call upon the British Government to convene, without any further delay, a constitutional conference representative of all the people of Zimbabwe, to determine the political future of the colony.

Fourth, the Council should condemn the British Government—the administering Power—for the wanton mass murders, arrests and detentions of Zimbabwe people for their legitimate refusal to allow the further tightening of the screws of oppression.

Fifth, the Council should call upon the British Government to intervene militarily in the colony to reassert its authority.

Sixth, in the meantime, the sanctions should be maintained, and the Council should consider deciding on a further tightening and expansion of the mandatory sanctions against the rebel colony so as to cover also South Africa and Portugal. In spite of our unenviable geographical position, we support the sanctions policy.

Seventh, the Council should reaffirm its principle of non-recognition of the rebel régime by Member States.

55. Permit me to address myself to the situation in Namibia. I should like, first of all, to pay a special tribute to the gallant Ovambo people of Namibia on their recent success. Tired of the contract slave labour system under which they have mercilessly been forced to live, they went on strike in protest. The police and military might of the usurpers in Pretoria did not very much matter to them, for in any event, as slave labourers since their birth, they have not known anything different from the daily acts of brutality perpetrated against them by the *apartheid* authorities in Pretoria who still illegally administer Namibia. The success scored by the Ovambo in Namibia is an important experience for the people of Namibia in their struggle against the oppressive and racist régime of South Africa.

56. The uniqueness of the question of Namibia, the international Territory which is supposed to be under the direct administration of the United Nations but which is still under the illegal occupation of the *apartheid* and police régime in Pretoria, is now common knowledge. Repetition of the facts of the matter is unnecessary, particularly following the reaffirmation of this Council's numerous decisions and those of the United Nations as a whole by the historic advisory opinion of the International Court of Justice of last June, the opinion which has since, to the delight of the Namibian people and the international community, been welcomed and accepted by the majority of the members of this Council.

57. That the question presents a direct and inescapable challenge to the authority of the United Nations is also common knowledge. The crucial question, therefore, is why the Council does not take decisive action, once and for all, to expel South Africa from the Territory which it illegally continues to occupy with impunity and assume direct and effective control of the Territory pending an early exercise by the Namibian people of their right to self-determination and independence. Some apologists have, however, attempted to advance before this Council an argument to the effect that the advisory opinion of the International Court was not based on sound law since, the argument goes, the competence of the General Assembly to take decisions binding on Member States was clearly spelled out in the

Charter and did not encompass the termination of South Africa's Mandate over Namibia.

58. It is all too easy to find technical justifications in order to rationalize an unwillingness to face up to one's responsibilities, especially in cases where positive actions might clash with one's vested economic interests. In this unfortunate ordering of priorities, principle is made to bow to expediency, while the issue of humanity is subordinated to the impulse of economic gain. Moral concerns disappear with the worship of trade figures.

59. In the meantime, the *apartheid* authorities in Pretoria are increasingly using Namibia as a springboard of criminal acts against us. As will be recalled, the Council had to convene a special meeting, at our request, on 8 October 1971 [1590th meeting], to consider a staggering series of such acts of criminal aggression by South Africa against Zambia. I regret to report that the situation has not at all improved despite the Council's warning to South Africa contained in its resolution 300 (1971) of 12 October 1971. If anything, the situation has worsened. These criminal acts have continued unabated. Only recently, we sustained—not to mention repeated border violations—a further loss in human lives and the destruction of property, perpetrated by the South African forces inside Zambian territory bordering the Caprivi Strip of Namibia.

60. It is not, therefore, too late if I take this opportunity once again to remind the allies, protectors and other partners of Pretoria that if they continue on their road to a blind alley, they will certainly one day find themselves regretting that they backed a wrong horse, a wrong horse into the abyss of darkness.

61. In the Territories under Portuguese domination—that is, Angola, Mozambique and Guinea (Bissau)—the Portuguese colonial wars of oppression and the genocide against the African people in those Territories continue. Equally, aggression against the neighbouring independent African countries continues. It is, however, gratifying to note the successes of the liberation struggle in these areas. We hail with encouragement and appreciation these substantial gains made by the heroic liberation movements in those Territories despite the long odds against them. On our part, we are committed to assisting these courageous men and women in their struggle until final victory is achieved. We again call upon the allies of Portugal, particularly some NATO partners, to see reason and reality and to stop giving Portugal military and financial assistance. Impoverished Portugal can still manage to hold on to these Territories only with their military and financial assistance. It is, however, to be realized that this will be for only a short time. Soon, Angola, Mozambique and Guinea (Bissau) will be free.

62. In summing up, let me first say that action taken by some members of NATO, like Norway, which dissociated itself from the colonial policies of Portugal at a NATO meeting in Lisbon, will help speed up the liberation of areas still under Portuguese rule.

63. Secondly, the material support given by States, organizations and people from many parts of the world is having a major effect in sustaining the liberation struggle.

64. Thirdly, we welcome the response of those specialized agencies, such as UNESCO, WHO and FAO, which, in compliance with the relevant General Assembly resolutions, are making the necessary arrangements relating to the giving of assistance to the liberation movements, for such assistance will encourage those who are fighting for freedom in their areas.

65. Fourthly, we pay a tribute to those States which deny the racists and oppressors economic and financial assistance in any form, but condemn those which give such assistance, including the supply of arms and the issuance of patents and licences for arms manufacture.

66. In conclusion, I should like to stress the urgent need for decisive action in order to avert the inevitable catastrophe and, indeed, a further erosion of the credibility of the United Nations. In this connexion the most pertinent and urgent task for the Council will of necessity have to be one of implementation of all the numerous existing decisions relating to the questions of decolonization and human justice. I am convinced that this historic series of meetings provides the most appropriate occasion for the Council to decide on such measures.

67. The PRESIDENT: The next speaker on my list is Mr. Shahi, Permanent Representative of Pakistan and President of the United Nations Council for Namibia. I invite him to take a place at the Council table and to make his statement.

68. Mr. SHAHI (President of the United Nations Council for Namibia): Permit me at the outset to express my deep appreciation to the Security Council for inviting me to participate, on behalf of the United Nations Council for Namibia, in these historic meetings of the Security Council in Addis Ababa, which has been felicitously called the capital of Africa. It has indeed been a unique experience to listen to the words falling from the lips of two most illustrious and august Heads of State of Africa calling on the Security Council to implement its resolutions in order to bring the blessings of freedom and independence to the 30 million people of Africa still under colonial or tyrannical rule.

69. May I extend to you, Mr. President, my congratulations for playing so notable a part in bringing the Security Council to Africa and closer to the needs and concerns of this great continent.

70. I should also like to take this opportunity to extend my felicitations to the Secretary-General, Mr. Kurt Waldheim and to wish him godspeed in his dedicated effort to enable the United Nations to fulfil the hopes that all mankind reposes in the Organization.

71. The invitation extended to the Council for Namibia, like those extended on previous occasions, is a further reaffirmation of the international status of the Territory of Namibia, of the responsibilities the Organization has assumed in that regard, as well as recognition of the role the Council for Namibia has been called upon to play in the discharge of those responsibilities.

72. By succeeding in bringing the Council to Africa, the Organization of African Unity has posed a formidable challenge to the United Nations as a whole, and in particular to the Security Council, the organ which bears the main responsibility for the maintenance of international peace and security.

73. The Organization of African Unity has in effect told this body that millions of people on this continent have been under bondage, exploitation, slavery and oppression for too long to be content with unfulfilled promises. What the African members are demanding of the Security Council is that all its members, especially the permanent members, carry out their Charter obligations or lose the trust and faith of the peoples of the world in the efficacy and usefulness of this body. Meeting or failing to meet that challenge will certainly mark a momentous occasion in the life of the United Nations.

74. It is not my purpose to go into the genesis of the question of Namibia or to dwell upon the long catalogue of futile efforts made by the international community, inside and outside the United Nations, to put an end to South Africa's illegal occupation of the Territory and to enable the people of Namibia to exercise their right to self-determination and independence. The members of the Council are well aware of this. Suffice it to recall that the action taken by the General Assembly in terminating the Mandate of South Africa over Namibia in 1966 [resolution 2145 (XXI)] was subsequently endorsed by the Security Council in 1969 [resolution 264 (1969)] and more recently by the International Court of Justice in its historic advisory opinion handed down on 21 June 1971. Thus all three major organs of the United Nations concerned with this issue are in agreement that, first, the continued presence of South Africa in Namibia is illegal and that country is under an obligation to withdraw its administration and presence from Namibia immediately; secondly, the United Nations bears a direct and special responsibility with regard to the Territory until its people exercise their right of self-determination; thirdly, all acts by the Government of South Africa on behalf of or concerning Namibia after the termination of the Mandate are illegal and invalid; and, fourthly, all States must refrain from any relations with South Africa—diplomatic, consular or otherwise—which imply recognition of the authority of the South African Government over the Territory of Namibia.

75. Those are the clear and categorical determinations made by the General Assembly, the Security Council and the International Court of Justice on the question of Namibia. As they are backed by the moral, political and legal support of the United Nations organs concerned, those determinations are final and are not subject to further question or dispute.

76. The fact that the United Nations bears a direct responsibility towards Namibia raises the question of the most effective way in which it can be discharged. While there may be different opinions about it, it cannot be gainsaid that the objective of any action by the United Nations will be frustrated if the unity and territorial integrity of Namibia is permitted to be destroyed by the

illegal extension of the policies of *apartheid* and of the separate so-called homelands or Bantustans to the Territory by the South African Government.

77. In order to fulfil the United Nations responsibility towards Namibia the General Assembly established an eleven-member Council for Namibia [resolution 2248 (S-V)], which Pakistan has the honour to represent at the moment. The Council was to administer the Territory until independence. Its effectiveness was seriously impaired by the fact that it did not have the support of all the permanent members of the Security Council. It was given an impossible task—to govern a Territory without being present on its soil and with no power or resources to implement its decisions. This inherent and serious disability has forced the Council to content itself with symbolic and peripheral measures, such as the issuance of identity and travel documents to Namibians and the conclusion of agreements with five Member States granting the Namibians the right of return when they leave the country of their residence for such purposes as education and training. It was the manifest need for enlisting wider support for its endeavours that prompted the Council for Namibia to recommend to the General Assembly at its twenty-sixth session an increase in its membership. By its resolution 2871 (XXVI) the General Assembly requested the Secretary-General to hold consultations on this matter among the permanent members of the Security Council and regional groups not represented on the Council for Namibia. The message is clear.

78. The efficacy of the Council for Namibia in the future will depend upon the results of these consultations. If those Member States which until now have withheld their recognition and support from the Council continue to treat it with indifference, it can achieve little. Let us hope that, at this series of meetings, the permanent members will co-operate in providing the Council with appropriate means in order to enable it to bring to bear the weight and authority of the United Nations on the question of the freedom of Namibia from South Africa's illegal rule.

79. Just before these meetings of the Security Council, the Council for Namibia met in New York to hear several petitioners describe how some 13,000 Namibian labourers had, through peaceful but determined and concerted action, succeeded in defying the brutal imposition by South Africa of the so-called contract labour system—in reality, a quasi-slave system—aimed at guaranteeing an assured supply of cheap, powerless labour for reaping maximum profits from mining and industry for the white owners.

80. This system, an off-shoot of *apartheid*, has been described in a recent study published by the Unit on *Apartheid* of the Department of Political and Security Council Affairs of the Secretariat in the following words:

"It should now be clear that *apartheid* is not simply a reflection of racial antagonism on the part of whites. It is a system by which the white community controls the vast majority of the population. And this system of controls is brutal and totalitarian.

"Africans are forced to live on reserves but cannot, in practice, survive there. The Bantustans cannot possibly

support even a fraction of all their *de jure* 'citizens'. The pressure of poverty and the lack of jobs force Africans to seek work in 'white areas'. In those areas their movements, indeed their lives, are regulated in the minutest detail. Africans are literally compelled to take whatever work they are deemed fit for. They are compelled because their only alternatives to accepting such work are to return to the reserves or to go to prison. Africans are denied education and the opportunity to acquire advanced skills. Very few have any chance of moving up the occupational ladder. As workers, they are denied the opportunity of skilled work for which they have the requisite training and experience. They have no right to bargain collectively, no right to strike, no right to take any kind of collective action. In the only areas where they have a chance of economic survival, Africans are migrants without any rights.

"Thus Africans are given no alternative to joining the vast pool of unskilled workers which provides most of the labour for the South African economy. They are compelled to join that pool by the two blades of the *apartheid* policy. The Government's Bantustan policy forces them to leave the reserves. Influx controls, work regulations and the like force them to accept whatever work is offered. *Apartheid* is therefore a system of forced labour, and forced labour is cheap labour. African workers in South Africa are quite defenceless and have no means of ensuring that they receive adequate and fair wages."<sup>6</sup>

It is therefore truly remarkable that the Ovambos and the other Namibians summon courage, though defenceless, to rise against such a system of forced labour, the contract labour system.

81. In a widely circulated leaflet, the strikers have put forward the following demands: (a) abolition of the contract labour system; (b) abolition of the whole pass system; (c) the right to freedom of movement throughout Namibia for the workers and their families and an end to the separation of families by the migratory labour system; (d) the right of free choice of jobs; (e) increased rates of pay and an end to all job discrimination on the basis of race and colour; (f) removal of the South African police posts from Ovamboland; (g) the right to be represented at all settlement talks.

82. An article entitled, "Cracks in *Apartheid* Economics", published in *The Sunday Times* of London of 16 January last, says: "Now the strike not only threatens the prosperity of the 'white south', it also promises to undermine the economics of *apartheid* itself". Indeed, the demands of the strikers hit at the very roots of the whole *apartheid* system in South Africa and South Africa's illegal rule in Namibia. It is obvious that the Pretoria régime cannot allow such a challenge to succeed.

83. I am certain that none of us in this chamber has forgotten the infamous Sharpeville massacre committed by

<sup>6</sup> *Industrialization, foreign capital and forced labour in South Africa* (United Nations publication, Sales No. E.70.II.K.8), paras. 77 to 79.

South Africa; nor can anyone doubt South Africa's ability to stage a repeat performance against peaceful Namibian workers. These workers face a most serious, indeed a desperate, situation. They have been on strike for six weeks and they are subject to all manner of coercions and pressures and, most important of them, economic pressures, because they have to find cash to feed their families on the reserves, which are the poorest agricultural parts of Namibia. Indeed, according to the latest press reports from Cape Town, South Africa intends to send security units to Ovamboland to reinforce the large number of police flown into Namibia earlier and the forces already available from the Caprivi Strip, where South Africa has a military base.

84. It was out of a sense of solidarity for the Namibian strikers in their brave defiance of South Africa's inhuman labour laws and also in order to focus world attention on the workers' just demands for fair labour practices that the Council for Namibia decided to authorize me to issue a statement. That statement was issued as Press Release NAM/2 on 20 January 1972, by the Office of Public Information, and I should like to read it into the records of this Council:

"The United Nations Council for Namibia, the only legal authority responsible for the administration of the Territory until it accedes to independence, met on 19 January to consider the situation arising from the five-week-old labour strike in Namibia.

"The strike, involving more than 13,000 workers, primarily from Ovamboland, has brought the mining industry in the Territory to near complete paralysis.

"In this connexion, the Council accorded a hearing to three petitioners: Mr. G. M. Hauser, Executive Director of the American Committee on Africa; Mr. T. B. Gurirab, representing the South West Africa People's Organization (SWAPO); and Mr. W. Johnston, President of the Episcopal Churchmen for South Africa.

"The petitioners apprised the Council of the just demands of the labourers—an immediate end to their economic exploitation and oppression under the contract labour system, under which a worker remains bound to one employer, cannot leave the employment area, is forced to live in separation from his family and is paid at a wage rate which is a small fraction of that enjoyed by a white worker. This ruthless form of organizing cheap labour has been rightly described by the International Commission of Jurists as 'akin to slavery'.

"The strikers are demanding a system of employment which would guarantee them the right of free choice of jobs, an end to job discrimination on the basis of race and colour, increased rates of pay, and the right to freedom of movement and to live with their families.

"After hearing the petitioners, the Council for Namibia decided unanimously to express its complete solidarity with the strikers in their determined struggle against oppression and exploitation and support for their just demands.

"The Council calls for an immediate end to the contract labour system, which is in clear violation of the provisions of the Universal Declaration of Human Rights.

"The Council further calls upon all foreign corporations operating in the Territory to cease using the contract labour system forthwith.

"It urges these corporations to refuse to become party to any settlement of the strike which does not take into account the just demands of the Namibian workers."

85. The Council for Namibia has also taken certain steps with a view to providing whatever assistance may be possible to the Namibian strikers who are suffering persecution at the hands of South African security forces. To this end the Council has requested the Committee of Trustees of the United Nations Trust Fund for South Africa to undertake appropriate action. I understand that the Committee will give urgent consideration to our request.

86. I also wish to draw the attention of the Security Council members to another very serious aspect of the situation in Namibia, namely, the plundering of the natural resources of the Territory while it remains under the illegal occupation of South Africa. The economy of the Territory is controlled by foreign interests and its resources are being exploited at the expense of the present and future well-being of Namibians. Mr. E. A. Nel, a member of the so-called Executive Committee of the South West Africa Administration, said in a press interview in October 1970 that "the Territory's resources will only last about 25 years unless new deposits are discovered". Indeed, fears have rightly been expressed by Chief Clemens Kapuuo of the Hereros, in a letter circulated as a Security Council document on 7 October 1971 [S/10356]. In that letter he expressed the anxiety of the Africans that Namibia, "being exploited by greedy *entrepreneurs*", will be "robbed of its wealth, and rendered barren for the future". The Chief continued: "Our fear is that when freedom finally comes to this land, it will be returned to us with no minerals left." The profits reaped by the foreign economic interests are perhaps the highest in the world. In fact, as stated by Miss Barbara Rogers in one of her on-the-spot studies on Namibia, "with a third of its gross national product being exported in the form of profits and dividends, Namibia could claim the dubious distinction of being the most exploited Territory in history".

87. It is plain to all that what we are witnessing in the strike which took place simultaneously at different places separated by great distances, such as Walvis Bay, Windhoek, Kleinaub and Tsumeb, are the first cracks and fissures in the structure of oppression, exploitation and human degradation built by South Africa in Namibia. There is no doubt that eventually these cracks will lead to the complete collapse of that structure. But if this historic process is brought to a halt by ruthless methods, there will be much human suffering which could pose a potential threat to the security and well-being of African States. It is therefore incumbent upon the Security Council to ensure that this movement towards the attainment of basic human rights and self-determination and independence is not suppressed and that the cracks which have appeared in the wall of *apartheid* are not closed.

88. I am here, on behalf of the Council for Namibia, to plead for action—meaningful and decisive action—by this Council so that the Organization will be enabled to discharge its responsibilities towards the enslaved peoples in Africa. Our distinguished Secretary-General has referred more than once to the need for preventive diplomacy to prevent wars and crises before they erupt. Surely, here is an opportunity for the Security Council, meeting on African soil, to bring preventive diplomacy to bear on a situation which before long could only lead to a violent conflict.

89. An immediate step which the Security Council could take in that direction would be to call upon Member States whose nationals and corporations have economic or financial interests in Namibia to direct these nationals and corporations to cease using the contract labour system and to refuse to become parties to any agreement with South Africa in a settlement of the strike which does not meet the elementary requirements of basic human rights.

90. The advisory opinion of the International Court of Justice last June, combined with the challenge posed by the Namibians and also the people of Zimbabwe to South Africa and the illegal Smith régime and to their internationally condemned policies of racial discrimination and minority rule, has brought clarity to the situation in southern Africa and accentuated its urgency. It has created an opportunity for decisive action by the Security Council. Should the Council again fail to rise to the level of events, should it again content itself with pronouncing anathemas which make little impact on the Pretoria régime, the whole continent of Africa would become witness to the fact, registered elsewhere, that, where the life of nations and the dignity of peoples are at stake, the Security Council has been tried and found wanting.

91. The cardinal issue before the Security Council concerning Namibia is the removal of South Africa from the Territory so as to create proper conditions in which the United Nations can discharge the responsibilities it has assumed in respect of Namibia. It is to this cardinal issue that the Security Council must address itself. In the considered opinion of the overwhelming majority of the Members of the United Nations, the Council, in keeping with its functions and responsibilities, should no longer shrink from taking appropriate measures, if necessary, under Chapter VII of the Charter to compel South Africa to withdraw its administration and presence from Namibia without delay.

92. The PRESIDENT: The next speaker is the representative of the Special Committee on *Apartheid*, Mr. Seignoret, Permanent Representative of Trinidad and Tobago. I invite him to take a place at the Council table and to make his statement.

93. Mr. SEIGNORET (Representative of the Special Committee on *Apartheid*): Mr. President, I thank you and the other members of the Security Council for allowing the Special Committee on *Apartheid* to be represented at these meetings. The Special Committee has conferred on my country, Trinidad and Tobago, the high honour and the heavy responsibility of providing its spokesman on this signally important occasion. The delegation of Trinidad and

Tobago is glad to have this opportunity to serve and is most grateful to the Special Committee for its decision.

94. This morning [1627th meeting] His Imperial Majesty the Emperor of Ethiopia and His Excellency the President of Mauritania, as well as the Secretary of State for Foreign Affairs of Somalia, gave us the benefit of their knowledge and wisdom in three very inspiring addresses. Let me cite one theme which was common to all of them: the facts of the situation in southern Africa have been known for a long time; the need for remedial action has been recognized for a long time; it is time to do something about it.

95. In all humility, this is the message that the Special Committee on *Apartheid* for its part has sent. The Special Committee believes, however, that although these facts are well known they must be repeated over and over again until effective action is taken.

96. May I also say how gratified I was to hear the encouraging and heartening address from our Secretary-General, Mr. Kurt Waldheim. I am sure that the Special Committee would wish me to thank him for that statement and it is my pleasure to do so.

97. In the name of the Special Committee on *Apartheid* and with the greatest respect I congratulate the Security Council for having taken the decision to hold this historic series of meetings in Africa. By so doing, the Council, on which is conferred primary responsibility for the maintenance of peace and security, has highlighted the widespread disquiet over the deteriorating security situation in southern Africa. By so doing, the Security Council vividly reminds the world that the United Nations through its competent organs has the solemn responsibility to promote and encourage respect for human rights and for the fundamental freedoms of all without regard to race, colour or creed. By so doing, the Council, in response to an express wish of Africa, is performing an act of powerful symbolism by coming physically nearer to the problem areas.

98. The Special Committee on *Apartheid*, created in 1962 to keep the South African policies and practices under constant review, applauds the decision of the Security Council, and hopes that out of these discussions will emerge not only a better and fresher understanding of the urgency and the gravity of the problems but also positive and effective measures to deal with them. The Committee's most recent report to the General Assembly and to your august Council,<sup>7</sup> presents valuable information and opinions about the situation in South Africa, recommends corrective measures and offers a restatement of United Nations objectives regarding *apartheid*.

99. Allow me to refer to these objectives now. In paragraph 255 of the report, the Special Committee recalled that the Security Council in its resolution 182 (1963), adopted by a unanimous vote, had held that a solution required the full, peaceful and orderly application of human rights and fundamental freedoms to all the

inhabitants of South Africa regardless of race, colour or creed. Paragraph 256 reproduces an excerpt from the report of the Group of Experts established in pursuance of the same resolution. I shall quote part of that excerpt:

"The future of South Africa should be settled by the people of South Africa—all the people of South Africa—in free discussion. There can be no settlement and no peace while the great majority of the people are denied the fundamental freedom to participate in decisions on the future of their country. We are convinced that a continuation of the present position, including a denial of just representation, must lead to violent conflict and tragedy for all the people of South Africa. We wish, therefore, to emphasize the first and basic principle that all the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at the national level."

100. Briefly, the Special Committee on *Apartheid* sees the United Nations objective as being to deflect South Africa from its present disastrous course by working forcefully to promote universal respect for and observance of human rights and fundamental freedoms for all the people of that country without distinction as to race, sex, language or religion.

101. Since the 1963 decisions of the Security Council, the situation of the non-white population, particularly the African population, has grown progressively worse with the enactment of increasingly repressive legislation designed to intimidate everyone, black or white, who dares to oppose the obnoxious doctrine and practices of *apartheid*.

102. I will not attempt here to list all the statutory enactments which violate the most fundamental requirements of the rule of law in that they permit punishment without trial in the regular manner before an ordinary court. It will suffice to quote a few of the more recent statutes which are aimed at preventing the legitimate expression of dissent from governmental policy in racial matters by severely punishing dissenters and those who, whatever their personal opinions, effectively represent the dissenters or support their right to their beliefs.

103. In 1963 the 90-day no-trial law was introduced. This gave the police the power to detain incommunicado any person thought likely to give material evidence for the state in a case involving "state security" and precluded the courts from pronouncing on the validity of any such detention. The law was made more severe in 1967 by extending the period from 90 to 180 days.

104. The Terrorism Act of 1967 contains even worse provisions. Terrorism is defined in the Act, among other things, as causing financial loss to any person or the State, causing, encouraging or furthering feelings of hostility between whites and non-whites, obstructing the free movement of any traffic on land, sea or in the air and embarrassing the administration of the affairs of the State. These and other such definitions go far beyond what the common law considers treason. They enable the executive authority, the security police, to act at their discretion and at their convenience. Under this Act, a person may be

<sup>7</sup> Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 22.

detained indefinitely, held incommunicado, kept in solitary confinement and given no access to anyone but his interrogators. It is unlike the earlier detention laws, in that no one—wife, lawyer, minister of religion—has any access to a detainee, but “if circumstances permit, he may be visited by a Magistrate once a fortnight”. This infamous Act offends the basic concepts of justice, due process and the rule of law accepted by civilized nations. It violates the Universal Declaration of Human Rights and the Charter of the United Nations.

105. A recent and highly publicized case was that of the Anglican Dean of Johannesburg, the Reverend French-Beytagh. He was sentenced as a terrorist to the minimum mandatory term of five years’ imprisonment laid down under the Act. He was a well-known figure who carried a British passport and thus his case received world-wide attention. How many others not so well known have simply vanished without leaving a trace? Given such legislation, is it any wonder that reports flow thick and fast of the maltreatment and torture of detainees by the South African Bureau of State Security, or BOSS, as this police force has come to be called? It is widely known now through the affidavits of former detainees that the most refined techniques of psychological cruelty and physical brutality are used by the security police in conducting their investigations. These include solitary confinement, physical beatings and electric shocks administered to the most sensitive parts of the body. Given such legislation, is it any wonder that 10 detainees are known to have died in suspicious circumstances while being held for interrogation by the security police? The latest victim was Ahmed Timol, a young Indian teacher who fell to his death last October from a tenth floor window of the John Vorster Square police station in Johannesburg. This one provoked a national outcry in South Africa. A judicial inquiry into this and other suspicious deaths was demanded. The demand was supported by, among others, the Opposition United Party, the Progressive Party, the leaders of the Anglican, Methodist and Roman Catholic Churches, the Christian Institute, the Labour Party, the Natal Provincial Council, the South African Institute of Race Relations, the courageous white ladies of the Black Sash movement and academic and student groups.

106. The demand was rejected.

107. The grim story is one of ever-expanding repressive legislation, physical and mental torture and systematic dispossession of non-whites of their jobs and homes. The Bantu Laws Amendment Act, 1970, imposed new restraints on Africans and gave the Minister power to prohibit them from doing any kind of work in urban industrial areas. The Bantu Homelands Citizenship Act, 1970, imposed on Africans so-called citizenship of one of the eight artificial national homelands to which a man who may never have known this homeland has to go if he is deprived of his job in an urban area. Under the Group Areas Act, more than 1 million Africans, 35,000 people of mixed blood, 22,000 Indians and 64 people of Chinese descent have been uprooted in the name of *apartheid*.

108. All of this is well known, but it must be repeated. It must never be forgotten that the homelands or Bantustans

set aside 13 per cent of the country for more than 70 per cent of the population, and that these are scattered over some 200 non-contiguous sites that are almost entirely rural, under-developed, over-crowded, soil-eroded, unhealthy and with very few employment opportunities. Thus the people who are being forced to live in these areas find it virtually impossible to make a living there and have to look for work in “white” areas, where they have no rights of any kind.

109. The systematic whittling away of the rights of the Africans in the urban and industrialized areas is the logical extension of the Bantustan policy. That a large proportion of those who live in the reserves should exist on the border of starvation is part of the logic of the system. For all but a small minority of Africans who can find work in and around the homelands, normal family life is impossible. All African women and children are denied by law the right to live with their breadwinners. Under the system of labour contracts, the men are compelled to live in barracks for 12 months at a time, at the end of which they are compelled to return to their so-called homelands to obtain new contracts.

110. We have just heard a very moving plea from the President of the United Nations Council for Namibia on behalf of the strikers in that country. I am sure that I would interpret the feelings of my Committee in saying that we whole-heartedly join with him in appealing to the Security Council to take some positive steps which would put heart into those people and enable them to resist the intimidation which they are now experiencing.

111. It is claimed that these Bantustans are capable of becoming economically viable and self-governing States where the Africans will enjoy freedom. The fact is that they are labour reservoirs to which the white areas send requisition orders for workers. All Africans between the ages of 15 and 65 have to register with a local labour bureau. The Special Committee considers that the Bantustan policy is a formula, not for separate development, but for exploitation in isolation.

112. At this stage I should like to call attention to the South African image-building effort aimed at convincing the world that South Africa is peaceful and prosperous. This propaganda is directed at the fulcrum of moderate opinion which in the final instance sways Governments, determines policy and attracts trade, investment and immigration. In September 1970, the South African Minister of Information declared:

“In countries abroad we must have every means at our disposal in order that we may present the image of South Africa as it is, namely, that of a beautiful, prosperous country, in which law and order prevails . . . and where, in an atmosphere of peace and calm, numerous peoples with different languages, cultures, religions and tradition are living together in an orderly manner.”

113. The Special Committee on *Apartheid* is convinced that the leadership of every country which maintains close relations with South Africa knows what is going on there. They have not been duped. And they govern countries

which have been revealed repeatedly, and in notable instances at great material cost to themselves, to be humane and full of compassion. To understand the stark contradiction between the humanism of these countries and the attitudes of their Governments to South Africa, we must look elsewhere.

114. The Special Committee has recently listed 24 countries as having established new links with the South African Government and South African companies or as having opened discussions on the establishment of such links. The Special Committee believes that the pressure of isolation can be effective in bringing home to substantial elements within South Africa that the cost of *apartheid* is unbearable. South Africans must be warned that the Security Council has declared *apartheid* to be inconsistent with the principles contained in the Charter and contrary to South Africa's obligations as a Member of the United Nations. The Special Committee is convinced that the South African people and its Government are sensitive to the criticism voiced in many parts of the world and that they do not wish to be morally, socially, commercially and politically isolated.

115. I have referred earlier to the action taken by the Security Council in 1963. Since then the Council has reconsidered one aspect of the question of *apartheid*, the violation of the arms embargo, and it did so in July 1970. The Special Committee has repeatedly emphasized that military assistance made available to South Africa of whatever sort and in whatever form would have one decisive effect—that of increasing the military strength and as a direct consequence the determination of the ruling circles of South Africa to pursue without respite the bitter logic of the reign of terror which they have institutionalized in that country. Security Council resolutions 181 (1963), 182 (1963) and 282 (1970) made no exceptions for the continued supply of arms under existing agreements, but the Government of the United Kingdom claimed to see no legal impediment to authorizing the supply of helicopters and spare parts to South Africa. In fact that Government has contended that it was under a legal obligation to supply this material. The Special Committee rejected and continues to reject this contention. Again, these resolutions made no distinction between arms capable of being used internally as instruments of repression and arms suitable only for defence against external attack. But certain countries, prominent among them France, currently the main provider of military assistance to South Africa, were reported to see justification for providing such assistance which, in the French view, could not be used in anti-guerrilla operations but only for defence against external threats.

116. As far back as March 1960 Mr. Fouché, then South African Minister of Defence, had this to say about his Government's armed forces:

“The task of the Army and Air Force is to take action for internal security as soon as disturbances have reached a degree where the police are unable to control them . . . Greater mobility, armoured protection and increased striking power have been given to twelve of the infantry units at strategic places in the form of Saracens. These

Citizen Force units, together with the two Mobile Watches which are organized as Saracen units for internal security, form a shock element in the Army.”

117. How much more blatantly must the South African leadership express the policy objective underlying its prodigious expenditure on armaments for those countries which provide South Africa with invaluable military help to accept that such help enables the South African Government to maintain its iron grip on a helpless population? The Special Committee believes that the time has come for the Governments of these and other countries to accept the letter and spirit of the resolutions of the Security Council, particularly bearing in mind that, under the provisions of the Charter, Members of the United Nations have an obligation to accept and carry out the Council's mandatory decisions. It is true that South Africa has achieved an impressive degree of self-sufficiency in regard to the manufacture of explosives and propelling agents for military purposes, but the Government has been laying increasing emphasis on acquiring technical know-how and on developing large-scale manufacturing capability of sophisticated arms, ammunition and military equipment under licences obtained from friendly trading partners. The Special Committee is deeply concerned that South Africa should receive no more help to increase its military capability.

118. Finally, Mr. President, my Committee has charged me to bring to your notice the resolutions adopted by the General Assembly at its twenty-sixth session. I refer specifically to resolutions 2775 A to H (XXVI) of 29 November 1971. I shall not read out these resolutions but merely refer to them briefly.

119. Resolution A dealt with the arms embargo. Briefly, in this resolution the General Assembly called upon all Governments to implement fully the arms embargo against South Africa and invited the Security Council to consider the situation in the light of the reports and communications addressed to it by the Special Committee on *Apartheid* and of the resolution to which I am now referring, with a view to securing the full implementation by all States of Council resolution 282 (1970). The voting on this resolution was as follows: 107 in favour; 2 against—Portugal and South Africa; 5 abstentions—Australia, France, Malawi, the United Kingdom and the United States of America.

120. Resolution B dealt with provision of educational material on *apartheid*.

121. Resolution C referred to the programme of work of the Special Committee.

122. Resolution D dealt with *apartheid* in sports.

123. Resolution E condemned the establishment by the Government of South Africa of Bantu homelands and the forcible removal of the African people of South Africa and Namibia to those areas as a violation of their inalienable rights; and it declared that the United Nations would continue to encourage and promote a solution to the situation in South Africa through the full application of human rights and fundamental freedoms to all inhabitants

of South Africa regardless of race, colour or creed. This resolution was adopted by 110 votes. Negative votes were cast by Portugal and South Africa. France and the United Kingdom abstained.

124. Resolutions G and H dealt respectively with dissemination of information on *apartheid* and trade union activity against *apartheid*.

125. Resolution F dealt with the situation in South Africa resulting from the policies of *apartheid*. Among other things, the General Assembly recommended again that the Security Council should consider urgently the situation in South Africa and in southern Africa as a whole with a view to the adoption of effective measures against South Africa, including those under Chapter VII of the Charter of the United Nations. This resolution was adopted by a vote of 86 to 6, with 22 abstentions. This resolution, of 7 preambular and 14 operative paragraphs, was held by some delegations which expressed their inability to support it to

contain provisions falling within the exclusive competence of the Security Council.

126. The matters are now before the Security Council. I shall, therefore, end this statement by repeating the recommendation of the General Assembly and the earnest hope of the Special Committee that the Security Council will adopt effective measures which will make South Africa a free and happy as well as a beautiful and prosperous country for all of its people.

127. The PRESIDENT: Recalling that the representatives of 20 African Member States have indicated their desire to take part in the debate, I wish to announce that in addition the three African members of the Council have addressed a letter to the President [*S/10602*] asking that 13 persons with special knowledge of the problems of which the Council is seized should be invited to give it the benefit of their knowledge.

*The meeting rose at 5.35 p.m.*